

NEW RIVER COMMUNITY AND TECHNICAL COLLEGE

EMPLOYEE HANDBOOK



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PREFACE

This handbook provides information related to the internal policies, procedures and practices as well as other matters of interest at New River Community and Technical College (New River or College). Selected policies by the West Virginia Community and Technical College System Council (WVCTCS) and New River Community and Technical College Board of Governors are included. This handbook contains only general guidelines and information on employment issues. It is not intended to address every possible application of or exception to, the general policies and procedures described. Policies, procedures, practices and benefits described in this handbook may be modified or discontinued at the College's discretion. Every attempt will be made to inform you of any changes as they occur. However, it is your responsibility to keep current on all College policies and procedures. It is also your responsibility to review College policies and procedures in detail and to request any clarification needed from the Human Resources Office. Violation of College policies or procedures may result in disciplinary action, including termination of employment.

The College's [Policies and Procedures](#) can be accessed through this link and are posted on the College's website .

Interpretation and enforcement of guidelines in this handbook will be made by the Director of Human Resources, the Executive Leadership Team and the President. These guidelines are subject to change in accordance with Federal or State regulations and laws. In situations where a provision of this handbook conflicts with the specific provisions of applicable law, the provisions of the law will take precedence.

Nothing in this handbook is intended to create a contract of employment either expressed or implied. Any employee who does not have a written contract of employment is an at-will employee. At-will employment means that either party can terminate the employment relationship at any time for any reason. Neither this handbook nor any other College document confers any right, either expressed or implied, to remain in the College's employment. Nor does it guarantee any fixed terms or conditions of employment by the College. Employment may be terminated pursuant to applicable College policies and procedures. No supervisor or other representative of the College (except the president) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

WELCOME

Welcome to New River Community and Technical College! We're glad you joined us! New River will provide a challenging work environment for growth and progress, and our hope is that you will make every effort to perform your duties and responsibilities to the best of your ability.

New River Community and Technical College was founded July 1, 2003, by enactment of the WV Legislature. The College was independently accredited February 8, 2005, by the Higher Learning Commission. Although newly founded and named, the College's origins span more than one hundred thirty years of service to West Virginia through its two parent institutions, Bluefield State and Glenville State Colleges.

New River CTC was created by combining the community and technical college components of Bluefield State College with Glenville State College's community and technical college campus in Nicholas County (Summersville), as mandated by HB 2224 and later refined by SB 448. Consequently, New River CTC serves a nine (9) county region to include Fayette, Greenbrier, Mercer, Monroe, Nicholas, Pocahontas, Raleigh, Summers, and Webster Counties.

Dedicated to improving the quality of life among citizens in southeastern and south-central West Virginia, New River CTC provides comprehensive, quality higher education, workforce training, and community education programs and services that are financially, geographically, or electronically accessible and that meet the individual, business, and community needs of its diverse population within the college's nine county service region.

Although standard measures of achievement indicate that most of our entering freshmen are underprepared to enter college, New River CTC student achievement, by the receipt of the associate degree, is demonstrably competitive with other higher learning institutions.

The College offers many technological advancements as teaching tools for our faculty and students, but it is our people that constitute the real heart of our College. The achievement of our students is due in large measure to the effectiveness of our outstanding faculty and staff coupled with the motivation and the academic abilities of our student body.

New River CTC as an affordable, accessible, and relevant higher education community and technical college provides educational and workforce training opportunities for both traditional and nontraditional students. The College's state-of-the-art technology facilities of all of its four campuses, including the Advanced Technology Center (ATC), have proven to be integral in the development of our students and their academic achievements and successes.

INTRODUCTION

It is our hope that this handbook will assist you in becoming better acquainted with the vision, mission, values, policies, procedures, and practices that New River operates under as it seeks to become a more dynamic force in the West Virginia Community and Technical College System.

VISION

New River Community and Technical College improves students' lives and enriches communities.

MISSION

New River Community and Technical College provides accessible, affordable, quality education and workforce programs to meet the needs of the region it serves.

VALUES OF NEW RIVER COMMUNITY AND TECHNICAL COLLEGE

Shared values guide New River Community and Technical College in fulfilling its mission. These values influence thoughts, guide decisions, mold policies, and determine courses of action. Our employees are expected to support and enact these values in our daily work.

Community

- Commit to the well-being of others.
- Model behavior that promotes unity.
- Demonstrate commitment to the College's mission.
- Promote a caring and supportive environment.
- Support continuous personal and professional growth.

Integrity

- Practice fairness and honesty.
- Uphold ethical, professional, academic, and financial standards.
- Ensure transparency.
- Be accountable.

Justice

- Respect the freedom and dignity of each individual.
- Respect and promote diversity.
- Promote positive attitudes toward each other.
- Provide equal opportunity for success.
- Prepare students and employees to work in a global and diverse environment.

Service

- Provide service to each other and to the community.
- Be a responsive member of the community.

Scholarship

- Pursue truth, learning and quality scholarship.
- Commit to increasing the knowledge of all individuals associated with the College.
- Foster lifelong learning.
- Maintain high standards in our constant pursuit of excellence.

STATEMENT OF NONDISCRIMINATION AND AFFIRMATIVE ACTION

New River Community and Technical College does not discriminate in its educational programs or in admission to, access to, treatment in, or employment on the basis of race, color, religion, sex (including pregnancy), sexual orientation, gender identity, national origin, age, marital status, veteran or military status, disability, or genetic information or any other status or condition protected by applicable federal or state laws, Title VII Human Rights Act of 1964, Title IX Education Amendments of 1972, Section 504 of the Rehabilitation Act, Americans with Disabilities Act, and Equal Employment Opportunity Commission.

The office listed below has been designated to handle inquiries regarding the College's non-discrimination policies relating to disabilities, sex or other forms of discrimination.

Wennetta Marie Rhodes Director of Student Affairs and Title IX Coordinator
New River Community and Technical College
280 University Drive
Beaver, WV 25813

Telephone: 304-929-5027
Email: wrhodes@newriver.edu

The Title IX Coordinator is responsible for overseeing, monitoring and compliance to Title IX to promote a non-discriminatory and harassment-free campus community. The Title IX Coordinator oversees investigations of all civil rights-based complaints, including Title IX complaints, and ensures that access to College programs and activities is not prohibited on the basis of sex, sexual orientation, gender identity, or gender expression.

The Harassment and Discrimination policy which includes the investigation procedure is available for review on the college website or by clicking this link: [Harassment and Discrimination Policy](#)

New River CTC is committed to providing an environment free from discrimination on the basis of sex and gender. The College provides many resources to students, faculty, and staff to address concerns relating to harassment and discrimination in all aspects of the educational process, including in the areas of recruitment, admissions, and counseling; financial assistance; sex-based harassment and misconduct; the needs of pregnant and parenting community members; discipline; and employment. The Harassment and Discrimination policy provides a detailed explanation of the reporting and investigation process.

To report a complaint, complete the Investigative Complaint Form through the link below:

[Complaint Form](#)



COLLEGE GOVERNANCE AND MANAGEMENT

ACCREDITATION AND AFFILIATION

New River Community and Technical College is accredited by the Higher Learning Commission (www.hlcommission.org), a regional accreditation agency recognized by the U.S. Department of Education.

WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE COUNCIL

The West Virginia Council for Community and Technical College Education (WVCTCC) (<https://wvctcs.org/>) is the governing board for the Community and Technical College System in the state. The Council has jurisdiction and authority over the community and technical colleges and the system as a whole, including educational programs. Thirteen members serve on the Council, including Governor appointees representing community and technical college districts, and representatives of the West Virginia Workforce Investment Council, West Virginia Development Office, West Virginia AFL-CIO, Higher Education Policy Commission, and West Virginia Department of Education.

INSTITUTIONAL BOARD OF GOVERNORS

The Board of Governors report to the West Virginia Council for Community and Technical College Education. The Board of Governors (BOG) for New River CTC was formed to determine, control, supervise and manage the financial, business and education policies and affairs of the state institutions of higher education under its jurisdiction. The BOG consists of twelve members: nine lay members appointed by the Governor; one full time faculty member with the rank of instructor or above elected by the faculty; a member of the student body in good academic standing, enrolled for college credit and elected by the student body; and a member of the institutional classified staff elected by the classified staff. Duties of the BOG include: develop and update master plans; submit budget to the WVCTCC; conduct program reviews every 5 years; administer personnel matters; appoint institutional president; conduct presidential evaluations; delegate powers to the president; establish tuition and fees to name a few.

The current [Board of Governors](#) membership can be found on New River CTC's website.

THE PRESIDENT OF THE COLLEGE

The president, appointed by the Board of Governors, is the chief executive officer of the College. For more information visit the [President's Office](#) website.

ADVISORY COMMITTEES FOR SPECIALIZED PROGRAMS AND FUNCTIONS

Advisory committees for specialized programs, curricula, college publications, and functions are utilized in the establishment and evaluation of such programs, curricula, etc. Advisory committee members are business professionals and other residents of the southern West Virginia area who can provide advice and guidance on various program elements. The Vice President for Academic Affairs appoints members of the advisory committees.

COMMUNITY AND TECHNICAL COLLEGE MANAGEMENT

Title 133 Series 4 – Rules and Administrative Procedures: Each institution's governing board shall adopt a rule that outlines the rulemaking process at that institution pursuant to this rule and West Virginia Code and sets forth powers, duties, and responsibilities of the Board of Governors of each public higher education institution in the state. This document enumerates those powers, duties and responsibilities that the Board of Governors of New River Community and Technical College wishes to retain for itself and those that it chooses to delegate to the President of the College. Given its legal responsibility for the institution, the Board of Governors maintains control of all broad institutional policy. The powers, duties and responsibilities that are delegated to the President represent the day-to-day operation of the institution and reflect the implementation of policy.

[BOG 1.1 Board of Governors Policy Criteria](#)

[NR1.1 New River Policy Criteria](#)

FACULTY CONSTITUTION

The Faculty Constitution is the document that establishes the body through which the New River CTC faculty deliberates on college and faculty-related issues and fulfills its role in teaching and fostering learning and governance of the institution. This body is the Faculty Senate. The Faculty Constitution can be found on the intranet or by using the following link: [Faculty Senate Constitution](#)

FACULTY SENATE

The Faculty Senate is the vehicle for participation by representation of the faculty in the governance of the college. The Senate's decisions are subject to review and approval by the President.

The purpose is to provide faculty organization by which the faculty expresses its concern for the welfare of the college and the college community, develops and disseminates ideas for college improvement, stimulates communication, contributes to the formation of general college policy, and performs those duties and functions especially allocated to or assumed by the faculty, subject to the limitations imposed by the laws of the State of West Virginia and rules of the WVCTCS and the faculty of New River Community and Technical College.

STANDING FACULTY COMMITTEES

The Faculty Senate can appoint standing committees as it sees fit and appropriate. The following standing committees shall be included but not limited to: Academic Affairs, Promotion and Tenure, Curriculum. Faculty membership on the committees can include any full-time faculty member of New River Community and Technical College.

STAFF COUNCIL

Purpose: The purpose of the Staff Council is to serve as a forum and act as a resource for the expression of views on matters that affect all staff employees and to encourage programs that provide support for the growth and development of staff. The Staff Council supports all staff by serving as a liaison on various College committees, which promotes shared governance, fair representation, varied perspectives and communication of important information. Through improved communication and participation with the staff, we hope to have a positive impact on the professional lives of all staff members. If you have concerns that you would like the Council to address, please let us know.

Meetings: The Staff Council wants to encourage all staff employees to attend meetings and participate in committees and projects. The meetings and participation on the Council are a great way to improve your understanding of the College, stay up to date on current events, develop and improve leadership skills, and help improve the working environment for your peers. Agendas and Minutes from meetings are posted to the Intranet.

EMPLOYMENT GUIDELINES

INTRODUCTION

The purpose of this section is to record the various personnel rules, regulations, policies, and procedures of the federal and state governments, West Virginia Community and Technical College System and New River Community and Technical College. A complete list of [Policies and Procedures](#) can be found on the Human Resources page of New River's website.

EQUAL EMPLOYMENT OPPORTUNITY

New River Community and Technical College is an equal opportunity employer. In accordance with applicable law, we prohibit discrimination against any applicant or employee based on any legally-recognized basis, including, but not limited to: veteran status, uniformed service member status, race, color, religion, sex, sexual orientation, gender identity, age (40 and over), pregnancy (including childbirth, lactation and related medical conditions), national origin or ancestry, citizenship status, physical or mental disability, genetic information (including testing and characteristics) or any other consideration protected by federal, state or local law. Our commitment to equal opportunity employment applies to all persons involved in our operations and prohibits unlawful discrimination by any employee, including supervisors and co-workers.

In furtherance of its policy prohibiting discrimination against individuals on the basis of physical or mental impairment or disability, the college will provide reasonable accommodation in the workplace for disabled employees. All inquiries regarding the rights of disabled employees, including the right to employment accommodations, should be directed to the Director of Human Resources.

ORIENTATION

An introduction to policies, procedures, and employee benefits will be provided to new employees. The supervisor will provide performance and conduct expectations and set goals and objectives of the position through the employee performance appraisal system. A copy and an explanation of the job description, which contains the duties and responsibilities of the job, will also be provided.

IMMIGRATION REFORM AND CONTROL ACT OF 1986

The Immigration Reform and Control Act of 1986 requires all employees, as a condition of employment, to provide original documents which establish their identity and employment eligibility. Also, each employee must complete their portion of the US Citizenship and Immigration Services Employment Eligibility Verification Form I-9.

All employees must provide these documents within the first three days of employment. The College is required to retain copies of the original documents along with the completed I-9 form.

JOB ACCOMMODATION DURING EMPLOYMENT

An employee who has or acquires, a permanent disability causing functional restriction or limitations, which can be reasonably accommodated, will be provided such measures by the college, if reasonable accommodation will permit the employee to meet the essential functions of the job. This request is to be submitted to the Executive Director of Human Resources in writing with the appropriate medical documentation from the attending physician.

[ADA – Reasonable Accommodation Request](#)

PROBATIONARY PERIOD

A six-month probationary and/or evaluation period is provided for new employees. The standards of performance are to be discussed by the supervisor with the employee at the beginning of the probationary period. The probationary period, at the discretion of the supervisor, may be extended to a maximum of twelve months if the employee's performance is not acceptable. The request should be approved through the second level supervisor, as well as the Director of Human Resources.

A new employee must complete her/his probationary period **before** consideration is given in any educational opportunities or wellness programs.

Probationary employees will be evaluated by the institution's employee appraisal system before the completion of the first six months of employment.

As stated above, should a probationary employee's work not be satisfactory, the employee will be notified **in writing** by the supervisor of her/his failure to satisfactorily complete the probationary period. The **specific** terms of the extended probationary period will be set forth in a **plan of improvement**. A copy of this notification will be forwarded to the next level of supervision when appropriate, and the Executive Director of Human Resources.

Employees who do not meet established performance standards may be terminated at any time during the normal, or the extended, probationary period. If an employee is to be separated, her/his supervisor will consult with the Director of Human Resources and the President. After consultation, the employee will be provided a written explanation, including documentation, regarding the termination. If warranted, a pre-termination discussion will be scheduled with the President to allow the employee the opportunity to provide explanation why he/she should not be terminated. The employee will be informed of the President's decision within five (5) working days of the hearing. A copy of the termination notice becomes part of the personnel record.

PERFORMANCE EVALUATIONS

Non-faculty employees will have performance evaluations at the conclusion of the probationary period and at least once annually thereafter. A performance appraisal will be conducted by the employee's supervisor in order to clarify job understanding and expectations, improve communications, discuss performance, set goals, and further the employee's development. The performance appraisal results will be used in consideration of employee transfers, promotions, retention, demotion, and merit salary increase determinations.

Faculty employees will be evaluated utilizing the procedure outlined in policy [NR 4.1 Faculty Evaluation](#).

CLASSIFICATION OF POSITIONS

The West Virginia Higher Education Policy Commission and the Council for Community and Technical College Education approved a market-based higher education classification/compensation management program.

The classification of all positions is based upon duties, responsibilities, required knowledge and skills, minimum requirements and reporting relationships inherent in a given position. Position classifications are assigned titles that are organized by job families.

The goal of Commission, Council and affiliated colleges and universities is to pay competitive salaries by using systems clearly communicated to employees and readily administered by managers.

TYPES OF EMPLOYEES

Classified employee-a regular full-time or regular part-time employee of an organization who:

1. Does not meet the duties test for exempt status under the provisions of the Fair Labor Standards Act; and
2. Is not otherwise non-classified employee designated pursuant to this procedure

Non-classified employee-a regular full-time or regular part-time employee of an organization who meets one or more of the following criteria:

3. Holds a direct policy-making position at the department or organization level;
4. Reports directly to the president;
5. Is in a position considered by the president or designee to be critical to the institution;
6. Is in an information technology-related position;

Hired after July 1,2017, and meets the duties test for exempt status under the provisions of the Fair Labor Standards Act at the time of hire or anytime thereafter.

Faculty have several classifications including tenured, tenure-track, clinical track, librarian-track, term, instructional specialist, and non-tenured track. The full definitions of these classifications can be found in policy [BOG 4.1 Academic Freedom Responsibility Promotion Tenure](#).

EMPLOYMENT STATUS

Full-time regular employee-Any employee in a position created to last a minimum of nine months of a twelve-month period and in which such employee is expected to work no less than 1,040 hours during the said period. The full-time equivalent (FTE) of such a position must be reported at no less than 0.53 FTE. Such an employee is eligible for all applicable benefits of a full-time regular employee, subject to the qualifying conditions of each benefit. Such benefits shall be prorated in relation to a 1.00 FTE.

Part-time regular employee-Any employee in a position created to last less than 1,040 hours during a twelve-month period. An employee in a part-time position is not eligible for benefits and is covered by the classification system.

Temporary Part-time employee-Any employee working less than 1,040 hours, is not eligible for benefits and is not covered by the classification program. These positions are also called “extra help.”

Student Employee-Any employee enrolled at the institution as a student whose primary purpose for being at the institution is to obtain an education. As student-employee is not eligible for benefits and is not covered by the classification system.

PROMOTION/TRANSFER

The Human Resource Office advertises vacant positions for a period of ten (10) working days for all posted positions. These advertisements are posted on the New River website and an email notification is sent to “All Users” of the college community email system. Employees should apply for transfers and/or promotional opportunities through the normal application process. The employee should provide copies of any additional certifications, diplomas, etc. to the Human Resources Office for inclusion in her/his personnel file.

A current employee will not be considered for any vacancies if that employee is currently on a plan of improvement and/or there are disciplinary actions being taken at that point in time.

The Office of Human Resources, with the approval of the President, may provide transfer or promotional opportunities in the college to internal employees, in compliance with Legislative Rule §133-55 and the salary administration guidelines, so long as it meets a specific need in the college, and it is deemed as the most effective and appropriate method of filling a specific position. This includes lateral transfers, which may be voluntary or involuntary, and typically do not warrant a pay increase. All employment decisions are to be made in compliance with our affirmative action/statement of nondiscrimination.

Faculty may also apply for Promotion through the guidelines in policy [NR 4.2 Promotion and Tenure](#).

HARASSMENT/DISCRIMINATION

Any employee who believes they have been harassed, discriminated against or subject to retaliation by a co-worker, supervisor, agent, client, vendor or customer of New River Community and Technical College in violation of this policy, or who is aware of such harassment, discrimination of or retaliation against others, should immediately provide a written or verbal report to their supervisor, any other member of management, the Title IX Coordinator or to Human Resources. Complaints may also be filed online at: [Complaint Form](#)

After a report is received, a thorough and objective investigation by management will be undertaken. The investigation will be completed, and a determination made and communicated to the employee as soon as practical. The Company expects all employees to fully cooperate with any investigation conducted by the Company into a complaint of proscribed harassment, discrimination, or retaliation, or regarding the alleged violation of any other Company policies, and during the investigation, to keep matters related to the investigation confidential.

If we determine that this policy has been violated, remedial action will be taken, commensurate with the severity of the offense. Appropriate action will also be taken to deter any future harassment or discrimination prohibited by this policy. If a complaint of prohibited harassment, discrimination or retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.

The Equal Employment Opportunity Commission (EEOC) and equivalent state agencies will accept and investigate charges of unlawful discrimination or harassment at no charge to the complaining party.

SEXUAL HARASSMENT AND TITLE IX

It is the policy of New River Community and Technical College that no member of the College community may sexually harass another. Sexual harassment is a violation of Title VII of the 1964 Civil Rights Act as amended (section 1604.11 of EEOC's regulation on sexual discrimination of 1980) and Title IX of the Educational Amendments of 1972 and the Higher Education Amendment of 1992 (Public Law 102325). Title VII prohibits employment discrimination based on sex (and in other areas) and Title IX prohibits discrimination on the basis of sex in federally funded education programs and activities. Title IX covers both sexual harassment and sexual violence.

Definition: Sexual harassment is defined as unwelcome sexual advances, such as requests for favors and other verbal or physical conduct of a sexual nature, which adversely affect the working or learning environment, i.e.:

1. Submission to such conduct as a condition of employment or education.
2. Submission or rejection of such conduct affects an individual's status in the work or learning environment.

Unwelcome sexual advances which interfere with an employee's or student's performance by creating an intimidating, hostile or offensive environment. Sexual harassment may be overt behavior affecting the work or academic environment; or may be verbal behavior which may consist of demands, attacks or consistent use of sexually offensive language. This definition does not in any way affect social interaction or relationships entered into freely by individuals.

Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Title IX prohibits these acts whether they are carried out by school employees, other students, or third parties.

Grievance Procedure: Anyone who believes she/he has been subjected to sexual harassment is encouraged by New River Community and Technical College to pursue the matter through the Institution's informal or formal procedures as further described and/or to contact local law enforcement authorities. Anyone who wishes to report or seek advice about alleged sexual harassment should contact:

Wennetta Maria Rhodes, Director of Student Services and Title IX Coordinator
New River Community and Technical College
280 University Drive
Beaver, WV 25813

Telephone: 304-929-5027
Email: wrhodes@newriver.edu

You may also file a complaint by completing the Investigative [Complaint Form](#).

The [Harassment and Discrimination Policy](#) is available on the college website.

Other Action: Anyone who has been subjected to sexual harassment may seek action beyond the New River Community and Technical College informal and formal procedures as described, by contacting local law enforcement authorities, the Equal Employment Opportunity Commission, or the Office of Civil Rights.

CONCERN RESOLUTION PROCEDURE

Open dialogue between employees and supervisors is essential to a productive and satisfying work environment. While most employment concerns can be resolved on an informal basis the following guidelines are in place to resolve more difficult problems.

This procedure is designed to resolve any form of complaint/dispute concerning your employment or if you wish to contest any disciplinary action.

1. Give notice of the complaint, concern, or issue to your immediate supervisor as soon as you can after the occurrence. Your supervisor will discuss the problem with you in a private interview. The supervisor will take whatever action is deemed reasonable to resolve the complaint.
2. If you do not feel comfortable bringing your concern to your direct supervisor or do not agree with your supervisor's response, you may discuss the matter with the next higher-level manager at your location to resolve the issue.
3. If you are unable to resolve the issue at your location, you may contact the Director of Human Resources for assistance.
4. If you are unable to resolve your issue through the preceding steps, you may send written notice of your concern to the President of the College. The President will review the situation and provide a final determination.

We are here to listen to your concerns and address issues promptly. Although we cannot guarantee complete confidentiality we will investigate and address issues in a discrete and professional manner. Investigations will be completed utilizing the procedure outlined in the [Harassment and Discrimination Policy](#) based on the type of complaint.

[NR 3.6 Concern Resolution Procedure](#)

PROTECTION AGAINST RETALIATION

Retaliation is prohibited against any person by another employee or by New River Community and Technical College for bringing forth concerns, reporting proscribed harassment, or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions such as change of work hours, location, significant change work duties or otherwise denying any employment benefit.

Employees should report any retaliation prohibited by this policy to their supervisor, any management team member, or Human Resources. Any report of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.

WV PUBLIC EMPLOYEES GRIEVANCE BOARD

If you are unable to resolve your concern through the internal Concern Resolution Procedure, you may access the [WV Public Employees Grievance Board](#).

HOURS OF WORK AND PAY

PAY PERIODS

All employees will be paid one pay cycle in arrears. There are twenty-six approved (26) pay periods per fiscal year. The Holiday and Payroll Calendar may be found on the New River CTC website, Human Resources page under [Links](#).

COMPENSATION

Base salary is calculated on a thirty-seven and one-half (37 1/2) hour workweek (1,950 hours/year for full time, 1.0 FTE) beginning Saturday at 12:00 a.m. through Friday at 11:59 p.m. The College is required by law to make deductions from paychecks for federal and state income taxes, Social Security, and retirement (if full-time).

The West Virginia Higher Education Employee Salary Structure represents the normal range of salaries for all pay grades. No guarantee exists that employees will receive a salary increase on an annual basis or for merit.

Employees will be paid one pay cycle in arrears. Pay will be issued in 26 pays per year, falling every other Friday. Direct deposit is available to all employees. The alternative to direct deposit is a WV Pay Card.

Each employee should examine her/his electronic paystub to assure that he/she has received the correct amount based upon deductions, overtime (if applicable), hours worked and rate of pay. Notify the Payroll Office should there be any errors so they can make corrections.

TIMECARDS

Non-exempt employees must complete a time card within the Kronos Time and Leave System. The beginning time, lunch period, and end time must be documented daily. Employees are to approve their timecard for the current pay period in Kronos at the end of the pay period.

Exempt employees will not record a daily time punch, however, will need to approve their timecard each pay period.

REPORTING UNSCHEDULED ABSENCES

Notification of an absence, prior to an employee's scheduled start time is required. If, for any reason, an employee is unable to report to work as scheduled, the employee must notify her/his supervisor at the earliest possible time with the reason and the expected duration of the absence. **Failure of notification may result in discipline, up to and including termination. Absence from work for three consecutive days without explanation or authorization shall be deemed an automatic resignation.** It is the obligation of the employee to make certain that the immediate supervisor is notified of an absence prior to the employee's scheduled start time.

COLLEGE BUSINESS OPERATIONAL HOURS

The official business hours of New River CTC are 8:00 a.m. to 4:30 p.m. Monday through Friday. The business hours relate to the time period when College business and related offices are open to meet daily operational needs.

WORK SCHEDULE

The normal work schedule for a full time, or 1.0 FTE, employee is 7.5 hours/day, five days/week. The supervisor will advise employees of the schedule for the department. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours scheduled each day and week.

MODIFIED WORK SCHEDULE

The general objective of the modified work schedule is to permit classified staff to complete 37.5 hours/week in a shorter time frame. This is only available during the summer months as offered year to year by the President, and is subject to approval by the supervisor.

MEAL BREAKS

When an employee works a shift of longer than six (6) hours, an unpaid meal break of 30 minutes is required, the exact timing of which is at the discretion of the supervisor.

REST BREAKS

Employees are granted one a.m. and one p.m. rest period not to exceed 15 minutes each per day. Additional unauthorized time away from the work site must be credited against an appropriate leave accrual. Break periods shall be granted at the discretion of the supervisor. The purpose of such break periods is to provide relief from duties and absence from the work station, offering employees the opportunity to attend to personal activities (i.e., to eat a snack, to make personal calls, etc.). Rest breaks cannot be used to report to work late, to extend the meal break or to leave work early.

OVERTIME/COMPENSATORY TIME

Non-exempt employees are entitled to receive overtime pay under specific provisions of federal and state laws. The immediate supervisor and Chief Financial Officer must approve hours beyond 37.5 in a week for non-exempt employees before the extra hours are worked. The Compensatory Time/Overtime Agreement, which can be found on the Intranet, must be completed and sent to the Payroll Office.

All employees who meet the definition of "non-exempt" are to be compensated with time off or pay for all hours actually worked in excess of thirty-seven and one-half (37.5) in a given work week. All employees are expected to work overtime during emergencies unless excused for valid reasons. Overtime is subject to certain exemptions under the Fair Labor Standards Act defining non-exempt job activities.

Overtime pay for non-exempt employees is calculated at the rate of one and one-half (1.5) times the regular hourly rate, which is calculated by adding the total base salary to increment pay, and dividing by 1,950 hours. Overtime does not commence until forty (40) hours have actually been worked within one (1) work week. Regular hourly pay, also known as "straight time," is paid for work time between thirty-seven and one-half (37.5) hours and forty (40) hours in a work week.

When a non-exempt employee is required to work more than the employee's regular schedule, the employee may choose to receive payment or compensatory time off. The choice is indicated on the Compensatory Time/Overtime Agreement Form. Employees may accumulate up to two hundred forty (240) hours of compensatory time and shall be paid for all hours worked above the maximum accrual.

Compensatory time must be used within one year of accrual and will automatically be paid out if not used in this timeframe. The use of compensatory time off shall be requested two weeks in advance through the Kronos Time and Leave System. Approval of the request shall be contingent upon whether it will unduly disrupt the operation of the institutional unit.

INCREMENT PAY

Employees who have three or more years of qualifying service receive annual increment pay in recognition of the value of their past and present service. The annual increment amount is \$60 for each full year of qualifying service and is paid in July of each year. Deductions from increment pay include mandatory retirement, FICA, Medicare and applicable federal and state income taxes.

BENEFITS

As an employee of the State of West Virginia, an extensive array of benefits is available to the employee and his/her dependents. These benefits significantly increase the value of the employee's total compensation and provide for an enhanced working environment. Benefits include, but are not limited to, comprehensive health insurance prescription drug coverage life insurance and retirement. In addition, employees have the opportunity to participate in a variety of optional health benefit plans, insurance programs, and monetary savings plans through Mountaineer Flexible Benefits. Employees will learn more about each of these plans during new employee orientation and information is available on Human Resources page of New River's website under [Benefits](#).

West Virginia Public Employees Insurance Agency (PEIA) offers hospital, surgical, major medical, prescription, and other medical care coverage. The plan also includes \$10,000 term life insurance for the employee. **New employees have until the end of the month from the starting date of their benefits-eligible position to enroll for coverage with an effective date the first day of the following month.** New enrollees may be subject to preexisting condition limitations. Premiums for the health and life plans are pre-taxed (no federal or WV state tax or social security are deducted from the premiums) under Section 125 of the IRS Code.

Monthly premiums for health care benefits for the employee and dependent coverage are based on the employee's annual salary. (This information is in the annual Shoppers Guide.)

Employees should review their benefits at least annually to see if changes should be made. **Employees are encourage to use the Manage My Benefits Application on the PEIA website, which allows the employee to complete and submit change forms and supporting documentation through a secure portal to PEIA.** Guidelines allow existing employees to enroll or change coverage during the open enrollment period in the spring of each year. Certain life changing events can require or warrant changes in the employee's benefit plan (i.e., marriage, divorce, birth, loss of spouse's employment, etc.). If a qualifying event occurs, employees have the remainder of that calendar month and the next two months from the event to change their plan coverage; otherwise, employees may make changes only during the open enrollment period. Change of Beneficiary may be completed at any time through the Manage My Benefits Application.

COBRA

A terminated employee and dependents that become ineligible for coverage may have the right to continue health insurance coverage under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) by paying for 102% of the full premium (employer & employee portion). PEIA's COBRA program is administered by a third party.

RETIREMENT

Participation by benefits-eligible employees in a tax-sheltered retirement program is mandatory by West Virginia State law. Employees must contribute six percent of their gross pay to the [TIAA](#) retirement program. New River matches the employee's contribution with an equal amount. Vesting is immediate and retirement may begin at any age upon termination of employment. Retirement income is based on age at retirement, amounts of dollars accumulated, and the income options chosen, i.e., single life or joint life.

To build even higher income for retirement years, employees can make additional contributions to the supplemental retirement plans. Supplemental tax sheltering is available up to the maximum allowed under federal tax guidelines through two additional programs.

UNEMPLOYMENT COMPENSATION

Wages at New River CTC are reported quarterly to the West Virginia Department of Employment Security. For more information about this program, contact the local Job Service Office/Office of Employment Security.

CREDIT UNION

The West Virginia State Credit union is a member-owned financial cooperative serving employees of the State of West Virginia. The State Credit Union offers a wide range of services to meet employee's needs. An employee may sign up for membership with the State Credit Union at any time.

TRAINING AND PERSONNEL DEVELOPMENT

Employees may be required to attend various training programs and/or workshops conducted or offered. These training programs are designed to provide knowledge and skills to ensure better job performance. It is recommended that the employee and his/her immediate supervisor discuss reasons for requesting to attend and participate in training programs, conferences, etc. that would be of value to the employee and the College. Budget permitting, professional development funds may be available to assist employees with professional development activities.

TUITION WAIVERS

Full-time employees who have completed their probationary period may apply for employee, spouse, and dependent tuition waivers. The recipient of a spouse or dependent tuition waiver must be the legal spouse or a dependent of the employee. A dependent is any person processed as a dependent on the FAFSA or on the Federal Tax Return for the preceding calendar year. Employees, spouse and/or dependents must be an enrolled or admitted associate-degree or certificate seeking New River student. Waivers will not apply to workforce training or other non-credit based technical programs. Contact the Financial Aid Office for additional information.

EDUCATIONAL LEAVE

New River Community and Technical College encourages career development and self-improvement. Full-time regular employees are eligible for a maximum of three (3) hours off during the regularly scheduled work-week to attend New River classes on campus after completion of the six-month probationary period, provided the employee's absence will not interfere with the operation of the department. Before the semester in which the class is to be taken, each employee is required to provide her/his supervisor a written request for release time.

If approved, the signed request must be submitted to the Human Resources office for filing in the employee's personnel file.

LEAVE

Policies and procedures regarding employee leave are addressed in Legislative Rule, Title 133 Series 38, located in the [Policy Directory](#) on the College website. Employees are expected to communicate all leaves with their supervisors.

ANNUAL LEAVE

Full-time regular employees working between 1,040 and 1,950 hours over at least nine months of a twelve-month period will accumulate annual leave on a pro-rata basis. The accrual rate is multiplied by the regular hours worked for hourly classified employees and credited bi-weekly, on the first day of the new pay period for the prior pay period.

Non-classified employees and 12-month faculty earn 15 hours per month which is credited on the first day of the month for the prior month.

Accumulated annual leave for employees hired prior to July 1, 2017 will not exceed twice the amount earned in any twelve-month period. Employees hired on or after July 1, 2017 may accumulate annual leave up to one year and may not exceed the amount earned in one year in any twelve-month period as set forth in Title 133, Series 38.

Years of Service	Hours Accrued per Month	Days Accrued per Month	Maximum Days Accrued per Year
Less than 5 years of service	9.375 hours accrual per month	1.25	15.00
5 but less than 10 years of service	11.25 hours accrual per month	1.50	18.00
10 but less than 15 years of service	13.125 hours accrual per month	1.75	21.00
15 or more years of service	15.0 hours accrual per month	2.00	24.00

Annual leave shall not be granted to casual, temporary, extra-help or part-time employees.

SCHEDULING

Annual leave must be approved in advance by the supervisor or second level supervisor if immediate supervisor is out of the office. When requesting annual leave it should be submitted and approved in Kronos prior to time off. Annual leave will be arranged to fit operating schedules; however, consideration will be given to an employee's request. Seniority may be considered by the supervisor when arranging vacation schedules. An employee may not take leave before it is earned and illness which occurs during scheduled annual leave is counted as annual leave. A recognized institutional holiday occurring during a leave eligible employee's leave period shall not be considered as a day of leave, provided the leave eligible employee is not in a terminal leave period.

TRANSFER

Up to fifteen (15) days of unused/unpaid annual leave may be transferred from other eligible agencies of WV state government and state higher education institutions to other higher education institutions. Certification of the balance which existed in the agency or institution from which the leave eligible employee is transferring must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within one (1) year from the last day of employment with the other agency or institution.

TERMINATION

An employee is entitled to accumulated leave at termination of service, but in no case may this exceed the limits set forth above. An employee will be paid a lump sum payment for accrued and unused annual leave unless the employee qualifies for and elects to have annual leave paid out over time as regular pay checks. During a terminal leave period, no type of leave may be accrued. The terminal leave period is the period for which a leave eligible employee may receive pay following the leave eligible employee's last active day at work. A lump sum payment for accumulated annual leave will be made the pay period following the last day of employment. In the event of an employee's death, accumulated annual leave will be credited to the employee's estate.

SICK LEAVE

Full-time employees will accumulate sick leave at the rate of 5.2 hours per pay period. Accumulation of sick leave is unlimited. Sick leave may only be used by an employee due to personal or immediate family member's illness or death of an immediate family member as defined in Legislative Rule, Title 133, Series 38. In no circumstances may sick leave be used for annual leave.

Employees working at least 1,040 hours on a regular and continuing basis during a twelve (12) consecutive month period will accumulate leave on a pro-rata basis.

Employees working less than 1,040 hours are not eligible for leave benefits.

Sick leave for more than five (5) consecutive days shall not be granted to an employee for illness without satisfactory proof of illness or injury, as evidenced by a statement of the attending physician or by other proof satisfactory to the institution. An employee having an extended illness or serious injury shall, before returning to duty, obtain satisfactory medical clearance to help ensure adequate protection and shall indicate the employee's ability to perform her/his duties. Such medical clearance shall be presented in writing.

The institution may require evidence from an employee for verification of an illness or other causes for which leave may be granted under this rule, regardless of the duration of the leave.

TRANSFER

When a leave eligible employee transfers from another eligible agency of West Virginia state government or from other state institutions of higher education to another institution, the leave eligible employee's accumulated sick leave may be transferred. Written verification of the accumulated amount of sick leave to be transferred must be provided by the state agency or institution of higher education wherein the leave eligible employee accumulated the sick leave within one (1) year of the date of employment with the institution.

TERMINATION

An employee is not entitled to payment for accumulated sick leave at termination of service unless, upon meeting certain requirements, the individual is retiring from New River Community and Technical College and may be eligible to apply unused sick leave as credit toward the premiums for the WV Public Employees Insurance Plan. An employee may also transfer sick days to another West Virginia State Agency, but the value of sick leave may not be paid to the employee's estate. For additional information contact the Payroll Office.

SICK LEAVE CONVERSION UPON RETIREMENT

Upon meeting certain requirements, individuals retiring from New River CTC may be eligible to apply unused sick leave as a credit toward the premium for the West Virginia Public Employees Insurance Plan. This option is not available to employees hired after July 1, 2001.

HOLIDAYS

Policies and procedures regarding holidays are addressed in Legislative Rule, [Title 133 Series-14 Holidays](#), located in the [Policy Directory](#) on the College website.

The WVCTCS directs that the president of each college, or designee, will determine six holidays which will be observed by the employees of that institution in addition to the six holidays specified in the Legislative Rule. Specified holidays shall include Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, and Martin Luther King's Birthday. A list of these holidays will be distributed annually before each fiscal year begins. The current year's holiday schedule is available on the Human Resources page of the College website under [Links](#).

FUNERAL LEAVE

When a death occurs in the immediate family, a reasonable amount of time may be charged to accrued sick leave as required for the employee to arrange for and attend the funeral and related services, including travel time. Immediate family is defined as: father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, step children, or others considered to be members of the household and living under the same roof. "A reasonable amount of time is determined at the discretion of the supervisor, and is based upon geographic distance, work load and similar factors." Sick leave is not provided for an extended bereavement period or to attend to the affairs of the estate; annual leave may be requested for these purposes.

DISASTER SERVICE LEAVE

Any state employee who is a certified disaster service volunteer of the American Red Cross may be granted leave with pay for up to fifteen (15) working days per year to participate in specialized relief services. Approval of the immediate supervisor and a report to the Governor including employee's name and cost of salary and benefits during the leave period is required.

EMERGENCY LEAVE

An emergency leave up to five days within any fiscal year, with pay, may be granted by the President in the event of extreme misfortune to the employee or her/his immediate family. Typical events which may qualify an employee for such leave include fire, flood, or other occurrences (other than personal illness or injury, or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

GRIEVANCE, WITNESS, AND JURY LEAVE

Employees who are subpoenaed or directed to serve as jurors, or appear as witnesses for review proceedings of the Federal Government, the State of West Virginia, or a political subdivision thereof, will be entitled to work release time for such duty and for such period of required absence which overlaps regularly scheduled work time. Employees are entitled to leave with pay for the required period of absence during the regularly scheduled work time including reasonable travel time. An employee may be granted leave in this section provided the employee is not a party to the action.

Leave for an employee who is subpoenaed as a witness, who is absent in connection with an employee's usual official duties, or who serves as a jury member will be entitled to leave with pay for such duty and for such period of required absence. However, an employee who is scheduled to work prior to the court or hearing start time will initially report to work, travel time permitting. The employee is also expected to return to work, for the remainder of the work day, if he/she is excused before the end of that regular work day.

This leave would also apply to those who live in the surrounding state(s) and would be called for jury duty, etc. in their home state.

MILITARY LEAVE

Members of the National Guard or any reserve component of the armed forces of the United States are entitled to and will receive a leave of absence without loss of pay, status, or efficiency rating, for all days engaged in field training or service for a maximum period of 30 working days in any one calendar year, ordered or authorized under provision of state law. The term "without loss of pay" shall mean that the employee shall continue to receive normal salary or compensation, notwithstanding the fact that such employee may receive other compensation from Federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increases, and experience with the institution. An employee shall be required to submit an order or statement in writing in advance from the appropriate military officer in support of the request for such military leave. The terms of this policy shall apply for 30 working days following an order into active duty under the provisions of any Selective Training and Service Act, or other such Act whereby the President of the United States may require the services of the National Guard and the reserve components of the armed forces of the government.

MEDICAL LEAVE VERIFICATION

Medical leave verification or assessment is a signed statement from the treating health care provider to validate the illness or other cause for which sick leave or medical leave of absence may be granted. Pregnancy-related illness or disability will be treated the same as any other off-the-job illness or disability. The health care provider signing the medical assessment must be current and appropriately board certified. The document must provide information regarding the individual's medical condition, diagnosis, prognosis, functional limitations, including duration and treatment plan, if any. Based upon the medical assessment, employability and/or accommodation determinations will be made by New River CTC. Forms are available from the Office of Human Resources or on the [Human Resources Forms](#) website.

New River CTC may require verification of an illness. It is the employee's responsibility to pursue and obtain the necessary medical assessment from the treating health care provider and present the completed evaluation to New River CTC in a timely manner.

Medical leave verification/assessment is required:

- To validate a sick leave absence of five or more consecutive days;
- To return to work following a sick leave absence of more than five consecutive days, or a medical leave of absence;
- If requested of the employee by the supervisor following a sick leave absence, regardless of duration, as a condition of returning to work;
- To apply for and sustain catastrophic leave eligibility;
- To apply for and sustain a medical leave of absence; and/or
- To assure continued access to benefit coverage while on medical leave of absence.

Provision of incomplete, unacceptable or untimely medical information may result in:

- Prohibition to charge time absent from work to accrued sick leave;
- Prohibition to return to work if one's capacity to perform essential duties is in question;
- Disallowed or discontinued medical leave of absence;
- Discontinuation of benefit access; and/or
- Disciplinary action, up to and including termination of employment.

CATASTROPHIC LEAVE

A leave eligible employee experiencing a catastrophic illness or injury as defined by West Virginia Code, [Title 133 Series-38](#), may request approval to receive paid leave time donated by other employees. The employee must petition New River's President for this leave by filling out the Catastrophic Leave Recipient Application and attaching a medical leave verification from the treating health care provider. Once this has been approved, a plea is sent out by the Director of Human Resources or designee to all employees for leave donations. Within established limits, employees may voluntarily donate accumulated sick or annual leave to an approved recipient not to exceed one year. The Catastrophic Leave Donor and Recipient Applications are available on the Intranet under [Human Resources Forms](#).

FAMILY AND MEDICAL LEAVE ACT (FMLA)

New River CTC will comply with the requirements of the FMLA by granting approved leave to eligible employees meeting the qualifications of the FMLA. The employee must have been employed by the college for at least 12 months and worked at least 1250 hours during the 12 months immediately prior to the leave. FMLA provides employees with up to 12 workweeks of unpaid, job-protected leave a year, and requires group health insurance benefits be maintained during the leave (employee and employer must continue to share the cost). FMLA can also be paid from the employee's sick or annual leave. **All sick leave does not have to be exhausted to request coverage under the FMLA but all annual leave must be exhausted before the employee can go off the payroll. FMLA leave will run concurrent with paid sick and/or annual leave.**

Medical certification is required from an authorized health care provider. Required paperwork is available from the Office of Human Resources and on the [Human Resources Forms](#) website. Health benefits will be maintained during FMLA leave, provided the employee makes applicable payment for his/her portion of the premium payment. Upon return from approved family medical leave (within the guidelines set forth in the FMLA), an employee is entitled to the same or an equivalent job at the same salary.

Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - to care for the employee's spouse, child, or parent who has a serious health condition;
 - a serious health condition that makes the employee unable to perform the essential functions of his or her job;
 - any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" **or**
- Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

The College employs a rolling-calendar 12-month period. This 12-month period is measured backward beginning with the date an employee first uses FMLA.

LEAVE WITHOUT PAY

A full-time regular employee, upon application in writing and with written approval by the President, may be granted a continuous leave of absence without pay for a period of time not to exceed one year. During this time the employee will not accrue sick or annual leave.

Leaves of absence without pay may be granted for medical reasons, personal need, or in compliance with the Parental or Family Medical Leave Acts.

Prior to a medical leave of absence, all sick and annual leave must be used. The employee may continue her/his PEIA insurance at her/his employee premium cost and the institution will continue to pay its portion.

For a personal leave of absence, all annual leave must be taken before the leave is approved. The employee may continue her/his PEIA insurance, but will be responsible for the entire cost of the insurance.

For a parental/family leave of absence, all annual leave must be taken before the leave is approved. Parental/family leave of absence provides a maximum of twelve weeks leave without pay during any twelve-month period.

The President, at her/his discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay and will determine if the purpose for which such leave is requested is proper and within sound administrative policy.

At the expiration of a leave of absence without pay, the employee will be reinstated without loss of any rights, to a vacant position or a comparable position. Failure of the employee to report promptly at the expiration of a leave of absence without pay, except for satisfactory reasons submitted in advance, will be cause for termination of employment by the institution.

ABSENCES DUE TO INCLEMENT WEATHER

Absences from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave. If the eligible employee does not have sufficient annual leave, the eligible employee will be removed from payroll for the appropriate period of time. Sick leave may not be charged for absence due to weather.

Time lost from work may be made up in the same work week at the discretion of the employee's Supervisor. Employees must notify their supervisor immediately for absences due to inclement weather. The notification shall be given to the immediate supervisor or designee (next higher-level supervisor). Refer to the [New River Inclement Weather Procedure](#).

In the event that one campus is closed, employees with approval of their supervisors may be permitted to telework or work at another location. The essential personnel for the campus must report to work at their regularly scheduled time unless otherwise instructed by their immediate supervisor. The non-exempt essential employees will be eligible for overtime or compensatory time during the delayed start.

EMPLOYEE RESPONSIBILITIES

EMPLOYEE RIGHTS AND RESPONSIBILITIES

Employees are required to provide a full day's work each day on the job; to behave in a civil, professional manner; to treat others with respect; to comply with state and federal laws and regulations related to individual rights, business operations and procedures, health and safety, conflict of interest, and to comply with the West Virginia Council for Community & Technical College System rules, policies, and procedures. Employees are entitled to be treated with respect and dignity by supervisors and other employees and are entitled by statute and policy to file a concern or grievance for work-related disputes free from retaliation.

MANAGEMENT RIGHTS AND RESPONSIBILITIES

Supervisors should treat employees with respect and dignity. Supervisors are responsible for compliance with College policies and procedures and for communicating and applying operational-based directives. Supervisors are also responsible for carrying out administrative directions and decisions.

Management rights and responsibilities include, but are not limited to, such things as:

- Determining the work force direction and objectives;
- Determining the number and type of positions required, changed or consolidated;
- Establishing standards of performance and conduct;
- Determining the people to be hired;
- Conducting employee evaluations;
- Recommending disciplinary action;
- Scheduling of the work force, including determination of the number of shifts to be worked, and the scheduling and amount of overtime to be worked if any;
- Determining when reductions in the work force are required, including hour reductions and layoffs; determining when recalls are required;
- Establishing a positive and safe work environment;
- Providing the materials and equipment to do the work required; and
- Ensuring adherence to applicable laws and policies.

ETHICS

The WV Governmental Ethics Act declares certain activities by public employees to be unlawful. New River CTC employees will be held responsible for adhering to the requirements of the Ethics Act. The West Virginia Ethics Commission was established in July 1989 to administer the WV Governmental Ethics Act. Information related to the Ethics Act can be found at www.wvethicscommission.org. Employees are encouraged, whenever possible, to discuss concerns with his/her supervisor or Human Resources. The College will not take retaliatory actions against an employee who makes good faith reports about potential misconduct under the WV Governmental Ethics Act. BOG 1.3 Ethics

CONFIDENTIALITY

As an employee or appointed representative of New River Community and Technical College, you are entrusted with certain responsibilities that will provide you with access to confidential/sensitive/protected information. Because of this, you are expected to maintain the highest level of confidentiality in all institutional matters you may be involved in, and with all information you may be privy to, either oral, written or electronic. Your accessing, modifying, destroying, requesting or disclosing to anyone who has “no need to know”* sensitive or confidential information may violate College policy or applicable state or federal law. [*Please note that just being an employee of the institution is not sufficient justification for access to privileged, sensitive, confidential or protected information. Access to, and the sharing or disclosure of sensitive or confidential information is permitted only when such disclosure is relevant to the employee’s job or his/her performance of that job.]

This statement addresses but is not limited to the following, and includes both employees and students who may also be employees:

- The relevant provisions of the Health Insurance Portability and Accountability Act (HIPAA), as amended.
- The relevant provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended.
- Grievance information
- Employee medical and medical management information covered under the Family Medical Leave Act (FMLA) and Americans with Disabilities Act (ADA), including any amendments or succeeding relevant legislation
- Academic records, tests, grades and other related academic information
- Financial aid information or reports
- General employment records that are not typically public information
- Applicant information, records, documents or transcripts
- Information on applicants for College positions
- Proprietary information or research gathered for internal decision-making purposes
- Proprietary research information or correspondence
- Legal advice provided the institutions by the HEPC General Counsel, the West Virginia Attorney General’s Office or contracted legal counsel under the auspices of confidentiality

As an employee/representative, you are responsible for taking reasonable steps to protect confidential or sensitive information that you may have access to in the course of business or in the performance of your duties. Questions concerning confidential or sensitive information should be directed to the Human Resources Office.

Any and all requests of employment verifications are to be forwarded to the Human Resources Office.

An employee’s prime responsibility is to ensure that he/she in no way reveals or divulges any such information and that he/she only uses the information in the performance of job duties.

Divulging confidential information will result in immediate disciplinary action up to and including dismissal.

COMPUTING AND TELECOMMUNICATIONS RESOURCES

New River computer and network resources are state-owned resources intended to primarily support academic endeavors, and users must respect the rights and privacy of other users, share the resources equitably and follow New

River policies as well as local, state, and federal laws relating to copyrights, privacy, security, and other statutes regarding electronic media, information and communications.

All users of New River electronic resources are expected to act in a responsible, ethical, and legal manner. New River creates user accounts for various systems to enable access to information and resources. Receiving a New River user account is a privilege and can be revoked if abused.

Employees should be guided by the current policies, [BOG 6.1 Information Security](#) and [NR 6.2 Computer Use](#) as well as any additional policies or procedures that may be developed.

CONFLICT OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. For guidelines governing ethics of the institution, please refer to New River Board of Governors Policy BOG 1.3 Ethics

POLITICAL ACTIVITIES

The college recognizes and encourages the exercise of the right of college employees, as citizens, to engage in political activities on their own time.

PERSONAL OBLIGATIONS

Employees of the College are expected to handle their personal and financial obligations in such a manner as to prevent the involvement of the College.

EMPLOYEE'S PERSONNEL FILE

A confidential personnel file is maintained in the Human Resources office. It contains information concerning employment, such as the resumes/applications, contracts, position descriptions, and evaluations. An employee may examine her/his file by appointment during normal business hours, with a representative from the Office of Human Resources. The date, time and location of each review shall be recorded in the personnel file. Documents may not be removed from a personnel file by the employee. A copy of any material in the personnel file, shall be provided to an employee upon request. A small copy fee may be charged.

It is the employee's responsibility to keep the personnel file current. Any changes in name, address, etc. should be given to the Human Resources Office immediately.

DRESS AND GROOMING

All employees are expected to be suitably attired and groomed during working hours or when representing the interests of the college. The supervisor will determine the appropriate dress and grooming codes for each department or work area, according to operational needs.

WORKPLACE VIOLENCE

New River CTC is committed to preventing workplace violence and to maintaining a safe environment for employees and students. Employees are expected to treat individuals with respect. New River CTC will not tolerate any physical, verbal, mental abuse, bullying, or intimidation of students, employees, visitors, vendors, and/or volunteers. In addition, New River CTC prohibits the possession of firearms, knives, or any other weapon on College property.

Any employee who threatens, instigates, or participates in workplace violence will be subject to the disciplinary process. If you feel you are a victim of workplace violence or if you suspect or witness an act of violence, you must report it immediately to your Supervisor or Human Resources.

WORKPLACE SAFETY

Workplace safety includes being prepared for emergency situations that could affect the work environment, maintaining your work area and reporting any safety hazards or concerns. The **Crisis Response Manual** has been designed as a contingency manual for College personnel in order to plan for campus emergencies. Employees are expected to follow the practices and procedures in this plan.

In an emergency situation, dial **9-911** for help.

Refer to the New River **Crisis Response Manual** for specific details on safety and appropriate responses to emergencies.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees should immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, may be subject to disciplinary action, up to and including termination of employment.

Individuals coming on campus to visit employees should be kept to a minimum and should be accompanied while on campus.

REPORTING ON-THE-JOB INJURIES

New River Community & Technical College employees are protected against job-related injuries by ENCOVA which administers Workers Compensation in West Virginia, and to which New River Community & Technical College pays premiums for all employees. On-the-job injuries must be reported as soon as possible after they occur. The employee must submit an incident/injury report through the electronic reporting system on the Safety and Security page of the New River CTC website no later than 24 hours after the incident/injury occurs. All incidents must be reported, regardless of whether or not they result in a Worker's Compensation claim. Each employee's supervisor is responsible for ensuring the employee completes and submits the form as soon as possible after the incident. Special rules apply to leave caused by Worker's Compensation claims. The Accident/Incident Report form is available on the Safety/Security page as well as through the following links:

[Incident Report](#)

[Employee Injury Report](#)

On-the-job injuries or occupational illnesses which involve no more than three (3) days of disability or absence from work will not be charged against the employee's accumulated sick leave. If such illness/injury requires a leave beyond the three-day period, the employee may have the option of either of the following:

1. Use earned and accumulated sick and annual leave until both are exhausted and then, receive any additional benefits from WV Workers' Compensation;
2. Reserve for future use any earned and accumulated sick and annual leave and receive only Workers' Compensation benefits for which adjudged eligible.

Any questions regarding these two options should be directed to Human Resource Office. An employee is responsible for her/his portion of the health insurance premium when they are off of the payroll due to collecting Worker's Compensation benefits.

SMOKING/USE OF TOBACCO PRODUCTS

The use of all tobacco products, including electronic cigarettes, is prohibited on New River campus owned, leased or operated property and in all state vehicles.

DRUG AND ALCOHOL USE

It is the policy of New River Community and Technical College to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The use of controlled substances is inconsistent with the behavior expected of employees. It subjects all employees, students and visitors to our campuses to unacceptable safety risks, and it undermines the institution's ability to operate effectively and efficiently. For these reasons, the unlawful manufacture, distribution, dispensing, possession, sale, or use of a controlled substance in the workplace or while engaged in College business off our premises is strictly prohibited. [NR 3.4 Drug-Free Workplace](#) (NR 1.5 Drugs and Alcohol on Campus)

Employee health insurance offers assistance for counseling options. More information about the insurance coverage is available from the Office of Human Resources.

SOLICITATION

All solicitations and selling of products and articles upon property under the jurisdiction of New River Community and Technical College are prohibited except by organizations and groups directly connected with and recognized by the institution and upon the written approval of the College President or her/his designee.

No individual, firm, group, organization or other agency may use the name of this institution to secure funds for any purpose, by any means, without the written permission of the College President.

CONDUCT AND PERFORMANCE

The employee's immediate supervisor will outline standards of performance and conduct for each employee. Our goal is to develop our employee's talents by providing job-related education, demonstrating proper techniques and modeling behaviors consistent with the Mission and Values of the College. [NR 3.5 Performance Improvement Procedure](#)

Employees whose conduct or performance fails to meet expectations will be given an opportunity to work with their supervisor to develop an action plan to improve performance. This process will typically follow four steps:

Step 1 – Counseling

Step 2 – Written Warning

Step 3 – Final Written Warning

Step 4 - Termination

At each step the problems identified by the supervisor will be discussed with the employee. An action plan will be developed to correct the performance issue and a timeline for follow up on the employee's progress will be determined.

The College reserves the right to determine the appropriate level of discipline based upon the particular circumstances of the matter, and may based upon the severity of the matter, move to any level in the counseling process as it is deemed appropriate.

All disciplinary actions will be reviewed by the Director of Human Resources to ensure that the action taken is fair, consistent and in accordance with policy, before any action is taken. The supervisor may also recommend suspension without pay for a period varying from one to fifteen days, depending on the gravity of the offense and the employee's previous records. Suspension may be applied in cases of first serious offenses or repeated minor ones when, in the supervisor's judgment, proper conduct can be attained without resorting to dismissal.

In situations of dismissal, the employee will meet with the immediate supervisor and the Executive Director of Human Resources, a copy of the termination form will be given to the employee and a copy will be included in the employee's personnel file.

Failure to meet the expectations established in the action plan will result to moving to the next step in the process. The college will use a 12-month "look back" in determining the next level of performance improvement. If an employee has not received any warnings in the previous 12 months he/she will return to the beginning of the four-step process. If he/she has received a warning in the previous 12-months, he/she will progress to the next step in the process. Each step in the process will be documented and will become part of the employee's personnel file.

The Performance Improvement Process will deal with:

- Unsatisfactory Performance and/or Misconduct;
- Attendance concerns; and
- Serious infractions which can result in immediate dismissal

Immediate dismissal may be appropriate in cases of flagrant or willful violations of rules, regulations, standards of accepted behavior or performance, or for actions where an investigation proves the employee was in clear violation of policy. Supervisors have the right of dismissal for "just cause". In cases of immediate dismissal, the immediate supervisor and Executive Director of Human Resources will meet with the employee, a copy of the termination form will be given to the employee and a copy will be included in the employee's personnel file. "Just cause" includes, but is not limited to, the following:

1. Reporting to work under the influence of alcohol or narcotics or partaking of these substances while at work;
2. Malicious destruction or theft of property of the institution, or its visitors, patrons, or employees;
3. Wrongful injury to an employee of the institution; verbal or physical assault.;
4. Failure or refusal to comply with institutional rules;
5. Leaving work site without authorization;
6. Neglect of duty; dereliction in the performance of assigned duties;
7. Dishonesty;
8. Falsification of records;
9. Sleeping on duty;
10. Failure to maintain established performance standards; incompetency, a pattern of inefficiency;
11. Habitual absence from work without permission or proper explanation;
12. Tardiness;
13. Failure to properly report off work; (Three (3) consecutive days)
14. Insubordination;
15. Failure to adhere to repeated warnings.

APPEAL

Every employee receiving a disciplinary action has the right to appeal that decision and may do so in writing to the Office of the President within five (5) business days of the disciplinary sanction. The notice may be hand delivered or emailed and must particularly state the reason for appeal.

The President will determine if the appeal request meets the limited grounds as outlined below and is timely. The original recommendations and sanctions will stand if the appeal is not timely or does not fall within the grounds for appeal and the decision is final. The original recommendations and sanctions will also remain in effect pending the outcome of any appeal. If the appeal has standing, the President will consider the appeal. The party requesting the

appeal has the burden of proving the error, as the original recommendations and sanctions are presumed to have been decided reasonably and appropriately.

Grounds for appeal include:

1. A procedural or substantive error occurred that significantly impacted the outcome of the investigation, such as substantiated bias or material deviation from established procedures.
2. To consider new evidence, unavailable during the original investigation, that could substantially impact the original recommendations or sanctions (a detailed description of this new evidence and its potential impact must be included); or
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

Once the investigation into the appeal is complete, the President will issue a written final determination, a copy will be sent to the employee and a copy will be placed in the personnel file.

LEAVING EMPLOYMENT

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons are routine. The [Resignation/Termination Procedure](#) and forms are available on the intranet. Below are examples of some of the most common circumstances:

1. **Resignation** - Voluntary employment termination initiated by employee. In order for an employee to leave in good standing, he or she will (1) provide at least 10 working days written notice of resignation to the immediate supervisor with a copy to Human Resources. Human Resources will notify the President; (2) return all college property; and, (3) settle any monetary or other obligations with the college. An employee is expected to work throughout the 10-working day notice, unless waived by the immediate supervisor or College President. A resignation notice cannot be rescinded without permission of the College President.
2. **Discharge** - Involuntary employment termination initiated by the institution.
3. **Automatic Termination** - Absence from work for three consecutive work days without proper notice, explanation, and/or authorization shall be deemed gross misconduct and neglect of duty, and the employee's College employment will be terminated.
1. **Reduction in Force** - Involuntary employment termination because of lack of funds or work, for example.
2. **Retirement** - Voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the institution.
3. **Grant Expiration** - involuntary employment termination caused as a result of the expiration of a grant or loss of funds in a grant.
4. **Medical Reason** - Voluntary and/or involuntary employment termination because it is medically, psychologically, or psychiatrically determined that an employee can no longer perform the essential duties of the position and reasonable accommodation cannot be made. The employee should investigate what benefit entitlement is applicable.

COMPANY PROPERTY

On or before your last day of employment your supervisor will meet with you and complete an Exit Checklist to ensure that all property belonging to New River CTC has been returned.

EXIT INTERVIEWS

Employees who voluntarily resign will receive an exit interview survey to be completed and returned to the Office of Human Resources. The exit interview will afford an opportunity to provide feedback on your employment experience.

LOST AND FOUND

Locations to report lost items and to turn in “found” items are listed below.

Nicholas County Campus	Front Office
Greenbrier Valley Campus	Front Desk
Beaver Campus	Security Office
Mercer County Campus	Regional Director of Operations’ Office
Advanced Technology Center	Front Office