



**COLLEGE OF DUPAGE**

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**MANAGERIAL STAFF  
INFORMATION**

## Contents

CATEGORIES OF MANAGERIAL STAFF .....	4
PROBATIONARY PERIOD - NEW HIRE.....	4
PROBATIONARY PERIOD - TRANSFERRED EMPLOYEE.....	5
MULTIPLE ASSIGNMENTS FOR MANAGERIAL STAFF .....	5
PARTICIPATION ON COMMITTEES .....	6
ELIGIBILITY FOR TRANSFER WITHIN THE COLLEGE .....	6
EMPLOYEE PERFORMANCE EVALUATION .....	6
TEMPORARY CHANGE IN JOB RESPONSIBILITIES .....	7
WORKWEEK .....	7
Definition of Workweek.....	7
SALARY PROVISIONS .....	8
Compensation Philosophy.....	8
Managerial Staff Salary Schedule .....	8
Salary Placement Guidelines.....	8
OVERTIME WORK AND COMPENSATION FOR NON-EXEMPT EMPLOYEES .....	9
Supervisory Approval .....	9
Overtime Work.....	9
Compensation for Overtime.....	9
Periodic Flexible Scheduling.....	9
Comp Time .....	10
Termination of Employment.....	11
Records.....	11
RECALL (CALL BACK).....	11
SHIFT DIFFERENTIAL.....	11
FLEXTIME.....	11
SUMMER FLEXTIME.....	11
TARDINESS .....	12
TIME REPORTING .....	13
BUSINESS TRAVEL/WORK TIME (NON-EXEMPT).....	13
FRINGE BENEFITS – PAID LEAVES .....	13
Bereavement Leave .....	13
Blood Donation Leave .....	14
Floating Holiday .....	14
Health Leave Bank.....	14
Holidays .....	15

Paid Leave .....	15
Procedure for Paid Leave for All Workers Act (PLAWA Leave) .....	15
Sick Leave.....	16
Procedure for Sick Leave.....	17
Vacation .....	18
Wellness Program.....	20
Family and Medical Leave of Absence.....	20
Use of Paid and Unpaid Leave .....	20
FMLA Guidelines for Maternity, Paternity, Adoption and Placement .....	21
Unpaid Personal Leave.....	21
Unpaid Leave – Part-Time Employees.....	21
HEALTH INSURANCE.....	21
COBRA (CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT) .....	21
LIFE INSURANCE .....	22
INSURED DEATH BENEFITS .....	22
OPTIONAL LONG TERM DISABILITY (LTD).....	22
LONG TERM CARE INSURANCE .....	22
MEDICARE TAX.....	23
RETIREMENT BENEFITS .....	23
State Universities Retirement Plan (SURS) .....	23
College of DuPage Retiree Benefits .....	23
Medical Coverage - Retiree.....	23
Life Insurance - Retiree.....	23
Tuition Waiver - Retiree .....	23
Reemployment After Retirement.....	24
Part Time COD Retirees .....	24
Tuition Waiver – Part Time COD Retiree .....	24
Reemployment After Retirement – Part Time COD Retiree .....	24
TUITION WAIVER .....	24
PART-TIME TUITION WAIVER.....	24
PROFESSIONAL/EDUCATIONAL DEVELOPMENT PROGRAM & PROFESSIONAL DUES.....	25
FITNESS PROGRAM.....	26
EMPLOYEE ASSISTANCE PROGRAM (EAP).....	26
DECISION APPEAL PROCESS.....	26
Level 1 - Department Review.....	27
Level 2 - Administration Review .....	27
Level 3 - Panel Review .....	27

Panelist Eligibility.....	28
Maintenance of Official Files .....	28
DISCIPLINE AND TERMINATION .....	29
Disciplinary Procedures .....	29
Disciplinary Sequence .....	29
Discipline and Dismissal Circumstances .....	29
DISMISSAL.....	30
RESIGNATION .....	30
Notice of Resignation.....	30
Vacation/Sick Benefits at Termination .....	30
Discontinued/Eliminated Positions.....	30
“Reemployment Eligibility” Procedure .....	31

**This Guidebook provides information specific to Managerial Staff. For All Employee Information, please refer to the All Employee Information Guidebook.**

### **CATEGORIES OF MANAGERIAL STAFF**

The Board recognizes two primary categories of managerial staff ([Board Policy #15-470](#)):

**Regular Employee:** A regular employee is hired with the expectation of continued employment subject to satisfactory performance.

**Grant Employee:** An employee who performs services funded by government or other external agency grants is an employee only for the duration of funding under the grant. Employment ends when the grant funding for the position ceases or an employee is otherwise terminated. Full-time and part-time grant employees are entitled to benefits equal to those of other employees at the same level of benefits or as provided by grant funds.

Within each primary category, an employee is identified as full-time or part-time:

**Full-time Employee:** An employee who is regularly scheduled for 40 hours per week.

**Part-time Employee:** An employee whose is regularly scheduled for less than 40 hours per week.

Finally, within each primary category, an employee is identified as exempt or non-exempt. Each position is determined exempt or non-exempt by established criteria based on the Federal Fair Labor Standards Act as interpreted by the Vice President of Human Resources. Exemptions are based on the specific job descriptions and duties of the position involved. Positions determined to be exempt are not covered by the minimum wage and overtime provisions of the law.

**Exempt:** An exempt employee does not record time worked. Leave requests must be sent and approved via myACCESS for vacation, sick leave, jury duty, or any other hours/days absent from the regular work schedule.

**Non-Exempt:** A non-exempt employee must record time worked and time away from the regular work schedule through the automated time reporting system each two week period.

**Note:** Temporary employees are not eligible for the benefit provisions described in this Guidebook.

### **PROBATIONARY PERIOD - NEW HIRE**

A newly hired employee is on probation for the first 180 calendar days of employment at the College.

Any leave of absence granted during the probationary period will extend the probationary period by the length of the leave.

Certain restrictions to fringe benefits apply to newly hired employees during the probationary period. For example, vacation and sick leave eligibility is modified. Please check the appropriate sections of this guidebook.

Upon satisfactory completion of the probationary period and approval of the immediate supervisor, the employee will become a regular employee and will continue as such until resignation, transfer to a new position or termination by the College.

If, in the opinion of the supervisor, the employee's work during the probationary period is unsatisfactory, employment with the College may be terminated, or the probationary period may be extended in the sole discretion of the College. No reason is required for termination prior to completion of the probationary period. If the probationary employee is terminated, all contributions to the State Universities Retirement System (SURS) may be refunded.

### **PROBATIONARY PERIOD - TRANSFERRED EMPLOYEE**

An employee who voluntarily or involuntarily transfers to another position within the College is on probation for the first 120 calendar days in that position.

Employees accepting a voluntary transfer will be removed from the category of regular employee and assume the status of a probationary employee except:

1. No restrictions apply to fringe benefits.
2. Notice of possible termination due to unsatisfactory performance must be given to the employee by the supervisor 30 days prior to termination action. No other notice is necessary.
3. One 30 day extension of the probationary period may be approved by the supervisor and Human Resources if notice is given to the employee prior to the end of the probationary period.

Upon satisfactory completion of the probationary period and approval of the immediate supervisor, the employee will return to the status of regular employee and will continue as such until resignation, transfer to a new position or termination by the employer for reasonable cause or lack of work.

If, in the opinion of the supervisor, the employee's work during the probationary period is unsatisfactory, employment with the College may be terminated.

Any leave of absence occurring during the probationary period will extend the probationary period by the length of the leave.

### **MULTIPLE ASSIGNMENTS FOR MANAGERIAL STAFF**

Part-time employees (regularly scheduled less than 40 hours per week) and non-exempt full-time employees may not hold multiple assignments across the College. Managerial staff who work full-time in an exempt position may be assigned a part-time faculty teaching assignment of one class, not to exceed five credit hours per term, in addition to their full-time position.

**All assignments must be made in consultation with the supervisor.**

**Note:** These limits apply for each term (fall, spring, summer) with no carryover of unused hours to another semester.

Assignments under this provision will not be given if in conflict with the employee's normal duties, work hours or responsibilities. If a conflict becomes apparent following such an assignment, the College may remove the part-time faculty assignment. If the conflict will continue into the future, the College may not provide such part-time assignments to the employee in the future. Any exceptions to assignments under this section will require approval by the appropriate Cabinet Member.

### **PARTICIPATION ON COMMITTEES**

The major purpose of committee activity is to implement and further the mission and goals of the College. It is valuable to have participation of all employee groups in the shared governance's processes of the institution, provided this participation does not impede the day-to-day functions of the College.

**The supervisor will determine the impact of this participation on the individual's workload and on the department.**

### **ELIGIBILITY FOR TRANSFER WITHIN THE COLLEGE**

Current employees may apply for vacancies as they occur. The College encourages the development and professional growth of employees and gives full and equal consideration to qualified internal candidates. Job vacancies will be posted on the College's online job application site.

Qualified College employees will be given first consideration for open positions during the initial seven day job posting.

Employees seeking a new position at the College may be asked to submit to a post-offer physical, a background investigation, and/or additional skills testing as it relates to the new position.

Salary placement for internal transfer is reviewed in accordance with guidelines established by Human Resources.

### **EMPLOYEE PERFORMANCE EVALUATION**

Employees are evaluated by the supervisor at least once a year. The evaluation is based on the immediate supervisor's assessment of the employee's overall job performance. The evaluation is conducted as fairly and objectively as reasonably possible according to procedures established by Human Resources.

The supervisor will complete performance evaluations for the employee:

- midway through the probationary period;
- at the conclusion of the probationary period;
- and annually thereafter between 4/1 and 6/15 for a review typically for the period between 7/1 of the prior calendar year and 6/30 of the current calendar year.

Following the evaluation, the supervisor and employee both sign the evaluation form. The employee may add any comments within two weeks of the evaluation date. A supervisor's response to an employee's concern or request will be completed within a reasonable time.

When a non-probationary employee receives an overall "Needs Improvement" rating, the development of a formal "Performance Development Plan" (PDP) is required for the employee. The purpose of the Performance Development Plan is to help supervisors/managers and the employee address and resolve performance issues. The PDP communicates the performance issues, when an improved level of performance is to be achieved and the action steps that will assist the employee in meeting performance expectations. The supervisor/manager must consult with Human Resources before initiating and finalizing a PDP.

An employee who receives an overall rating of "Needs Improvement" on their performance evaluation will not be eligible for a pay increase on July 1<sup>st</sup>.

The employee's performance will be evaluated throughout the PDP timeframe. Should the employee not demonstrate sufficient performance improvement, appropriate progressive discipline steps will be initiated up to and including termination of employment. Assuming ongoing progress, the employee will be re-evaluated in January. If the employee demonstrates improved and sustained performance resulting in an overall rating of "Meets Expectations", they will be eligible for a salary increase effective February 1<sup>st</sup> consistent with the increases awarded to employees the previous July, but prorated.

The original signed evaluation form must be sent to Human Resources to be retained in the employee's file.

### **TEMPORARY CHANGE IN JOB RESPONSIBILITIES**

When a temporary vacancy exists in a position due to a leave of absence, separation, resignation, or extended illness, the unit administrator should consult with Human Resources to determine appropriate action. Please note this practice does not apply to short-term temporary illness of one week or less, or to vacation periods.

### **WORKWEEK**

The regular full-time workweek schedule is generally 40 hours. As stated in [Board Policy #15-65](#), the workweek begins at 12:01 a.m. on Sunday and ends on the following Saturday at midnight.

#### **Definition of Workweek**

For eligible employees, days approved for sick leave, vacation time, floating holidays, College observed holidays, absence for supervisor approved professional meetings, as well as actual time worked, are considered part of the workweek.

A. Lunch periods are not part of the workweek.

- Lunch periods are of one-half hour duration;
- Every employee (except departments with prior approval from Human Resources whose work requires that lunch be part of the workday) regularly scheduled to work seven and



one-half consecutive hours or more is required to take a 30 minute unpaid meal period beginning no later than the end of the fifth hour;

- Lunch periods are assigned by the area supervisor; and
- 30 minute unpaid lunch periods will automatically be deducted from time sheets that show no lunch taken after the fifth consecutive hour, except for those employees mentioned in "Section B".

B. Break periods are limited to 15 minutes each, morning and afternoon, and are part of the workweek.

- Break periods are non-cumulative;
- Break periods are earned for each four hours worked; and
- Break periods are assigned by the area supervisor.

## **SALARY PROVISIONS**

### **Compensation Philosophy**

The College provides salary and benefits to its employees in order to obtain and retain individuals competent to perform the services the College delivers to its constituency. The College will provide these salaries and benefits on the basis of overall compensation philosophy, internal equity, and external competitiveness, within the parameters of fiscal responsibility.

### **Managerial Staff Salary Schedule**

### **Salary Placement Guidelines**

The College wants to ensure that your compensation is accurate. Please check your pay rate and deductions, and call Human Resources or Payroll with any questions. The College does collect overpayments.

A payroll calendar is posted annually on the employee portal at [insideCOD](#). Regular full-time exempt managerial staff are paid on a current basis. All other managerial staff are paid on a two week delayed basis.

Should the College award salary increases in a given year, the following will apply:

- Employees close to the maximum of the range will receive an increase added to their base pay up to the amount of the overall general increase granted not to exceed the maximum of the range. Any employee who reaches the maximum of their range and does not receive the full amount of the overall general increase shall receive a stipend equivalent to the dollar amount of the percentage not received.
- Employees over the top of the range will not receive an increase to their base pay and will receive a stipend equivalent to the full amount of the overall general increase percentage granted to eligible employees that are within the range.
- Employees hired between April 1 and June 30 of the current year will not receive a salary increase unless they need to be brought to the minimum of their assigned range on the salary schedule effective July 1.
- A salary increase may be withheld for any employee who has been notified in writing of areas in need of improvement upon recommendation of the immediate supervisor. If improvement is not apparent within a reasonable time, written notice of the intended

action will be given to the employee by the supervisor. See section on [Discipline and Termination](#).

As explained in the "Employee Performance Evaluation" section of this Guidebook, an employee who receives an overall rating of "Needs Improvement" on their performance evaluation will not be eligible for a pay increase on July 1<sup>st</sup>. If the employee demonstrates improved and sustained performance resulting in an overall rating of "Meets Expectations", they will be eligible for a salary increase effective February 1<sup>st</sup> consistent with the percentage increase awarded to employees the previous July.

## **OVERTIME WORK AND COMPENSATION FOR NON-EXEMPT EMPLOYEES**

**Exempt employees are not entitled to overtime pay or compensatory time ("comp time").**

### **Supervisory Approval**

Supervisors are responsible for the proper use of comp time, overtime, and periodic flexible scheduling for non-exempt employees.

### **Overtime Work**

Non-exempt employees may be required to work overtime. Overtime is defined as time worked by non-exempt employees over 40 hours per workweek, including jury duty, and supervisor approved professional meetings.

The immediate supervisor will provide reasonable notice, when possible, that it is necessary to work overtime. All overtime must be approved in advance by the appropriate administrator or the authorized approver. Overtime should be permitted or scheduled only in exceptional situations. Unauthorized overtime may result in disciplinary action.

### **Compensation for Overtime**

For non-exempt employees, overtime will be compensated at the rate of time and one-half the employee's regular rate. Compensation for overtime hours will be through the comp time parameters, as described below, or through any applicable collective bargaining agreement. However, if the appropriate administrator determines that the use of comp time is not feasible, then the non-exempt employee will be paid for the overtime worked. **The authorizing administrator must send an e-mail to Payroll authorizing payment for overtime worked in lieu of receiving comp time.**

### **Periodic Flexible Scheduling**

Subject to operational needs, supervisors may permit a non-exempt employee periodically to utilize 'flexible scheduling' to allow for minor deviations from his/her regular schedule. Periodic flexible scheduling occurs when, with supervisor approval, a non-exempt employee works either less than or in excess of 8 hours on a workday, and is allowed to adjust his/her work hours on another workday, *within the same workweek*, by a corresponding amount of time. Periodic flexible scheduling may not span more than 1 workweek and may not exceed a total of 40 hours worked per workweek.

*Examples:*

1. A non-exempt employee works 10 hours on a Tuesday; the non-exempt employee could work 2 hours less on the remaining day(s) in that workweek, with prior supervisor approval.
2. With prior supervisor approval, a non-exempt employee works 6 hours on a Monday. If the non-exempt employee wants to make-up the 2 hours not worked, he/she could:
  - o work 2 additional hours on the remaining day(s) in that workweek; or,
  - o request 2 hours accrued paid leave time or accrued comp time hours.

**Comp Time**

Comp time may be earned when a non-exempt employee works overtime. For each hour worked over 40 hours per week, a non-exempt employee may earn 1.5 hours of comp time. Non-exempt employees must obtain supervisor approval prior to working overtime and prior to using comp time.

1. Comp Time Bank. There is a maximum comp time accrual not to exceed 60 hours. If a non-exempt employee's comp time bank reaches the maximum, the non-exempt employee will be strongly encouraged to use his/her comp time as soon as reasonably possible. If an employee has 60 hours or more in his/her comp time bank, additional comp time earned may be paid to the non-exempt employee. Any comp time unused after June 30<sup>th</sup> of each year may be paid to the non-exempt employee, at the discretion of the College.
2. Use of Comp Time.
  - (a) Accumulated comp time must be taken as soon as practical after the end of the payroll period in which the comp time was earned.
  - (b) Requests to use accrued comp time require supervisor approval and shall not unduly disrupt operations. A supervisor should consider the normal work schedules of the department or division, anticipated peak workloads based on past experience, the availability of substitute staff, and emergency requirements for staff and services in determining when comp time may be taken.
3. Comp time hours earned and used must be tracked through the automated time reporting system.

Hours worked in excess of 40 hours in a workweek should be designated in the drop-down menu as "Compensatory Time Earned" in the "Other Time Hours" category of the automated time reporting system. These hours are then automatically calculated at 1.5 hours for each hour worked in excess of 40 in a workweek and placed in the non-exempt employee's comp time bank. The use of comp time banked hours must be tracked by utilizing "Compensatory Time Used" from the drop-down menu in the automated time reporting system.

4. The College may at any time, at its option, pay a non-exempt employee for all or part of the non-exempt employee's accumulated comp time.

*Example:* A non-exempt employee works 42 hours in a workweek. The non-exempt employee will be paid for 40 hours, and the non-exempt employee's comp time bank will be credited with 3 straight time hours (2 hours worked over 40 multiplied by 1.5). If that non-exempt employee already has 60 hours in his/her comp time bank, he/she may receive the 3 straight time hours of pay instead of having those hours deposited into the comp time bank.

### **Termination of Employment**

Upon termination of employment, a non-exempt employee will be paid for unused comp time at (A) the average regular rate received by such non-exempt employee during the last 3 years of the non-exempt employee's employment, or (B) the final regular rate received by such employee, whichever is higher.

### **Records**

The College's Payroll Office will keep records of comp time, which will be available to all employees through the leave plan summary page on the [myACCESS](#) time reporting system. The College also will maintain all records as required by law.

### **RECALL (CALL BACK)**

A non-exempt employee who has left the workplace and who is called back to work after that time (not including travel time), but before the employee reports for the next regularly assigned workday, will be guaranteed a minimum of two hours of pay at the employee's straight time rate ([Board Policy #15-185](#)).

### **SHIFT DIFFERENTIAL**

Full-time, non-exempt employees will qualify for differential pay for work performed during the second or third shift provided the employee works over one-half the normal premium shift hours in a week or where the employee is regularly scheduled for substantially flexible/variable hours ([Board Policy #15-75](#)).

### **FLEXTIME**

Flexitime is a flexible work schedule that permits a variable starting and quitting time within limits set by the supervisor. Flexitime may be an option in some positions. Petitions for a flexible schedule should be submitted to the immediate supervisor. The needs of the College are the first consideration in granting flexitime. All work schedules may be adjusted or modified with reasonable notice by the supervisor based upon the needs of the College.

### **SUMMER FLEXTIME**

The College operates on a four day schedule Monday through Thursday during the Summer Term. Some areas of the College are open additional days of the week. Full-time benefited managerial staff working in a department on a four day schedule are to work a reduced week of 38 hours for 40 hours' pay. Eligible employees are given an eight-hour holiday for Memorial Day and the Fourth of July. To cover the remaining 30 hour workweek, employees may choose not to take six 15 minute breaks to equal one and one-half hours of "work time". A maximum of one and one-half hours of break time can be accumulated as "work hours". This option is only available with supervisory approval.

Optional schedules available with supervisory approval are:

- Work four nine and one-half hour days (Monday through Thursday).
- Work four eight hour days (32 hours) with one vacation day (six hours) taken each week. Exempt employees must initiate a leave request via [myACCESS](#) and have it approved by their manager for vacation days indicating the total number of daily hours

taken on each Leave Reporting Form submitted for hours during the summer schedule. Non-exempt employees must indicate the time taken as vacation through the automated time reporting system.

- Non-exempt employees can also work four eight hour days (32 hours) with a six hour reduction in pay but no reduction in benefits, other than vacation accrual. Non-exempt employees must indicate the time taken without pay through the automated time reporting system.

In some cases, the operational needs of the College may not permit the use of some, or all, of these options. The supervisor will determine the availability of summer flextime.

***Note:*** If a full-time employee is sick or uses bereavement time during a week, the employee will receive a maximum of 40 hours pay, two being summer flextime hours.

The following pertains to those who elect, with supervisory approval, to work an optional schedule:

- Vacation days accrue based upon hours worked, plus two summer flextime hours, for full-time employees who are entitled to benefits.
- Life insurance and medical/dental/vision insurance coverages are not affected by the summer schedule, provided the employee works at least 75 percent of their regularly scheduled weekly hours in accordance with the normal academic year. The time may include time worked, paid sick days, vacation days, and/or holidays (except designated nine month positions).
- Employees on an optional schedule are charged the actual hours in the appropriate day for time taken for vacation or sick leave, based on their pre-approved summer schedule.
- A half day of a scheduled nine and one-half hour day for vacation or illness is counted as four and three-quarter hours for these purposes and should be so reported.
- Floating holidays are limited to eight hours (prorated for benefited employees working 30 to 40 hours per week).

Each employee who requests a summer option must indicate to the supervisor, in writing, a preference for workdays including starting and ending times. Supervisors will determine whether any proposed work schedules meet the operational needs of the College. If the supervisor approves, each employee's work schedule is submitted to the area Administrator for final approval.

### **TARDINESS**

Employees are expected to be at work at the time agreed upon with their supervisor. Employees are expected to notify their immediate supervisor when they will be more than 30 minutes late.

For non-exempt employees, tardiness of eight or more minutes per any given quarter hour will result in a pay reduction corresponding to the number of quarter hour increments late. It is the responsibility of the supervisor to determine if an employee is tardy.

Recurring incidents of tardiness will require the employee to correct the problem. Documentation of any written supervisory intervention will be forwarded to the employee's file

in Human Resources. Failure to resolve the problem may result in disciplinary action, up to and including termination of employment ([See Discipline and Termination](#)).

### **TIME REPORTING**

Non-exempt employees are required to complete a time record either electronically or by paper. All time records must reference hours worked (regular hours) and hours are to be recorded by in and out time. Hours not worked but used, such as sick, vacation, holiday hours and so forth, are to be reported as a cumulative daily total, for example vacation - six hours. Employees must designate what type of leave was used and are encouraged to check their leave balances on [myACCESS](#) to ensure hours are available. Employees must submit their time record acknowledging the hours reported are true and correct and their supervisor (or designee) will review and approve. Time records must be approved by the employee's supervisor (or designee) and submitted to the Payroll Office by the established cutoff date.

Employees must use designated time clocks if required by the department supervisor. Supervisors must specify on the time card any adjustment of hours, initial, and send a copy to the employee. Supervisors will enter the employee's time into the automated time reporting system (Web Time) and, on behalf of the employee, submit the electronic timesheet to the Payroll Office.

**NOTE:** It is the responsibility of the employee to monitor paid leave time available and not to exceed it.

### **BUSINESS TRAVEL/WORK TIME (NON-EXEMPT)**

Employees may be eligible for compensation for the time they spend traveling. Human Resources should be consulted to determine the appropriate calculation.

### **FRINGE BENEFITS – PAID LEAVES**

See "Leave Plan Summary" in [myACCESS](#) for your paid leave balances.

#### **Bereavement Leave**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week.

**Description:** These employees may be allowed up to five bereavement days per qualified incident for "immediate" family members. Immediate family is defined for the purpose of bereavement leave as parents, spouses, brothers, sisters, children, grandparents, grandchildren, parent-in-law, brothers-in-law, sisters-in-law, aunts/uncles, nieces/nephews, unmarried partner/fiancé, step and half relatives that are specified within these familial relationships, any individual for whom employee has legal guardian status. Bereavement days are subtracted from sick days.

Employees may be allowed an additional five (5) days up to a maximum of ten (10) work days of unpaid leave to attend a funeral of a child, make arrangements necessitated by the death of the child and to grieve the death of a child. If an employee suffers the death of more than one child in any 12-month period, the employee may be allowed up to six weeks of unpaid bereavement leave in the 12-month period. Leave time for this provision must be used within 60 days after the employee receives notice of the death of his or her child. "Child" is defined as

employee's biological son or daughter, adopted, or foster child, a stepchild, legal ward, or a child of a person standing in loco parentis. Employees may elect to substitute accrued vacation for unpaid leave available provided under policy.

### **Blood Donation Leave**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week and have been employed at the College for a period of 120 days or more.

**Description:** Eligible employees may request up to one hour paid leave time every 56 calendar days to donate blood and up to two hours to donate blood platelets when done in accordance with nationally recognized standards.

1. The employee is only entitled to blood donation leave if the supervisor consents in advance to the employee's request for leave.
2. As a condition of approving the leave, the supervisor may require the employee to provide documentation of the donation.

### **Floating Holiday**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week.

**Description:** Employees who are regularly scheduled to work 30 or more hours per week may take floating holiday hours as granted by the administration each fiscal year\*. The needs of the College will be the primary consideration in approving a floating holiday.

- The request should be submitted to the supervisor at least two weeks in advance.
- The holiday must be used during the fiscal year in which it is granted (before June 30).
- New employees become eligible for the floating holiday in the fiscal year in which they complete their probationary period.
- The holiday may not be taken during the first 120 days of employment.
- Floating holidays do not accumulate.

\*College administration may grant more than one floating holiday per year if the College is open on one or more of the College observed legal holidays.

### **Health Leave Bank**

**Eligibility:** Newly hired employees who are regularly scheduled to work 30 or more hours per week may join immediately by contributing the prorata annual premium within 30 days of their employment date. Current employees regularly scheduled to work 30 or more hours per week may join between June 1 and June 30 of each year for membership in the succeeding fiscal year. The health leave bank will be available to employees after six months of membership in the bank and after exhaustion of the employee's accumulated health leave or any other earned paid leave. The health leave bank is not available if other compensation is being received for the absence, i.e. worker's compensation, disability, etc. Employees who terminate employment and return will be treated as a new employee if rehired.

**Description:** The health leave bank is a voluntary collection of donated sick leave hours from benefited employees to other college employees to be used as an extension of paid leave in case of an extended illness or accident. An employee may apply for time from the health leave bank from the Vice President of Human Resources.

To request time from the Health Leave Bank, contact Human Resources. For additional information, please review the "Information and Procedures for Time Off for Medical Reasons", which is located under the HR Benefits/Information and Procedures section of the employee portal at [insideCOD](#).

### **Holidays**

Generally, when a holiday falls on a Saturday, the holiday is observed the preceding Friday; when a holiday falls on a Sunday, the holiday is observed on the following Monday. Check the [Holiday Calendar](#) for College observed holidays. For a description of the holidays that are observed by the College and for more detailed information, please refer to the Holiday Overview which is located under the HR Benefits/Information and Procedures section of the employee portal at [insideCOD](#).

**Eligibility:** Employees who are regularly scheduled to work 20 or more hours per week, upon employment are eligible for paid holidays that are observed during their normally scheduled workweek. The total number of hours worked plus holiday hours shall not exceed the total regularly scheduled hours for the workweek. Employees that are regularly scheduled to work less than 20 hours per week are not paid for holidays. *Please refer to the [Part-Time Employee Holiday Pay Memo](#) for additional information regarding eligibility for employees regularly scheduled to work 20 or more hours per week.*

To be eligible for Holiday Pay, an employee must work their scheduled shift the day before and the day after the holiday unless the employee was not scheduled to work due to a preapproved absence (i.e. preapproved vacation time or Family Medical Leave – FMLA). Any exceptions for an absence due to extenuating circumstances may require documentation for approval to receive Holiday Pay.

### **Paid Leave**

Full-time managerial employees have five Paid Leave Days (40 hours) available each fiscal year beginning July 1, 2024 and every year thereafter. The five days are part of time off specifically prescribed by the Illinois Paid Leave for all Workers Act. The managerial employee must generate a leave request via [myACCESS \(or TimeClock Plus\)](#) for all Paid Leave Days.

### **Procedure for Paid Leave for All Workers Act (PLAWA Leave)**

An eligible employee who is requesting foreseeable PLAWA leave must provide the supervisor with a seven (7) day notice. Notice for unforeseeable requests for PLAWA leave should be provided as soon as practically possible after becoming aware of the necessity of the leave. If the supervisor is unavailable for notification, voice mail and/or e-mail may suffice. If the employee does not call prior to the beginning of the shift, the day may be without pay, except in the case of serious illness or accident, which would otherwise prevent notification. In those circumstances, notification must be made as soon as possible.

- For exempt employees: The department supervisor must send an approved leave request via [myACCESS](#) to the Payroll Office at the time the leave. For non-exempt employees: time records must be properly noted.
- PLAWA leave (up to 40 hours based upon employment status) is granted each year on July 1 for active employees.
- Employees who are regularly scheduled to work more than 20 hours per week ( $\geq 0.51$



FTE), upon employment, are eligible for up to 40 hours of paid leave per fiscal year specifically as prescribed by the Illinois Paid Leave for all Workers Act.

- Employees who are regularly scheduled to work 20 hours or less per week ( $\leq 0.50$  FTE), upon employment, are eligible for up to 20 hours of paid leave per fiscal year specifically as prescribed by the Illinois Paid Leave for all Workers Act.
- A new employee of the College who commences employment after July 1 every fiscal year will receive a pro-rated number of PLAWA hours based upon their date of hire during their first year of employment.
- New employees are not eligible to use PLAWA leave hours until completing 90 days of employment with the College.
- PLAWA hours can be used in increments of at least one (1) hour per day.
- PLAWA hours are not considered time worked for the purpose of computing overtime.
- Unused PLAWA leave hours will NOT carryover from one year to the next and will not be paid out in the event of a separation from employment.

**New Employee Prorated Hours:**

<b>Hired on:</b>	<b>Hours Received/ Fiscal Year:</b> (FT Employee/40 hours per week or PT Employee/more than 20 hours per week)	<b>Hours Received/ Fiscal Year:</b> (PT Employee / 20 hours or less per week)
July	40	20
August	36.75	18.50
September	33.5	16.75
October	30	15
November	26.75	13.50
December	23.5	11.75
January	20	10
February	16.75	8.50
March	13.5	6.75
April	10	5
May	6.75	3.50
June	3.50	1.75

**Sick Leave**

**Eligibility:** Employees who are regularly scheduled to work 30 hours or more per week upon employment.

**Description:** An eligible employee is entitled to 11 workdays (88 hours) of sick leave per fiscal year.

New employees receive six days’ sick leave for the first six months of employment. An additional five days become available after six months of employment. Eight hours (one day) can be donated to the Health Leave Bank, if the employee so desires, leaving 80 hours (10 days) available for personal use. Each subsequent year (after completion of the first year of benefited service), the employee is credited with 11 workdays of sick leave at the beginning of the fiscal year (July 1). Carryover of unused sick leave accumulation will be allowed up to a maximum of

300 days (2,400 hours) in addition to the 11 workday entitlement for the current year, not to exceed 311 days at any point in time.

Paid sick leave is to be taken when the employee is sick and unable to work, or for treatment by a health care practitioner.

Each fiscal year, the employee may use up to 44 hours of their sick leave balance when there is a sickness, medical appointment or disability involving a member of the employee's immediate family which requires the employee's personal care. Immediate family is defined for the purpose of paid sick leave as child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. Vacation Leave may also be used for a sick family member. No sick leave time accumulated from previous fiscal years can be used for sick leave time for the illness, injury or medical appointment of the employee's family member.

**Note:** In no case may sick hours exceed normal work hours in a given week.

### **Procedure for Sick Leave**

An eligible employee who requests sick leave must notify the supervisor as early as possible, but at least prior to the starting time of the scheduled shift. If the supervisor is unavailable upon notification, voice mail and/or e-mail may suffice. Please check with your supervisor; special arrangements may need to be made within your department. If the employee does not call prior to the beginning of the shift, the day will be without pay, except in the case of serious illness or accident, which would otherwise prevent notification. In those circumstances, notification must be made as soon as possible.

- For exempt employees: The department supervisor must send an approved leave request via [myACCESS](#) to the Payroll Office at the time the illness occurs and for every pay period until the illness ceases. For non-exempt employees: Time records must be properly noted.
- Credit for sick leave is granted each year on July 1. A new employee of the College is not eligible to take more than six workdays of Health Leave until completion of six months of service with the College.
- Bereavement days taken because of a death in the family will be deducted from sick leave accrual (see Bereavement section for additional information).
- An employee will not be paid sick leave for days absent immediately preceding termination of employment unless the employee presents an approved physician's certificate of illness.
- In the event of termination of employment, an adjustment will be made in the last paycheck if the employee has been paid for more sick leave than earned.
- The employee's immediate supervisor may request a physician's note to certify the illness for any employee's absence or absence due to care of a family member lasting three days or more. For periods of less than three days, a supervisor may require a physician's note with approval by Human Resources.
- Supervisors must notify Human Resources as soon as they know that an employee will be out sick for more than five (5) working days.
- If the employee is eligible for Leave under the Family Medical Leave Act (FMLA), Human Resources will forward the required certification documents to the employee. If FMLA is taken due to the employee's own condition, a Return to Work Evaluation Form from the employee's treating physician will be required before the employee can return to work.

- If FMLA is not applicable, a Healthcare Provider’s Statement - Return to Work Evaluation Form must be submitted to Human Resources for any period of illness in excess of five (5) working days or sick leave benefits will be suspended. This form is used to certify the illness during the absence. A Return to Work Evaluation Form from the employee’s treating physician will be required before the employee can return to work.
- Verification or evidence of a family member’s illness may be required from the Health Care Provider.
- The above forms are available in the Forms Library on the employee portal at [insideCOD](#).
- All medical information will be kept in Human Resources.

**Vacation**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week are eligible to use accrued vacation hours after the first 120 calendar days of employment. If 120 days have not been completed, the Vice President of Human Resources may give special approval to use accrued vacation days.

**Description:** Vacation is earned at the following rate for employees with continuous benefited service commencing **prior** to 7/1/2012:

YEARS OF CONTINUOUS BENEFITED SERVICE	VACATION DAYS/YEAR
less than 5 years	13
<b>COMPLETION OF</b>	
5 years, but less than 10 years:	18
10 years, but less than 15 years:	23
15-16 years:	24
17 years or more:	25

**Description:** Vacation is earned at the following rate for employees with continuous benefited service commencing on or after 7/1/2012:

YEARS OF CONTINUOUS BENEFITED SERVICE	VACATION DAYS/YEAR
less than 5 years	10
<b>COMPLETION OF</b>	
5 years, but less than 10 years:	15
10 years or more:	20

Vacation time is automatically added to each eligible employee's vacation hours every pay period beginning with the initial day of benefited employment.

"Workday" is defined as an eight-hour day for full-time employees and the number of regularly scheduled daily hours for employees who work 30 hours or more but less than full-time.

Listed below is information to assist employees in interpreting vacation rules:

- Non-exempt employees must record vacation days on time records and submit it through their supervisor to the Payroll Office.
- Exempt employees must record vacation days via a leave request on myACCESS.
- July 1 is the date from which accumulated days of vacation are computed. New employees accumulate vacation on a pro-rated basis to that date.
- Employees must request and receive approval in advance for vacation dates from the supervisor. The needs of the College must be the first consideration in approving vacation dates.
- Employees may not take vacation time prior to being earned. Any exception must be approved by the Cabinet member for the area and the Vice President of Human Resources.
- Employees are encouraged to take vacation on a current basis; however, when it is not possible for an employee to take vacation because of job responsibilities, unused vacation time may be carried over up to a maximum of 25 days based on regularly scheduled hours. Any exceptions requested must be reviewed and approved by the Vice President of Human Resources.
- Employees having seniority by initial date of employment generally have preference of vacation dates. In any event, the appropriate supervisor makes the final decision.
- Scheduled vacations may be changed only with supervisory approval.
- No vacation may be taken in the first 120 days of employment without special approval of the Vice President of Human Resources.
- A paid holiday falling within a vacation period does not constitute a vacation day.
- Employees must work all regularly scheduled hours on a workday immediately prior to and following a vacation period, unless they have pre-approved paid leave.
- Shift differential is included in vacation pay.
- No pay in lieu of vacation will be granted except upon retirement or separation from the College.
- Grant employees may not carry over vacation beyond the ending date of the grant, unless a grant agreement specifically states that it allows payout of unused vacation hours. Grant funded employees may be authorized to use vacation during their probationary period with prior supervisory approval. Grant employees must use vacation hours earned before the ending date of the grant or lose the remaining hours.
- Each fiscal year, employees may use up to one vacation day for personal emergencies without prior approval of the supervisor. Employees must notify their supervisor of the need to use vacation time for personal emergencies as soon as possible but no later than the starting time of the scheduled workday. Voice mail messages or e-mail may suffice; please check with your supervisor. Request to use vacation time for personal emergencies that will last longer than one day should be approved by the supervisor on the first day of the emergency.
- Vacation time may be used for religious holidays.

## **Wellness Program**

Benefited employees and their spouse, if covered under the College health insurance can participate in the Annual Health Screening at no cost.

## **FRINGE BENEFITS - UNPAID LEAVES**

### **Family and Medical Leave of Absence**

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12 month period. During this leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position.

**Eligibility:** An employee must have been employed by the College for at least 12 months (which need not be consecutive), and for at least 1,250 hours during the 12 month period immediately preceding the commencement of the leave.

**Description:** FMLA leave may be taken for any one, or for a combination of, the following reasons:

- Birth of the employee's child or to care for the newborn child;
- Placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- Care for the employee's spouse, child or parent (but not in-law) with a serious health condition;
- Serious health condition that makes the employee unable to perform the functions of the employee's job;
- Military Family Leave for a spouse, child or parent; and/or
- Special leave to care for a covered service member who has serious injury or illness incurred in the line of duty (up to 26 weeks allowed).

A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

To request FMLA leave, contact Human Resources. For information regarding FMLA, please review the FMLA Information under the HR Benefits/Information and Procedures section of the employee portal at [insideCOD](#), or contact Human Resources.

### **Use of Paid and Unpaid Leave**

FMLA provides eligible employees with up to 12 workweeks of unpaid leave. However, if an employee has accrued paid leave (e.g., Vacation Leave, Sick Leave), the employee must use qualified paid leave in conjunction with FMLA leave. "Qualifying paid leave" is leave that would otherwise be available to the employee for the purpose for which FMLA leave is taken. The remainder of the 12 workweeks of leave, if any, will be unpaid FMLA leave. **The use of paid leave during an FMLA leave does not extend the FMLA 12 workweek leave period.**

For example: the employee would use available sick days for a leave due to the employee's own serious health condition. Available vacation time may be used if the employee has exhausted available sick days.

**Paid leave used (including for disability or workers' compensation injury/illness), for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave.**

**FMLA Guidelines for Maternity, Paternity, Adoption and Placement**

It is the policy of College of DuPage to provide eligible employees up to 12 weeks of **unpaid** Family Medical Leave (FML) for maternity, paternity, adoption and placement of a child. Please see the FMLA Guidelines for Maternity, Paternity, Adoption and Placement document under the HR Benefits/Information and Procedures section of the employee portal at [insideCOD](#).

**Unpaid Personal Leave**

The College may grant an employee a leave of absence without compensation for a period of time up to one year subject to the needs of the College ([Board Policy #15-110](#)).

**Unpaid Leave – Part-Time Employees**

Part-time employees may request unpaid leave. Supervisor approval will be based on the needs of the department.

**HEALTH INSURANCE**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week.

**Description:** Health insurance coverage will be provided for eligible employees, with premium costs shared by both the employee and the College. It is the College's intent that all employees contribute toward health insurance premiums. Employee contribution amounts will be announced annually. Those employees wishing to obtain dependent coverage must apply within 31 calendar days of becoming employed or reaching benefited status. New dependents may be added to coverage within 31 calendar days of a major life change (marriage, birth, etc.) or during open enrollment period.

Payroll deduction for the shared premium is taken each pay period.

Contact Human Resources for details of coverage extension within 31 days of ceasing active employment or change in status of dependents. For further details on the health insurance, contact Human Resources.

**COBRA (CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT)**

You must notify Human Resources immediately if any of the following events occur:

- If you become divorced or legally separated; or
- If your child no longer qualifies as a dependent under the terms of your plan; or
- If you become ineligible for coverage due to termination or reduction in hours.

Any individual who elects continuation of coverage within 60 days of a qualifying event must pay for the full cost of the coverage and any administration fees. Continuation coverage is identical to the coverage provided to active employees and their family members. If coverage

for similar classed employees is modified, the continuation coverage will be modified in the same manner.

Depending on the qualifying event, coverage may be continued on a monthly basis not to exceed 36 months. Please check with Human Resources for specific time limits for the qualifying event pertaining to your situation and other information regarding COBRA benefits.

### **LIFE INSURANCE**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week, upon employment.

**Description:** The College provides eligible employees with a \$50,000 term life insurance policy for which the College pays the premium. Optional insurance for employees paid for by the employee may be applied for within 31 days of employment or status change up to the guaranteed issue amount based on age. If optional life is not purchased within 31 days of employment/status change, the employee must complete evidence of insurability forms. Dependent coverage may also be purchased at the employee's expense. This includes Accidental Death & Dismemberment (AD & D).

### **INSURED DEATH BENEFITS**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week and have dependent medical insurance.

**Description:** Upon the death of an employee, the College will allow a covered spouse and dependents to remain on the dependent medical insurance plan for up to two years and pay the employee contribution rate for the coverage. COBRA continuation is applicable at the end of the two years of coverage continuation.

### **OPTIONAL LONG TERM DISABILITY (LTD)**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week, upon employment.

**Description:** In addition to SURS Disability ([SURS](#)), eligible employees may participate in an optional Long Term Disability plan. Premiums are withheld bi-weekly through payroll deduction on an after tax basis. Benefits received are not taxable. Benefits are offset with SURS, worker's compensation or other employer paid disability plans.

Notify Human Resources if you have a possible disability claim. The complete summary description plan is available in Human Resources.

### **LONG TERM CARE INSURANCE**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week, upon employment; spouses, parents, in-laws with medical evidence of insurability.

**Description:** Plan provides benefits for nursing home care and/or home health care depending on the option elected. Premiums are based on age and option elected. Premiums are paid solely by employee through payroll deduction.

## **MEDICARE TAX**

**Eligibility:** Employees hired prior to April 1, 1986 may be exempt from Medicare deductions.

## **RETIREMENT BENEFITS**

### **State Universities Retirement Plan (SURS)**

**Eligibility:** All employees working on a regular basis for at least one continuous term are required to participate in SURS.

Contact SURS at 800-275-7877 or go to [SURS](#) for more information.

### **College of DuPage Retiree Benefits**

COD recognizes retirees per the following eligibility statuses:

#### **COD Benefits Eligible Retiree**

**Eligibility:** An eligible retiree is one who:

- Is regularly scheduled to work 30 or more hours per week;
- Has completed at least ten years of consecutive benefited service at College of DuPage immediately preceding the retirement date;
- Meets the minimum age requirements to receive a SURS retirement annuity as of the date of retirement;
- Submits written notice of intention to retire to Human Resources, through the supervisor, at least three months prior to retirement.

Retiree benefits offered to those meeting eligibility guidelines for College of DuPage benefits eligible retirement:

#### **Medical Coverage - Retiree**

- Eligible retirees may choose to enroll for the benefits available under the College insurance program provided and in accordance with the State of Illinois plan provisions.
- The College of DuPage will provide annual reimbursement for one retiree health insurance plan to eligible retirees upon evidence of proof of payment. Reimbursement is limited to the lesser of actual premiums paid, the cost of the state offered College Insurance Program (CIP), or \$2200 per year. Reimbursement continues until the earlier of five years or the retiree reaches age 65.

#### **Life Insurance - Retiree**

The College will provide and pay for the premium for \$10,000 in term life insurance for retirees, for up to five years post-retirement, meeting the above eligibility criteria.

#### **Tuition Waiver - Retiree**

Retirees and their eligible dependents may take credit classes through the College, paying one-half of the in-district rate plus all fees.



### **Reemployment After Retirement**

Former employees and individual applicants who have retired from SURS and are receiving a monthly annuity are not eligible for employment unless their prospective position is 100% grant funded. Any exceptions to this rule must be reviewed and approved by the Vice President of Human Resources.

### **Part Time COD Retirees**

**Eligibility:** An eligible part time retiree is one who:

- Has completed at least twenty years of consecutive service, regularly scheduled to work at least 20 hours per week at College of DuPage, immediately preceding the retirement date;
- Meets the minimum age requirements to receive a SURS retirement annuity as of the date of retirement;
- Submits written notice of intention to retire to Human Resources, through the supervisor, at least three months prior to retirement.

Retiree benefits offered to those meeting eligibility guidelines for Part-Time COD retiree:

#### **Tuition Waiver – Part Time COD Retiree**

Retirees may take one credit class per term through the College, paying one-half of the in-district rate plus all fees.

### **Reemployment After Retirement – Part Time COD Retiree**

Former employees and individual applicants who have retired from SURS and are receiving a monthly annuity, are not eligible for employment unless their prospective position is 100% grant funded. Any exceptions to this rule must be reviewed and approved by the Vice President of Human Resources.

### **TUITION WAIVER**

**Eligibility:** Employees regularly scheduled to work 30 or more hours per week and their income tax dependents.

**Description:** Employees and their eligible dependents may take credit classes through the College, paying one-third of the in-district rates plus all fees by using [myACCESS](#) to enroll based on the registration calendar. For dependents, the employee must complete the Tuition Waiver – Dependent Verification form available in the Forms Library on the employee portal at [insideCOD](#) and submit to Human Resources, prior to the dependent registering for classes.

### **PART-TIME TUITION WAIVER**

**Eligibility:** Employees regularly scheduled to work 20-29 hours per week.

**Description:** These employees may enroll in two credit classes per term, paying one-third of the in-district rates plus all fees. This benefit does not extend to non-credit classes or to dependents. The registration schedule is published annually.

## **PROFESSIONAL/EDUCATIONAL DEVELOPMENT PROGRAM & PROFESSIONAL DUES**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week, after six month probationary period.

**Description:** Professional/Educational Development Program & Professional Dues funds are to be used for the professional development of managerial staff. The funds are to be used to add value to College through employee development.

The employee will be reimbursed for tuition if proper procedures are followed to obtain approval prior to course registration. Verification of satisfactory course completion and proof of payment must be submitted to Human Resources.

An eligible employee interested in tuition reimbursement for courses must complete the Professional Development Request form and obtain Supervisor's approval **prior to course registration** for the class, conference, seminar, workshop or activity. If a request is denied by a supervisor, employees can appeal to Human Resources for approval. The Professional Development Request form is available in the Forms Library on the employee portal at [insideCOD](#).

Employees may use up to \$1850 per fiscal year (July 1 to June 30). **Reimbursement is applied to the fiscal year based upon date of completion of the course, not registration date.**

- Up to \$500 per year of this amount may be used for job related professional dues.
- Up to \$240 per year of the employee's annual Educational Development Program dollars may be used for reimbursement of fees for membership at the Chaparral Fitness Center or for reimbursing the costs for COD Fitness Classes (such as Zumba, Spinning, Body Sculpting, etc.). Alternatively, you may also submit a reimbursement request for up to \$240 per year for non-COD Fitness Centers or Health Clubs or for outside-of-COD Fitness Classes (such as Jazzercise, Weight Watchers, etc.). However, because reimbursement of fees for non-COD Health Clubs and/or non-COD Fitness Classes are considered taxable, your reimbursement for non-COD Fitness Centers or Fitness Classes will be subject to taxation for Federal Income Tax, State Income Tax, Medicare and SURS. This means that you will receive only a "net" amount of reimbursement because you will be taxed in conjunction with the gross amount of your actual reimbursement request.
- Any portion of the \$1850 may be used per year to reimburse pre-approved travel related expenses in accordance with College's travel policies.
- Up to \$100 per year may be used for work-related books (not available through other sources such as publishers, library or division offices).

Time off from work to attend job related seminars and workshops approved by the supervisor will be granted. Travel expenses that are not approved through the Professional/Educational Development Program may be reimbursed from departmental budgets in accordance with College procedures for job-related seminars and workshops.

An advance for tuition reimbursement is available if the tuition or fee is greater than \$50.

Employees who are granted supervisory permission to attend a Professional/Educational Development activity will generally be paid for their participation. The following guidelines will be followed:

- No employee will incur paid time for participation in excess of their regularly scheduled workday;
- No overtime will be incurred due to participation in a Professional/Educational Development activity;
- Payment will not be made for travel time except to the extent it falls during regularly scheduled work hours;
- Funds may be used for tuition, fees, materials, and pre-approved travel related expenses.

Managerial staff may utilize Professional/Educational Development funds for the non-waived tuition of pre-approved courses at College of DuPage.

### **FITNESS PROGRAM**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week.

**Description:** Eligible employees may combine their 30 minute unpaid lunch period with their 15 minute afternoon break, with supervisor approval, to engage in a fitness activity up to three times per week.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

**Eligibility:** Employees who are regularly scheduled to work 30 or more hours per week, upon employment.

**Description:** The College provides eligible employees and their household members with an Employee Assistance Program through Northwestern Medicine/Cadence Health. This plan currently provides up to eight free visits to the Employee Assistance Program for diagnosis and referral of family, marital, substance abuse and job related problems. Call Northwestern Medicine/Cadence Health at 888-933-1327.

### **DECISION APPEAL PROCESS**

If a disagreement should arise over the decisions regarding employment practices (as outlined in the Managerial Staff Information Guide and/or Board Policy) between the employee and their supervisor, manager, or administrator, the following shall serve as the method of appeal.

An earnest effort should be made to communicate with the immediate supervisor to resolve the issue(s). This process applies to full-time or part-time regular and/or grant funded managerial employees. Probationary Period - New Hire employees are not eligible to file an appeal through this process.

In the case of termination of employment, employees will need to refer to the Dismissal section of the Managerial Staff Information Guide for the process. Employees following this process will not be subject to retaliation as a result of participation in the appeal process. Upon completion of the review process, all files will be confidential and maintained in Human Resources.

### **Level 1 - Department Review**

Within seven (7) working days after the alleged incident, or when the cause of the appeal could have been reasonably known by the employee, a written statement of appeal should be submitted to the immediate supervisor and next level supervisor for discussion. The written statement should include:

- the action(s) or facts underlying the appeal and the dates(s) they occurred
- the violation or interpretation of the specific policy, regulation or procedure involved
- the desired outcome

Upon receipt of the written appeal, the immediate supervisor will have seven (7) working days to schedule a meeting with the employee, the next level supervisor and a Human Resources professional (optional). A written response will be provided to the employee within seven (7) working days of that meeting. Each party will receive a copy of the response to retain for their records.

### **Level 2 - Administration Review**

If an acceptable solution is not reached in Level 1, the employee may submit the written appeal, along with all written communication, to the Area Administrator and the Cabinet Member over their department, within a period of seven (7) working days of receipt of the Level 1 written response. The Area Administrator will have ten (10) working days to schedule a meeting (including the Cabinet Member and a Human Resources professional) with the employee and any of the parties involved to address the appeal. A written response will be provided to the employee within seven (7) working days of that meeting. Each party will receive a copy of the response to retain for their records.

### **Level 3 - Panel Review**

If an acceptable solution is not reached in Level 2, the employee may submit the appeal and all written responses, within seven (7) working days to the Panel. The Panel, along with Human Resources, will convene within ten (10) working days to review the appeal. The Panel must first determine that the appeal is related to a violation of specific Board Policy or the Managerial Staff Information Guide. The Panel cannot hear the appeal if it is not within the confines of Board Policy or Managerial Staff Information Guide. The Vice President of Human Resources will advise the Panel if it is not clear that the appeal falls within the scope.

The Panel may request to meet with the employee, supervisor, next-level supervisor, Administrator, Cabinet Member and/or any other relevant employees. The Panel will provide a written recommendation to the area Cabinet Member regarding its findings and recommendation within ten (10) working days after the final Panel meeting. Each party involved will receive a copy of the report and should retain for their records.

The Cabinet Member will review the Panel's recommendation. If the Panel recommends a different action than originally followed, the Cabinet Member must determine whether they agree with the Panel's recommendation. If there is agreement, the appeal will be closed. If the Cabinet Member does not agree with the Panel's recommendation, the Cabinet Member will communicate that to the employee within seven (7) working days of receiving the recommendation.

If the employee is not satisfied with the Cabinet Member's response to the Panel's recommendation, the employee may appeal to the President. The Panel's written response and all pertinent documents will be sent to the President. The President has authority to make the final determination of the outcome.

### **Composition, Selection and Eligibility for Panelists (participation on the Panel is voluntary)**

- three (3) supervisory or managerial employees
- three (3) administrators
- alternates: two (2) managerial/supervisors and two (2) administrators

### **Panelist Eligibility**

- complete at least three (3) years of continuous, full-time service;
- be in good standing (Panelist should not have been placed on either performance or disciplinary actions within the past three (3) years);
- successfully complete the Dispute Resolution Process training (once they have been selected as a Panelist);

Human Resources will confirm if the Panelist meets the eligibility criteria.

The supervisory/managerial staff Panelist and alternate will be solicited each year to serve a one-year term with the final selection made by the Vice President of Human Resources. Administrators will be appointed by the President.

Any member of the Panel who files an appeal or is involved in an appeal at any capacity, will be recused from the process. Panelist will not participate in the hearing of their case or have any rights/access to records or decisions not open to non-panel members. Administrators who are Panelists and who have an appeal filed against their area of oversight or supervisory/managerial staff who manages the area that employs the appellant managerial employee will recuse themselves from the Panel and any activities involved in the determination of the case.

### **Maintenance of Official Files**

The official files will be kept in Human Resources at the College separate from all other personnel files. Only the following individuals will have access to these files: the Board of Trustees, General Counsel or legal counsel retained by the College, the President, the appropriate Cabinet Member, the Vice President, Human Resources, or designate and the current Appeal Committee Members.

The appellant managerial employee will have access only to his/her own file. Complete official files are kept for a period of eight (8) years. Thereafter, a log is maintained containing only a statement of the nature of an appeal, the name of the appellant managerial employee and the final disposition of the case.

## **DISCIPLINE AND TERMINATION**

### **Disciplinary Procedures**

Severity of offenses determines the disciplinary measure sequence. The employee will receive copies of all documentation used for disciplinary purposes. Not all steps need be used under all circumstances.

### **Disciplinary Sequence**

General disciplinary sequence:

1. Verbal warning, written notation of such action may be placed in the employee's file in Human Resources;
2. Written warning, with a copy to the employee's file in Human Resources. In most cases, the employee will be given at least three consecutive weeks' time to improve, except in cases involving gross misconduct or insubordination;
3. Final written warning and/or up to one week suspension without compensation;
4. Temporary suspension status with or without compensation and without assigned duties until an investigation and final decision is reached to either reinstate or dismiss. The notice of suspension will be in writing, copies given to the employee and Human Resources for inclusion in employee file, if dismissed. If reinstated, compensation and other benefits may be retroactive to date of temporary suspension dependent on the facts in the case as determined by Human Resources;
5. Dismissal: Reasons for dismissal will be documented.

Final written warning and/or temporary suspension status may be the first step in the disciplinary procedure for more serious offenses, as determined by the appropriate Vice President in consultation with Human Resources upon the recommendation of the supervisor.

***Note:*** Performance evaluation documentation may serve as a step in the disciplinary sequence.

### **Discipline and Dismissal Circumstances**

Notwithstanding the provision for the "general disciplinary sequence", disciplinary action, up to and including termination of employment, may result immediately from any of the following circumstances that prove detrimental to the operation of the College, including but not limited to:

- Insubordination
- Refusal to perform assigned tasks
- Unsatisfactory performance of duties or assigned tasks
- Excessive tardiness (tardy three or more times in a month)
- Excessive absence (absent seven or more occurrences in a rolling 12 month year)\*
- Willful damage to College property and/or equipment
- Abusive behavior to co-workers, superiors, or subordinates
- Immoral, indecent, or disorderly conduct
- Unauthorized release of confidential information
- Falsification of a time sheet or any employee record including employment application form.
- Theft or dishonesty

- Intoxication on the job or possession or drinking of intoxicating beverages on College premises
- Possession, use, or under the influence of illegal drugs on College premises
- Conviction of a serious crime
- Lying
- Physical abuse
- Other employee misconduct

\*A partial day does not need to be counted as an absence for disciplinary purposes. Emergency vacation days are counted as absences for disciplinary purposes.

## **DISMISSAL**

Prior to recommending dismissal, the supervisor will, if possible, schedule a conference with the employee to discuss employee performance issues. The employee has the opportunity to request a pre-termination hearing with the appropriate Vice President to rebut the supervisory recommendation for dismissal. The request for hearing must be made within two working days of notification of recommended dismissal.

An employee may be dismissed by the appropriate Vice President upon recommendation of the employee's immediate supervisor. This recommendation must be submitted in writing, substantiating the reason(s) for the action, with a copy to Human Resources.

## **RESIGNATION**

### **Notice of Resignation**

An employee resigning from the College must submit a notice in writing to the immediate supervisor with a copy to Human Resources at least ten working days before the effective date. Failure to give adequate notice may be noted in the employee's file in Human Resources and may render the employee ineligible for rehire by the College. Resignation dates cannot be extended through the use of accrued time (i.e. vacation days).

### **Vacation/Sick Benefits at Termination**

A terminated employee will be entitled to reimbursement for accumulated vacation days. Vacation days cannot be used to extend a termination date if there is no return to work. Days of accumulated sick leave are not a basis for financial claim on the College and will not be paid.

### **Discontinued/Eliminated Positions**

A regular employee who was in a discontinued or eliminated position is eligible for priority consideration\* for classified/managerial positions which become open within one year from the first date of reemployment eligibility for available classified/managerial positions, provided the employee meets the qualifications for the available position, work performance was satisfactory with no discipline incidents while employed, and the employee is eligible for rehire. Employees who are rehired into another position are subject to all terms of a newly hired employee.

\*Priority Consideration: Priority consideration is not a guarantee of re-employment. Priority consideration does not entitle the employee consideration over internal candidates. An employee eligible for priority consideration is at all times obligated to identify such eligibility in applying for open positions.

### **"Reemployment Eligibility" Procedure**

- If the employee received severance pay, the "first date of reemployment eligibility" will be six months to the day following the employee's official departure date. At that time the employee may apply for any open position for which he/she is qualified and will receive "priority consideration" for a period of six months from the date first eligible for priority consideration, assuming the employee meets the qualifications for the eligible position, their prior work experience was satisfactory with no disciplinary incidents while employed and they are eligible for rehire.
- If the employee did not receive severance pay, they will be able to apply for open positions posted externally immediately following separation, i.e., there will be no six month waiting period. Reemployment eligibility will not apply to employees who were removed for cause or for performance issues.

The College will maintain administrative procedures to implement this provision.