

# EMPLOYEE HANDBOOK

[www.pensacolastate.edu/documents/Employee-Handbook/](http://www.pensacolastate.edu/documents/Employee-Handbook/)



The Pensacola State College Employee Handbook is prepared  
for employees by Human Resources.  
For additional information, call 850-484-1760.

Revised June 2021



Pensacola State College does not discriminate against any person on the basis of race, ethnicity, national origin, color, gender-sex, age, religion, marital status, pregnancy, disability, sexual orientation, gender identity, or genetic information in its educational programs, activities, or employment. For inquiries regarding Title IX and the College's nondiscrimination policies, contact the Executive Director, Institutional Equity and Student Conduct at 850-484-1759, Pensacola State College, 1000 College Blvd., Pensacola, Florida 32504.



## Pensacola State College

### Campuses and Centers

#### **Century Center**

440 E. Hecker Road  
Century, Florida 32535  
850-471-4679

#### **Downtown Center**

418 W. Garden Street  
Pensacola, Florida 32502-4731  
850-484-1374

#### **Milton Campus**

5988 Highway 90  
Milton, Florida 32583-1798  
850-484-4400

#### **Pensacola Campus**

1000 College Boulevard  
Pensacola, Florida 32504-8998  
850-484-1000

#### **South Santa Rosa Center**

5075 Gulf Breeze Parkway  
Gulf Breeze, Florida 32563  
850-471-4630

#### **Warrington Campus**

5555 West Highway 98  
Pensacola, Florida 32507-1097  
850-484-2200

## **Faculty Employment Information**

Most of the information in the Employee Handbook applies to all employees. However, the specific employment terms and conditions for full-time faculty are determined by a collective bargaining agreement and contained in a separate document.

For reference and information on such matters, full-time faculty should refer to the current collective bargaining agreement available at:

<http://www.pensacolastate.edu/documents/collective-bargaining-agreement/>

## **College Mission**

Pensacola State College, under the governance of a local Board of Trustees, is committed to providing quality, affordable, and accessible educational opportunities through a variety of delivery methods.

The College, a member of the Florida College System, offers baccalaureate and associate degrees, workforce certificates, adult education, business and industry training, non-credit continuing education, community outreach, and cultural enrichment opportunities for students and the community.

## **Vision Statement**

Pensacola State College educates students through a dynamic and supportive learning environment that develops all students intellectually, culturally, and socially, preparing them to succeed within the global community.

## **EQUAL ACCESS/EQUAL OPPORTUNITY**

Without regard to race, color, ethnicity, sex, pregnancy, creed, age, religion, marital status, national origin, disability, sexual orientation, or gender identity, Pensacola State College commits to the following:

- Pensacola State College is an equal access/equal opportunity employer and shall recruit, employ, evaluate, assign, promote, or dismiss employees in compliance with all federal and state legislation pertaining to nondiscrimination.
- The College shall provide equal educational opportunities to prospective and enrolled students to include recruitment, admission, programs and activities, facilities, counseling and testing, financial assistance, evaluation, dismissal, graduation, and placement.
- The equal opportunity principle applies to students, applicants for admission, applicants for employment, employees, veterans, and otherwise qualified disabled persons with regard to employment, the delivery of educational programs and services, and all other appropriate areas in which the College is involved.
- The College prohibits racial, ethnic, religious, physical, and sexual harassment of its employees and students. Furthermore, the College prohibits discrimination and retaliation of any kind, including discrimination based on sexual orientation, gender identity or genetic information, and discrimination based upon religion, and assures reasonable accommodation of religious observances, practices, and beliefs of individual students and employees in regard to admissions, class attendance, scheduling of examinations, and work assignments.

Pensacola State College is in compliance with the Americans with Disabilities Act (ADA) of 1990, as amended by the ADA Amendments Act of 2008, Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, and the Genetic Information Nondiscrimination Act (GINA) of 2008.

Inquiries or complaints may be addressed to Executive Director of Institutional Equity and Student Conduct, Building 5, 1000 College Blvd., Pensacola, FL, 32504, or at 850-484-1759.

## **Sexual Misconduct**

Pensacola State College will not tolerate sexual battery, sexual harassment, voyeurism or exhibitionism on any of its campuses.

In addition, Pensacola State College may discipline students and/or College employees for acts of sexual battery, sexual harassment, voyeurism or exhibitionism committed off campus, if such acts are found to be detrimental to the interests of the College or if such acts are found to interfere with the educational and orderly operation of the College. Sexual battery, sexual harassment, voyeurism and exhibitionism are regarded and defined as acts of sexual misconduct. These acts of sexual misconduct are further defined as follows:

**Sexual Battery** — Oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose. Sexual battery is an act performed against the victim's will and without consent. Sexual battery includes force that may involve physical violence, coercion, threat, or harm. (F.S.794.011)

**Sexual Harassment** — Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicit a term or condition of employment or academic decisions affecting the victim. It includes other verbal or physical conduct relating to sex when such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work or in study or creating an intimidating, hostile, or offensive environment in which to work or learn. (Title VII of the Civil Rights Act of 1964,1601.00)

**Voyeurism** — The condition of one who derives sexual satisfaction from observing the sexual organs or acts of others generally from a secret vantage point.

**Exhibitionism** — It shall be unlawful for any person to expose or exhibit his or her sexual organs in any public place or on the private premises of another, or so near thereto as to be seen from such private premises, in a vulgar or indecent manner, or so to expose or exhibit his or her person in such place, or to go or be naked in such place. (F.S. 800.03)

## **Sexual Harassment**

It is the policy of the College that no members of the college community may sexually harass another. An employee or student who violates this policy will be subject to disciplinary action. The College has an affirmative duty to create an educational and work environment free of harassment on the basis of sex and is responsible for all acts of harassment regardless whether the institution knew or should have known of the acts if the harassment is committed by a person in authority. If the harassment is between fellow employees, fellow students, or by non-employees,

the College is only responsible if it knew or should have known of the harassment and failed to take corrective action. Included are:

- Any slurs, innuendos, or verbal or physical conduct which has the purpose or effect of creating an intimidating, hostile, or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunity.
- The denial or provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment on the basis of sexual advances or request for sexual favors.
- Sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational career; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational environment.

The defense of consent is not viable when one partner in a relationship has power over the other. Sexual relationships, even though welcome, which may be appropriate under other circumstances, may not be appropriate when they occur between a faculty member and student or a manager and employee. Even in situations where no negative consequences arise for the individuals involved, such relationships can create potential conflicts of interest. Sexual relationships viewed by the parties as mutual may still raise questions of favoritism as well as abuse of trust and power. This is particularly the case where a student is enrolled in a course taught by the involved faculty member.

Sexual harassment complaints shall be directed to the immediate manager who will disseminate this procedure. If a complaint is made against the immediate manager, the next level of supervision should be contacted. Employees and students may notify the Executive Director, Institutional Equity and Student Conduct, at 850-484-1759.

## **Grievances Alleging Discrimination**

Pensacola State College is a diverse community that values and expects respect and fair treatment of all individuals. The college strives to provide a work and academic environment that is free from discrimination, harassment and retaliation. The college's Policy on Nondiscrimination, 6Hx20.1.007, clearly prohibits discrimination based on race, ethnicity, color, national origin, gender/sex, age, religion, marital status, disability, sexual orientation and genetic information. Additionally, discriminatory conduct in the form of sexual misconduct/sexual harassment (6Hx20-1.028) is also prohibited.

Any employee who believes he/she has been subjected to discrimination, harassment or retaliation may file a complaint with the college's equity officer, Executive Director of Institutional Equity and Student Conduct, at 850-484-1759. In addition, employees may also consult with the Director, Human Resources, at 850-484-1766 for subsequent referral to the equity officer for allegations involving discrimination.

## **FRAUD POLICY (Fraud Hotline 850-471-4600)**

The Fraud Policy addresses employee's and management's responsibility for detecting and reporting fraud and/or suspected fraud. For the purposes of this policy, fraud shall include but not be limited to:

- Theft or misappropriation of College assets;
- Submitting false claims for payments or reimbursement;
- Submitting false timesheets and/or failure to submit leave requests for time not worked;
- Accepting or offering bribes, gifts or other favors;
- Accepting a commission from a third party;
- Black-mail or extortion;
- 'Off the books' accounting or making false or fictitious entries;
- Knowingly creating and/or distributing false or misleading financial reports;
- Paying of excessive prices or fees where justification thereof is not documented;
- Violation of the College's procedures with the aim of personal gain or to the detriment of the College;
- Willful negligence intended to cause damage to the material interest of the College; or
- A dishonorable or irresponsible or deliberate act against the interests of the College.

### **Responsibility of Employees**

All employees are responsible to conduct their College business in such a way as to prevent fraud occurring in the workplace. Employees must also be alert to the possibilities for fraud and be on guard for any indications that improper or dishonest activity is taking place.

### **Responsibility of Management**

All administrators are responsible to be familiar with the types of improprieties that might occur in their area and be alert for any indication that improper activity, misappropriation or dishonest activity is or was in existence in their area and put in place controls to avoid such occurrences.

Administrators are required to support and work with other involved departments and law enforcement agencies in the detection, reporting and investigation of dishonest or fraudulent activity including the prosecution of offenders. If fraud is detected in an area, administrators are responsible for taking appropriate corrective actions to ensure adequate controls are implemented to prevent reoccurrence of improper actions.

### **Reporting Fraud**

It is the responsibility of all College employees to report fraudulent activities without delay according to the procedure set forth below. Persons with knowledge of a fraudulent activity who cover up, obstruct, or fail to report, will be considered to be an accessory after the fact and may be subject to disciplinary action and/or discharge. Persons who threaten retaliation against a person who has reported fraudulent activity shall be subject to disciplinary action up to and

including termination of employment. Great care must be taken in dealing with suspected dishonest or fraudulent activities to avoid false accusations; or alerting a suspected individual that the fraudulent activity has been detected.

Incident, facts, suspicions or allegations should not be discussed with anyone inside or outside the College unless specifically directed to do so by the College administrator investigating the incident.

Fraud can be detected at any level within the College and the following general principles should apply in the reporting of suspected fraud.

A person who suspects fraudulent activity shall immediately report the matter to his or her Department Head. If the Department Head is suspected of involvement in the fraudulent activity, or of being an accessory after the fact to the fraud, then the report shall be made directly to the appropriate Vice President, which shall be the Vice President of Academic and Student Affairs in the case of an academic or student services employee, or Vice President of Business Affairs for all other employees. If the appropriate Vice President is suspected of involvement in the fraudulent activity, or of being an accessory after the fact to the fraud, then the report shall be made directly to the President of the College.

When a report of suspected fraudulent activity is made to a Department Head, if that Department Head has conclusive knowledge that no fraud has occurred, then the Department Head shall forward the report and the exonerating information to the appropriate Vice President. Examples of exonerating conclusive knowledge may include such things as a leave request form having been properly submitted for a person who has been absent from work, or a property disposition form having been properly submitted for equipment to be removed from a campus.

If the Department Head does not have conclusive knowledge that no fraud has occurred, then the Department Head shall immediately forward the report of fraudulent activity to the appropriate Vice President, or the President if the Vice President is implicated, and shall refrain from conducting any further investigation until being directed to do so by the Vice President or President.

The College has established a fraud hotline to allow anonymous reporting of fraudulent activities and is monitored by the Office of the Vice President, Business Affairs. As an alternative to reporting fraudulent activity through a report made directly to a Department Head or Vice President as set forth above, employees may satisfy their reporting obligation by making a satisfactory report to the fraud hotline. A satisfactory report of fraudulent activity shall include the name of the suspected individual, and a specific description of the activity believed to be fraudulent given with enough detail to allow for a thorough investigation without alerting the suspected individual.

## **Procedures for the Investigation of Alleged Fraud**

The Vice President, or the President if the Vice President is implicated, shall have the responsibility for coordinating the College's response and will seek advice from legal counsel, appropriate law enforcement agencies and others as required.

The Vice President or President will notify the appropriate staff who will, if appropriate, conduct an initial investigation to gather factual information and reach a preliminary determination as to

whether further action is required. The findings, conclusions and recommendations will be reported to the appropriate Vice President or President.

Where initial investigation provides reasonable grounds for suspecting an employee of fraudulent activity, the Vice President or the President will decide if any actions are necessary to prevent further loss. Such actions may include suspension of the employee(s) with or without pay in accordance with Board of Trustees Policies and/or the decision to proceed with further investigation.

Each case will be considered individually with a view to minimizing the losses (both monetary and otherwise) to the College. Having reached a decision as to what further action is necessary and how such actions should be undertaken, the Vice President or President shall communicate with the affected employee(s) and the appropriate manager(s).

Results of fraud investigations will be considered and the internal control structure assessed so that a similar recurrence of the same or similar fraud can be prevented or at least promptly detected by the relevant Vice President and staff in the future.

Documentation regarding the findings, conclusions and recommendations, following consultation with the relevant department(s), will be maintained.

## **Investigation of Alleged Fraud Disciplinary Action**

Human Resources will be consulted for any employee disciplinary actions resulting from fraudulent activity. Documentation related to such employee discipline will be maintained in the employee's record.

## **College Facilities**

### **Use of Facilities and Equipment**

Only the President or his designee can grant permission to any group to use College facilities or equipment. Such permission will be in accordance with the policies of the Board of Trustees, and appropriate charges will be assessed for utilities, custodial service, insurance and any other costs. Educational functions of Pensacola State College require first consideration when use of College facilities and equipment is concerned. In the event facilities and/or equipment are not in use for the College educational purposes at a certain time, they may be made available to recognized groups for educational functions of a non-sectarian nature. For use of facilities by external groups and co-sponsored events, a Facilities Use Form will be initiated by designated area schedulers, must be signed by the senior level administrator and sent to the college's designated risk manager for review. Internal Pensacola State College groups using facilities do not have to process a form. Policies governing the use of College facilities and equipment are detailed in the internal policies of the District Board of Trustees.

### **Smoke-Free Workplace/Indoor Clean Air Act**

Smoking is prohibited within all buildings including classrooms, lunchrooms, conference rooms, restrooms, meeting rooms, and community areas. Smoking is disallowed at covered entrance ways and exits to all buildings. Smoking is permitted only in designated areas on each campus. This policy applies to all employees, students, clients, contractors, and visitors. Employees must share

in the responsibility for adhering to and enforcing this policy. Problems should be brought to the attention of the appropriate manager.

## **Guidelines for Use of Rooms**

Room assignments for classes will be assigned through the Registrar's Office. An instructor's request for a room change must be approved by the instructor's Department Head, Dean and senior level administrator before the Registrar is contacted concerning the change. The use of campus facilities may be requested through the campus dean of the particular campus. An insurance and/or rental fee may be required for some events. Such fees are collected at least two weeks in advance.

## **Equipment**

All equipment belonging to the College should remain in College buildings, or accompany instructors to and from established off-campus educational centers controlled by Pensacola State College. The College does not lend equipment to any person or organization if it will be removed from College premises. Some equipment, such as public address systems, is for use at school functions only. No equipment may be removed from the campus without authorization from the President, a Vice President or designee. Valuable equipment should not be unsecured in classrooms. Electronics used for classes should be returned to the Information Technology Department, Computer Lab, the respective department storeroom, or locked securely in the classroom when leaving. Valuable personal items should not be left unattended in offices or classrooms.

## **Property Control**

All property of a non-consumable nature valued at \$1,000 or more, which has a normal life expectancy of one year or more, will be inventoried. No property will be moved from its assigned area without proper authorization. Property Control Form Pensacola State College-59-84 is required.

## **Operation of Machinery or Equipment**

All appropriate safety measures will be followed whenever machinery or equipment is in operation. The operation of any potentially dangerous machinery or equipment in instructional spaces shall take place only under on-site supervision by an appropriate employee of the College.

## **Copy and Duplicating Services**

Copying/duplicating machines may be used only for official Pensacola State College business. Employees are responsible for compliance with copyright laws.

## **Telephones**

Federal Communications Commission (FCC) rules govern use of tax-exempt telephones; therefore, no personal long-distance calls can be made on official school telephones. In no event should students make long distance calls on official school telephones.

Anyone who receives obscene or annoying telephone calls while at work or conducting business on the campus should notify the Public Safety/College Police Department of that campus.

## **Campus Mail Facilities**

Campus mail service may be used only for official Pensacola State College business. Mail, other than official College business, shall not be placed in mail pick-up areas for off-campus delivery. If there is a question concerning the official nature of an item to be mailed, it will be resolved by the President or his designated representative. Copies of mail procedures are distributed by the Central Services Department to all Pensacola State College offices. Complete instructions for the proper preparation of mail are provided. Questions about mail service should be directed to the Central Services Specialist or Purchasing department head.

## **College Vehicles**

College vehicles may be used for local official functions when Pensacola State College is being represented by College personnel. This does not include class assignments. Persons other than College employees and students are not permitted to ride in College vehicles due to insurance restrictions. If rental or personal cars are to be used for trips, the cost will be the responsibility of the user's department. Reservations, cancellations, and special arrangements for use of vehicles from the motor pool are made by contacting the Department of Facilities, Planning and Construction, Building 9, Pensacola Campus, 850-484-1900. This department will be notified with a Request for Maintenance Services, as far in advance as possible. A copy of the approved Request for Travel Authorization for out-of-town trips must be presented when a vehicle is picked up. The person signing for the vehicle must be the driver, an employee of Pensacola State College, and have a valid Florida Driver's License. Drivers of College owned vans or rental vans transporting 15 or more students may be subject to satisfying certain restrictions. Any person using a College vehicle is responsible for the safety, cleanliness, and proper operation of the vehicle. The user is also responsible for returning the vehicle in good condition and on the prescribed date and time. Operators of college buses must be certified under Department of Transportation rules.

## **Keys and Access to Facilities**

Requests for College keys will be made through the working department and provided to the Facilities, Planning and Construction department for issue. Lending or duplicating keys is not permissible. Keys are PSC property and shall be rendered upon request or at termination of employment. Failure to return college issued keys will result in a \$50 fee to the employee. Any misuse of keys by an employee could result in disciplinary action.

## **TRAVEL**

### **Specific Rules**

All travel must be authorized and approved by the proper authority before the travel takes place. Reimbursement by the College will be limited to those expenses necessarily incurred in the performance of a public purpose authorized by law. For specifics about travel and reimbursement, refer to Pensacola State College Policy 6Hx20.5.008, and section 5 of the Pensacola State College Procedures. Faculty members should consult the current collective bargaining agreement for specific terms and conditions affecting travel.

## **Car Rental**

In some instances, renting a vehicle at the traveler's destination may be the most economical source of travel at the location. The use of rental vehicles must be approved in advance by the appropriate Dean or Vice President. Rentals must be made through the State's rental contract and charged to the College. Information and credit cards as applicable to Pensacola State College are available in the Vice President for Business Affairs office. When travel originates from Pensacola State College Campus, the College's Department of Facilities, Planning and Construction should be contacted for rental vehicle information.

## **Traffic Laws**

Drivers of College vehicles must observe all traffic laws. The employee in charge will be responsible for compliance with all traffic regulations. Laxness in observation of traffic laws will be considered willful neglect of duty.

## **Accidents**

Any accident involving a College vehicle must be reported to the proper authorities in the area where the accident occurred, and to the President of the College, or appropriate College authority. The person responsible for the vehicle will be responsible for providing a complete accident report from the law officers to the College.

## **Safety and Security**

### **Public Safety/College Police Department**

Pensacola State College Public Safety/College Police Department employs sworn, commissioned police officers. These officers are responsible for maintaining law and order, and health and safety of those on campus, in accordance with state, county, and city laws. They are also responsible for the security of campus buildings when not in use by employees.

Pensacola State College Public Safety/College Police Department operates a central dispatch, which coordinates all calls for public safety assistance on all campuses from one centralized location. The number to call for all campuses is 850-484-2500.

Since it is not possible for the police officers to know or recognize all College employees, members who are on campus at unusual hours will cooperate with the Public Safety/College Police Department by identifying themselves when requested to do so. The Pensacola State College identification card will be accepted as sufficient identification. However, additional identification may be requested if deemed necessary.

Employees in any of the buildings after regular work hours should notify the Public Safety/College Police Department by calling 850-484-2500.

Information requested of the Public Safety/College Police Department may be obtained by calling 850-484-2500 24-hours per day, seven days a week. In the case of an extreme emergency after hours, dial 9-911 from a Pensacola State College Campus phone.

On all campuses, the telecommunications device for the deaf (TDD) can be accessed by calling 800-955-8770.

## **Emergencies**

Emergencies involving minor injury, illness, or accident, should be reported to the Public Safety/College Police Department at 850-484-2500 as soon as possible. The dispatcher will require the following information:

- Exact location of the emergency (room number and building, whether inside or outside building, etc).
- Nature of the emergency (sickness, fall, extent of injury or illness, any known information about the condition of the victim such as related health problems, etc).
- Name of person who is injured or sick (additional information such as sex of the person, adult or child, conscious or unconscious).
- Name of person calling.
- Telephone number where caller can be reached. Callers should remain on the phone with the dispatcher until an officer arrives.

In the case of an extreme medical emergency (i.e. possible cardiac condition {complaint of chest pains, diaphoresis} choking, possible drowning), immediately call 9-911.

If 911 is called, notify Pensacola State College Public Safety/ College Police Department (after calling 911) and officers will respond to the scene. This will allow documentation of the incident, but will assure professionally trained medical personnel are on the way.

For each emergency, an Accident-Incident Report must be prepared by the person injured or ill, if and when possible, or the manager in charge, and forwarded immediately to the Pensacola State College Public Safety/College Police Department. Follow up and status of accidents pertaining to employee work time should be coordinated with the Director, Human Resources.

## **Trespassing**

Any person who:

- is not a student, officer, or employee of the College; or
- does not have legitimate business on the campus, nor any other authorization, license, or invitation to enter or remain upon College property; or
- is not a parent, guardian, or person who has legal custody of a student enrolled at the College; or
- is a student currently under suspension or expulsion; or
- an employee who is not required by his or her employment by the College to be on the campus or on any other facility owned, operated, or controlled by the governing board of the College and who has no lawful purpose to be on such premises; and who enters or remains upon the campus or any other facility owned by the College, commits a trespass upon the grounds of the College and is guilty of a misdemeanor of the second degree, punishable as provided by Sections 775.082 and 775.083 of the Florida Statutes.

## **Protective Services Act for Abused and Neglected Children**

The Protective Services Act for Abused and Neglected Children states that certain people in specific fields who know or have reasonable cause to suspect that a child is abused or neglected

shall report such knowledge or suspicion to the Florida Department of Children and Families. Included in the categories for mandatory reporting are several classifications of individuals that work at Pensacola State College, including school teachers or other school officials or personnel, day care center workers, people in the medical field, and law enforcement officers.

If it is suspected that a child is in immediate danger, notify the Pensacola State College Public Safety/College Police Department and call 800-962-2873 or 800-453-5145 for the hearing impaired. Pensacola State College Public Safety/College Police Officers will respond for assistance. Penalties may be assessed for lack of reporting or for preventing someone else from reporting abuse or neglect of a child.

## **Sexual Predator or Offender Information**

Per Florida Statute 1001.64, the College fulfills the requirement of law by addressing the presence of sexual offenders and/or predators at higher learning institutions. The website link for the College Police/Public Safety will provide the required details, as well as identify links to the Florida Department of Law Enforcement (FDLE) hotline or website for information on sexual offenders and/or predators in Florida. For questions, contact the Public Safety/College Police at 850-484-2500.

## **Campus Drug Activity Reporting**

Drug activity on campus, whether actual or suspected, is detrimental to the learning environment. Actual use or sale of drugs is illegal under Florida law.

Employees should report any suspected drug activity to the Public Safety/College Police. Reports can be anonymous, but information concerning date, time, names, descriptions, and license plate numbers of suspected users and/or dealers, should be provided if possible.

## **Domestic Violence**

If a Pensacola State College employee or student experiences domestic violence such as stalking, aggravated stalking, threats, harassment, and/or aggravated assault, aggravated battery, or has a restraining order or domestic violence injunction against an abuser, contact must be made with the Pensacola State College Public Safety/College Police Department on the appropriate campus. Police officers can work with individuals to give proper referrals for help and to help protect you on campus. Notifying the Public Safety/College Police Department of these problems in advance will enable officers to better assist you if and when needed. Additionally, Pensacola State College has implemented a policy concerning domestic violence leave for employees. See Pensacola State College Policy 6Hx20.4.028 for further information.

## **Lost or Found Property**

All lost or found property should be reported immediately to the Pensacola State College Public Safety/College Police Department. Property found on any campus or center shall be turned in to the Pensacola State College Police Department promptly so that a record of the property can be made. Pensacola State College Police will attempt to notify the owner, and return the property. All property not claimed within 30 days will be sold at public auction.

## **Stolen Property**

Stolen property should be reported immediately to Pensacola State College Public Safety/College Police Department. All employees should make every effort to note daily departmental equipment that is present in their area. If it is determined equipment is missing, a report should be made immediately to the Pensacola State College Public Safety/College Police Department.

## **Fingerprinting for Background Checks**

The Pensacola Campus Public Safety/College Police Department conducts fingerprinting on live scan equipment for employees and volunteers for the purpose of employment or volunteer assignment in compliance with College Policy 1.036. Questions may be referred to the Director, Human Resources at 850-484-1766, or the Public Safety/College Police at 850-484-2500.

# **PERFORMANCE DEVELOPMENT AND EVALUATION**

## **Career Service Employees**

The purpose of the College's performance development and evaluation program is to:

- assist in accurately appraising career service employees
- discuss performance factors
- review and update job descriptions
- enhance the relationship and communication between the manager and employee
- improve the motivational climate, and
- serve as a tool in the growth and development of employees.

The evaluation form provides the basis for evaluation of quality and quantity of work, job knowledge, attendance and punctuality, cooperation, dependability, and managery performance if applicable. An employee may respond in writing to the evaluation under "Employee's Comments" or by adding a supplemental sheet. This response will be part of the permanent record to accompany the Performance Evaluation Form.

The evaluations are conducted in three ways:

- **Probationary** — For new hires, or internal promotions or transfers, at the six-month mark of the hire date or promotion/transfer date.  
Note: probation is one year for new hires, but six months for an internal promotion/transfer.
- **Annual** — Due by March 31.
- **Special** — An employee may receive a special evaluation based on performance concerns that occur after the employee completes their probationary period.

The Career Service Evaluation form and instructions are available online. To locate the form go to PensacolaStateCollege.edu, select Faculty & Staff, choose Employee HR Forms, click on Performance Evaluation Form (Career Service).

When the evaluation is completed, the employee will sign the evaluation report and be assured that it is complete and accurate. Instructions for the situation in which an employee refuses to

sign an evaluation, can be found at the bottom of page two of the evaluation form. A signed copy of the evaluation is given to the employee by the manager. The original evaluation document will be forwarded to Human Resources and placed in the employee's privacy file.

## **Probationary Period**

Newly hired employees will be under a one-year probationary period. At the six-month mark of the hire date, managers will be made aware by Human Resources that the Probationary Evaluation is due. All employees will receive an evaluation annually. Current employees who are promoted or transferred to a new position must serve a six- month probationary period. Managers will be notified that an evaluation is due at the six-month mark.

## **Performance Improvement Plans**

A manager may make a determination that an employee's performance is not meeting expectations. A structured performance improvement plan may be designed and used to assist in identifying issues, corrective action needed, available resources and/or training, and future status. The plan and process should be discussed with the Director, Human Resources and the manager's next level of supervision prior to presenting it to the employee. The plan will become part of the employee's record in Human Resources.

## **Job Classification (Career Service)**

Jobs within the career service level at Pensacola State College have a specific title, which signifies that the employee in that position has met certain minimum qualifications, training and experience. Each career service job is assigned a specific salary range. When an employee is hired, he/she will receive the minimum amount within the assigned salary range for that particular job.

Salary ranges are reviewed periodically and checked against salaries in other businesses in order to provide equitable pay for College employees performing a variety of jobs. Job classifications are reviewed periodically as well. If the duties and responsibilities of a job change significantly, the job may be considered for reclassification.

A request to evaluate a job may be filed by the appropriate manager to his/her senior level administrator, or submitted annually with budget requests. If a job is upgraded, the person who has been in the job receives first consideration for the reclassified position. When the incumbent meets the qualifications established for the upgraded job, the manager may recommend that the incumbent be promoted to that position. In each case, the employee's salary will be processed to reflect a promotion.

## **Reassignments/Transfers**

The College may at any time authorize a transfer of any employee from one position to another within the same job classification. Transfers will be permitted only with the consent of the College and the departments concerned and must contribute to the good of the College. Additionally, the President may fill vacancies through transfer or promotion without advertising the position, providing that the procedure used is in compliance with equal opportunity rules and regulations. When a career service employee changes positions due to reorganization, reduction-

in-force, or voluntary downgrade, the salary will be determined by the President, or his designee, within the classification they are being transferred to.

## **Promotion**

When promotional opportunities arise, notices are posted internally on the career app. Notices are also posted on the employment web link. Employees are eligible for promotion outside their department following six months of satisfactory service in their current position.

# **PERFORMANCE DEVELOPMENT AND EVALUATION**

## **Administrative Employees**

Performance evaluations of non-faculty employees are scheduled for completion by March 31, each year and are an important process and part of the College's Strategic Planning Institutional Effectiveness calendar. The covered period for evaluation is April 1 through March 31 of the given year. If the due date is affected by Spring Break, the President will approve an extension to the date.

All non-faculty employees must complete a Professional Development Plan (PDP) for submission to their supervisor to accompany the Performance Evaluation. The purpose of the PDP is to assist the supervisor and employee with outlining professional goals, and to work toward enhancing skills and knowledge with ongoing education, training, job-related workshops, and/or professional affiliations.

During this time, managers are to review the board approved job descriptions maintained by Human Resources detailing job title, duties and responsibilities, essential functions, and minimum qualifications for staff within their reporting area. Managers should keep in mind any organizational changes, new tasks assigned, technology changes, and any other functions that could affect the requirements of a job. Updates or changes to job descriptions require submission to the departmental area senior level administrator, with final approval by the College President. After the final approvals are completed, Human Resources will receive annual evaluations and PDPs for the employee's record.

# **EMPLOYMENT AND PAYROLL INFORMATION**

## **Work Day**

The work day for full-time career service employees is eight and one-half (8 1/2) hours per day with a one-hour unpaid lunch period. Employees are paid 7.5 hours per work day. Summer schedules will be announced. Unless work conditions prohibit, employees may have a paid fifteen (15) minute break in the morning and a paid fifteen (15) minute break in the afternoon, provided it does not interfere with the normal function of the employee's duties. Break time is not cumulative; that is, employees may not use break time to lengthen the meal period or leave early at the end of the work day. If a break is not taken in the morning, it may not be added to the afternoon break time.

For any employee who is paid hourly. Submit your hours weekly.

- Click on the Time
- Click This Week
- The number of hours you have already entered for the week will be in parenthesis
- Click anywhere under the date you want to enter time
- Hours Worked auto populates, change if necessary
- Enter your time In and your time Out
- Enter an Out Reason
- Going to lunch, select Meal
- Leaving for the day, select Out
- If necessary, select the correct position for the Time Entry
- Click OK
- Your two entries must equal a full day for your position
- Do not submit your time until the end of the week
- At the end of the week, submit your time

Questions may be referred to the Director, Payroll at 850-484-1389 or Director, Human Resources at 850-484-1766.

## **Pay Checks**

All College employees are paid on a bi-weekly basis. The pay check details are available on the employee's Workday profile page under "Pay." Payroll deductions either are authorized by the employee or court-mandated. For the employee's convenience, the College provides direct deposit of pay checks, and employees may designate up to three financial institutions in Workday by completing the function, "Payment Elections." For the few exceptions of direct deposit, pay checks are mailed to the employee's home address on record.

## **Credit Union Membership**

College employees are eligible for membership at Members First Credit Union and Pen Air Federal Credit Union. Employees may direct funds to either or both credit unions by completion of their "Payment Elections" option in Workday. Information is available from Human Resources.

## **Identification Card (ID)**

Employees will be issued a Pensacola State College ID card. Information about the Pensacola State College ID will be provided during onboarding and orientation.

## **Personal Check Cashing**

Employees may cash personal checks at the Cashier's window for \$25.00 or less, if funds are available. Proper identification is required. Information is available at 850-484-1737.

## **Holidays**

Holidays are established annually by the adoption of the College calendar. Full-time career service, professional/managerial and executive employees will be credited for pay purposes as 7.5 hours of pay on established holidays during the five-day work week. During the four-day work week, holiday pay will be the same as the number of work hours normally scheduled for the employee on the particular day of the week in which the holiday occurs. Employees who are on approved leave with pay when holidays occur will not have the holiday charged against their accrued leave credits.

To receive holiday pay, employees must have worked or been on an approved leave with pay status for more than 50% of the work hours of the week in which a holiday occurs. If the holiday makes up the entire work week, the employee must have worked or been in an approved leave with pay status for more than 50% of the work hours of the remaining week of the pay period. If the holiday makes up the entire pay period, the employee must have worked or been in an approved leave with pay status for more than 50% of the work hours of the work week preceding the holiday. In the event of death of the employee during a holiday closure, the final pay day for that employee will include holiday pay through the date of death.

When an employee is retiring, they will be paid for holiday through the end of the month to coincide with the retirement date as long as the employee works the last day available in the month (of retirement). Using leave to remain on the payroll until the retirement date does not satisfy this requirement to qualify for holiday pay.

When employment is being terminated or an employee resigns from the College, the employee must have worked more than 50% of the work week hours after a holiday in order to be eligible for holiday pay. Submitting leave (sick, annual, or personal leave) cannot satisfy the 50% work requirement to qualify for holiday pay.

## **Overtime (Career Service)**

Overtime pay will be at the rate of one and one-half times the employee's regular pay rate. The overtime rate is paid for actual hours of work and certain paid hours beyond 40 hours in an established work week.

Overtime is paid after the employee completes or is credited for work and pay purposes in the excess of 40 hours within a work week for:

- Time actually worked
- Professional leave
- Temporary duty assignment

Annual, sick, and personal leave hours and on-call pay when an employee is not required to report to the work site during the work week will not count toward the 40 hours for the purpose of computing overtime. Employees will be paid at their regular rate for hours worked beyond 40 which do not meet these guidelines for computation of overtime.

Overtime must be requested in writing by the immediate manager and approved in advance by the appropriate Vice President, or senior level administrator before an employee works overtime hours.

## **Compensatory Time**

A non-exempt classified employee who works additional time may be granted compensatory leave in lieu of compensation, subject to the following:

- All compensatory time must be approved in advance by the appropriate senior level administrator or Vice President.
- Any compensatory time *must* be taken within the pay period in which it is accrued. If earned at the end of a pay period, it must be approved by the President or his designee and used *before* the end of the next pay period.
- There will be no accumulation of compensatory time other than as indicated. If the time is not taken, then it must be reported as overtime and funded out of the departmental budget. The Vice President must approve exceptions.

## **Educational Incentive Program (Career Service)**

Any career service employee who receives a degree from an accredited institution after their initial employment with the college is eligible for a recurring educational incentive of \$300.00. For the purpose of this plan, accredited institution means an accredited college, university, or community college that has been accredited by the Southern Association of Colleges and Schools (SACS), another regional accrediting agency, or the American Association of Collegiate Registrars and Admissions Officers. Awarded degrees to be considered for eligibility include associate's, bachelor's, and master's.

There is a life-time limit of two incentive awards that may be given to any employee.

Employees wishing to participate in this program are responsible for completing the application for incentive and providing Human Resources with the form and official transcript of such degree. The incentive award will take place the first pay period possible after all required paperwork has been provided.

This plan excludes PSC police officers covered for educational incentives by F.S. 943.17.

## **On-Call Pay**

Career service employees will be paid for “on-call” duty during off-hour periods when the College is normally closed. Employee(s) will be issued a cell phone, and is required to respond to an emergency situation or equipment malfunction within 30 minutes after being contacted by the Pensacola State College Police Department, or appropriate college administrator. The employee must be available to report to the appropriate campus/work location and perform the required work.

On-call pay will be one-hour regular pay for each regular workday on-call, and two hours pay for each non-scheduled work day on-call. An employee who is called in to work will receive a minimum of 2.5 hours pay for reporting to the work site in addition to the on-call pay. Hours worked above the 2.5 hours will be paid at the applicable hourly rate.

## **TYPES OF LEAVE**

### **Annual Leave**

All full-time, 12-month non-faculty employees earn time off for vacation or personal business beginning with the first day of employment. Annual leave is credited to the employee on the last day of each bi-weekly pay period, except for the third pay day in a month.

Requests to use annual leave should be submitted in advance to the appropriate manager. Annual leave may not be used without prior approval from the manager. Approval will be indicated by the manager on the online time sheet, and approved and certified when payroll is due for processing.

Annual leave accrues for full-time 12-month employees as follows:

- 1 to 5 years' service ..... 1 day per month
- 5 to 10 years' service ..... 1 1/4 days per month
- more than 10 years' service ..... 1 1/2 days per month

Time credited for leave accrual will include all previous Florida state college system service whether continuous or not. Annual leave credits in the excess of 44 days at the end of the calendar year will be transferred to special sick leave account. The maximum amount of annual leave that can be transferred to sick leave is 12 days, and will be without compensation and cannot be used in the calculation of terminal sick leave pay. Employees have to choose this account when using sick leave for it to be deducted from this one and not their (primary) sick leave. Personal leave used is deducted from the employee's account primary balance of sick leave (i.e., not the transferred from annual leave account).

### **Terminal Pay for Annual Leave**

Upon separation from the College, employees will receive payment for earned but unused annual leave not to exceed an amount equal to 44 days of pay. Employees participating in the Deferred Retirement Option Program (DROP) may receive payment for unused annual leave upon beginning or ending DROP. Part-time twelve-month employees with regularly established hours at the College shall accrue annual leave on a proportionately reduced basis, according to the fixed number of hours worked, provided no such leave will accrue to employees working a schedule of less than an average of 20 hours per week.

Upon separation from the College, all employees age 55 years or older, with 10 or more years of full-time Pensacola State College employment, with a payment of \$1,000 or more will receive payment for earned but not taken annual leave not to exceed an amount equal to 44 days of pay via the College's 401(a) Qualified Retirement Plan, the "National Plan Sick Leave

Sick leave is earned from the time a full-time employee is first employed and is credited on the last day of each pay period, except for the third payday in a month. Sick leave for full-time employees shall accrue at the rate of one (1) day for each calendar month or major portion thereof of service not to exceed 12 days for each fiscal year. Sick leave shall be cumulative from year to year.

An employee who needs to be absent from work due to illness as defined below shall notify their manager, if possible, before the opening of the College on the day that the employee must be absent, or during the day except for acceptable emergency reasons. Before claiming and

receiving sick leave compensation for the time absent, the employee must file the appropriate sick leave form in accordance with established procedures.

Sick leave use may be authorized by the President or the President's designated representative for the following reasons:

- personal sickness, disability, extended personal illness,
- appointments with a doctor, dentist or other medical practitioner for the employee or minor dependents, and/or
- illness/injury or death of the employee's father, mother, brother, sister, husband, wife, child, or other close relative, or member of the employee's own household.

Full-time employees may accumulate sick leave by transfer of earned annual leave credits as specified in the District Board of Trustees Policy 6Hx20-4.014. Sick leave credits accumulated by such transfer of annual leave must be used prior to the use of earned sick leave credits.

Accumulated sick leave may be transferred from another Florida State or Community college, the Florida Department of Education, the State University System, a Florida district school board, or a state agency provided that at least one-half of the sick leave accumulated at any time must have been established at Pensacola State College.

## **Terminal Pay for Sick Leave**

Full-time employees with at least five years of service whose employment is terminated for any reason from the College shall be entitled to terminal sick leave pay. The terminal pay is calculated by taking the employee's hourly rate of pay multiplied by the percentage factor from years of service times the number of accumulated sick leave hours. The terminal sick leave pay shall not exceed an amount as determined below:

<b>Years of Service</b>	<b>Percent of Leave Pay Off</b>
• at least 5 but not more than 8 years.....	35% of unused hours
• after 8 years of service.....	40% of unused hours
• after 9 years of service.....	50% of unused hours
• after 14 years of service.....	52 ½% of unused hours
• after 19 years of service.....	55% of unused hours
• after 24 years of service.....	57½% of unused hours

No payment will be made for unused sick leave for employees with less than five years' service. Years of employment at other agencies will not be considered for length of service if the employee previously received terminal pay benefits based on unused sick leave.

Sick leave credits accumulated by transfer of annual leave shall be without compensation and shall not be used in the calculation of terminal sick leave pay.

If any employee receives terminal pay benefits based on unused sick leave credit, all unused sick leave credit will become invalid. If an employee that terminates his employment without receiving terminal pay benefits is re-employed, his/her sick leave credit will be reinstated if earned at Pensacola State College. If leave credits were earned at another agency, leave will be reinstated according to Florida Statutes.

Terminal pay benefits, based on unused sick leave credit, specified by this policy for employees terminating their employment by the College are less than the terminal pay benefits the College is allowed to grant under State Law.

Terminal pay benefits not to exceed an amount determined by multiplying an employee's hourly rate of pay by 50% plus, for the next 20 years, an additional 2.5% for each year of service beyond 10 years, times the number of days of accumulated sick leave, may be offered by the College to full-time employees with more than 10 years services as part of any retirement/separation incentive programs adopted by the Board, provided such terminal pay benefits do not exceed a total of the employee's daily rate of pay multiplied by the number of days of accumulated sick leave.

Terminal pay benefits for all College employees who separate from the College and who are 55 years of age or older and with 10 or more years of full-time employment at Pensacola State College, and have a payment due of \$1,000 or more, will be paid this amount via the College 401(a) Qualified Retirement Plan, the "National Plan."

If a full-time employee with sick leave credits is terminated by disability retirement under FRS provisions or by death, the College shall pay to the employee or employee's beneficiary or estate, terminal pay benefits based on unused sick leave credit in the maximum amount allowed by state law.

## **Sick Leave Pool**

Full-time employees may voluntarily participate in a "pooling" of accrued sick leave for use by the participating employees. The following guidelines have been established:

- Full-time employees shall be eligible to participate after one consecutive year of Pensacola State College employment, and must have at least five days of unused sick leave hours at the time of the pool's open enrollment. Members shall make equal contributions to the pool. The initial contribution is one day of unused sick leave. Sufficient notice will be given if a further contribution is necessary.
- Use of the sick leave pool hours is limited to the employee's own personal injury, major illness, or accident.
- Enrollment for new members occurs March and September.
- The employee must use the balance of their own sick leave and serve a 10-day waiting period prior to drawing from the pool hours. Maximum use is 45 days per contract/fiscal year, and a total of 90 days within any three consecutive years.
- Employees who chose to stop participating in the pool (by signing a statement) will not be eligible to withdraw any sick leave hours already contributed to the pool.
- A designated committee shall administer the sick leave pool, including investigating any alleged abuse of the pool.

## **Administrative Leave**

Paid administrative leave may be granted and authorized by the College President. The approval shall be provided to Human Resources and Payroll departments for proper pay and recordkeeping purposes.

## **Personal Leave**

Full-time employees may be absent from duties, with pay, for personal reasons no more than four (4) days per fiscal year, provided an appropriate leave request is filed and approved in advance by the appropriate manager and by the College. Personal leaves of absence shall be charged to accrued sick leave and shall be noncumulative. Personal leave beyond the maximum of four days per fiscal year will be without compensation and at the discretion of the College.

## **Military Leave**

Full-time employees are granted up to seventeen (17) calendar days of leave with pay, per calendar year, upon presentation of official orders. Extended military leave may be granted without pay if required to serve in the armed forces of the United States or the

State of Florida in fulfillment of obligations incurred under selective service laws, or obligations of membership in armed forces or National Guard reserves. The College complies with the Uniformed Services Employment and Re-employment Rights Act of 1994.

## **Sabbatical Leave**

Sabbatical leave is for the enhancement and professional benefit or advancement of faculty and consequently to benefit the College. Information about Sabbatical Leave is outlined in the Collective Bargaining Agreement.

## **Consulting Leave**

Consulting leave may be granted by the President for full-time administrators who may use up to 12 days professional leave per fiscal year for educational or education-related consulting.

This leave is noncumulative and cannot exceed three (3) consecutive work days at a given time. Compensation cannot be received by the administrator for consulting at another Florida state-funded agency where dual compensation would result.

## **Professional Development Leave**

Leave may be granted by the President to further formal education at the graduate or post-graduate level or for activities contributing to professional development. Eligibility will be established by having worked at PSC in designated professional positions (Executive or Managerial/Professional Salary Schedules) for a minimum of five consecutive years.

Professional development leave may be granted for six (6) months or less at full pay, or at half pay for more than six (6) months to one (1) year. Eligibility to apply for subsequent terms of Professional Development Leave will begin after serving five (5) consecutive years beginning with the date of completion of previous leave.

## **Temporary Duty Assignments**

Employees may be temporarily assigned to be absent from their regular duties in order to perform other educational services, including participation in school surveys, professional meetings, study, or workshops. Employees will receive their regular pay and temporary duty assignments are considered equal to the employee's regular duties; therefore, the employee is not to be considered to be on leave while performing temporary duty. Temporary assignments are

initiated by College administrators and should be mutually agreeable to the College and the employee. Assignments of temporary duty will be made only for the benefit of the College.

## **Release Time for Study for Career Service Employees**

Full-time career service employees may be granted leave during normal working hours to take courses on campus appropriate to enhancing job-related knowledge, skills, and abilities including degree seeking components in an approved plan of study. Release time is available for up to three (3) hours per week to enroll in a Pensacola State College course or workshop. Input of hours for release time is under the “Time” app in Workday. Guidelines for use of release time are listed on the back of the Career Service Release Time for Study Form.

## **Release Time for Fitness/Wellness Program**

Employees may request up to ninety (90) minutes per week (30 minutes three times per week or 45 minutes two times per week) for participation in the College’s Employee Wellness Program. Release time is usually designed to be at the beginning or end of the workday and the employee should use a Pensacola State College fitness-facility or enroll in one of the employee courses that are offered for this purpose. If the manager wishes to allow release time at some other time throughout the work day, the employee and the manager should mutually agree upon a time so that the efficiency within the department is least affected. To implement the exercise program, the employee should:

- Request permission from his/her manager to participate.
- All hourly (non-exempt) employees must record Release Time for Exercise on the “Time” app in Workday. Exempt employees should arrange their schedules with their immediate manager.

## **Court-Related Service**

An employee who is summoned by a court of competent jurisdiction to serve on a jury, or subpoenaed as a witness in any case in which he/she is not one of the litigants, will be granted leave with pay if a request is filed with the department head. Prior to receiving compensation from the College, the official certification from the court with the days served for jury duty must be submitted through an upload to Workday and during the pay period the jury duty occurs. Jury fees payable to the employee will be retained by the employee. An employee involved in litigation on behalf of the College or due to action as an employee, will not use court- related service. His/her appearance in such cases will be considered in the work time. Employees will be paid per diem and travel expenses in accordance with F.S. and Board Policy, but will be required to turn over to the College any fees received from the court.

## **Leave of Absence**

Leave of absence with or without pay occurs when an employee is absent from duties for a specific period of time, with the right to return to employment upon expiration of leave, and has the approval of the President for the absence. Unless otherwise provided by law, the granting of leave is at the discretion of the College. All leave requests with the exception of personal leave and annual leave require specific reason.

## **Family and Medical Leave Act**

Pensacola State College complies with the Family and Medical Leave Act (FMLA) of 1993 and does not interfere with, restrain, or deny the exercise of any right provided under FMLA. An eligible employee will be granted a total of 12-weeks of unpaid leave, with job protection. Additionally, during the leave, there will be no loss of accumulated service, and the College will continue to pay health and life insurance premiums for the employee's coverage. Family and Medical Leave may be used during any 12-month period for one or more of the following reasons:

- Birth and first year care of a child. Leave must conclude within 12-months of birth and may be taken by either parent.
- Adoption or foster placement of a child in the employee's home. Leave must conclude within 12-months of placement and may be taken by either parent.
- Care for a serious medical condition of employee's spouse, child, or parent.
- Illness or medical condition of the employee, which prevents the employee from working due to a serious health condition.

To be eligible for leave under this policy an employee must have been employed by Pensacola State College for 12-months and worked at least 1,250 hours as a Pensacola State College employee during the 12-month period preceding the leave.

Husbands and wives employed by Pensacola State College are jointly entitled to a combined total of 12-weeks of family leave for the birth or placement of a child for adoption or foster care.

### **Military Family Leave Entitlements:**

In January 2009, the law added provisions for a 12-week in a 12-month period for qualifying exigency arising from a spouse, son, daughter, or parent of the employee on active duty. Additionally, a 26-week leave may be granted for the care of a covered service member during a 12-month period.

### **Leave Without Pay**

The use of leave without pay, when an existing balance of comp time, annual leave, and/or sick leave is available, will be at the discretion of the manager with senior level administrator's approval.

If an employee finds it necessary to be absent for a period of time up to twelve (12) weeks, he/she may apply to his/her manager for leave without pay for the period of time required. Leave without pay request is processed as an input on the Workday screen, "Time Off."

If the reason for absence is qualified under the Family and Medical Leave Act (FMLA), the requestor should inform the manager, indicate it on the screen choice, and consult Human Resources for processing within the FMLA guidelines.

Leave without pay for a period of time up to 12-weeks must be approved by the President, or designee, and reported to the Board of Trustees. For leaves extending beyond 12-weeks, the President may grant such leaves, with the approval of the Board of Trustees. Leave shall not be granted for more than one year except for military leave. Leave may be renewed, but not automatically.

An employee incapacitated due to physical or mental illness may, with the approval of the President, be placed on leave without pay until such time the employee is able to return to work.

If an employee is unable to work due to a serious health condition in accordance with FMLA, and is in an unpaid leave status for more than 12-weeks, the leave status will be considered an unpaid FMLA leave for the first 12-weeks and a separate leave if the leave extends beyond 12-weeks. If an employee continues to be incapacitated for a period of time in the excess of 12-weeks, the Board may terminate the employee's employment. The College will continue to pay basic medical and life insurance benefit premiums for the employee only, for the first 12-weeks of approved leave.

## **On the Job Injury Leave — Illness in the Line of Duty**

Full-time employees are eligible for paid time under illness in the line of duty leave when he/she has to be absent from work due to temporary total disability, or due to an injury received in the discharge of duty, or because of illness from any contagious or infectious disease contracted in College work.

The length of leave is up to 12 duty days per each incident, in addition to sick leave, including any holiday for which the employee would have been paid if on duty, provided that compensation shall be limited to the current regular rate of pay for actual duty days or fraction thereof.

The employee's online time sheet must indicate the drop down leave choice of "On the job injury," by showing the appropriate days of absence with the number of work hours per day. Approval of the use of this leave will be forwarded to Human Resources Director who will verify the lost time. Questions may be referred to Human Resources, or by reviewing Board Policy 4.018.

## **Resignation**

When an employee resigns from Pensacola State College, he/she must notify the manager at least two weeks prior to the effective date of the resignation by providing a written document, in an email. Failure to provide written notice of intent to resign may be considered abandonment of the job. Human Resources will send an electronic notice (pre-exit) to inform the terminating employee of upcoming steps of the process. On or near the last day of employment the employee will complete a proper exit process which includes discussion of eligibility of continuation of insurance coverage under federal law, final pay and if applicable, leave payouts. Keys, IDs, electronic devices, credit cards, and other College property assigned must be returned to the College upon departure. Failure to return college property may result in delayed processing of final pay, and a \$50 fee for non-returned keys.

## **Absence Without Leave/Job Abandonment**

An employee who is willfully absent from duty without leave shall forfeit compensation for the time absent, and shall be subject to dismissal or cancellation of their contract by the Board.

Absence of three consecutive days without authorization shall constitute termination of employment. The manager must contact Human Resources if an employee abandons his/her job.

# **BENEFITS AND INSURANCE COVERAGE**

## **Health Insurance**

All full-time employees and their eligible dependents may enroll for health insurance coverage under the Pensacola State College group plan. Coverage includes office visits, hospitalization, prescription drugs, and other specific health needs. Employees will be notified of details of the plan, upon hire.

New employees have 30 days to enroll him/herself and/or eligible dependents. Documentation will be required for adding dependent(s) and the employee will be advised of types of acceptable documentation.

Once an open enrollment ends or 30 days from hire date expires, employees may make changes only when a change in status event occurs. Change in status is outlined by the Internal Revenue Service and employee's requests for changes will be reviewed on a case-by-case basis by the appropriate Human Resources representative. Further information is available in Human Resources.

## **Health Savings Account (HSA)**

An HSA paired with an HSA-qualified health plan (PPO 5190/5191) allows participants to make tax-free contributions to an FDIC-insured savings account. Balances earn tax-free interest and can be used to pay for qualified medical expenses. HSA-qualified health plans typically cost less than traditional plans and the money saved may be deposited into your HSA. Participants receive an annual initial employer contribution to help offset the deductible (employer contributions vary depending on the coverage level). HSA members may contribute to their account on a pretax basis which earns interest. Funds used for qualified medical expenses are tax-free. HSA funds can be invested for increased tax-free earning potential. Unlike flexible spending accounts (FSAs), the entire HSA balance rolls over each year and remains yours even if you change health plans, retire, or leave your employer.

## **Part-time Employee Health Insurance**

Pensacola State College offers eligible part time employees healthcare coverage based on the Affordable Care Act (ACA). Eligible part time employees who average 30 hours per week during an established "look back" period qualify for health insurance effective January 1 of the following year. The "look back" period refers to the average number of hours worked in the prior year the coverage was offered. If a part time employee is determined to be eligible for healthcare coverage through the College, an email notification and written correspondence to the home address containing the plan benefit schedule and enrollment form will be provided. Selection for the plan will occur no later than in month of December and the cost will be paid via payroll deduction. Employees who do not receive a paycheck during the year will receive an invoice from Pensacola State College Cashiers' Department. The monthly premium will be due by the 5th of the month in which coverage is effective. Failure to make monthly payments will result in cancellation of coverage. For more information regarding the health plan, please contact the Human Resources Department at 850-484-1772.

## **Life Insurance**

Pensacola State College provides basic life insurance for employees based on age and salary according to the below chart.

### **Basic Schedule Under Age 65**

Salary	Coverage
\$15,000 to \$49,999	\$50,000
\$50,000 to \$74,999	\$75,000*
\$75,000 and up	\$100,000*

\* Pensacola State College pays premiums on life insurance up to \$50,000. Employees may contribute the required amount to have the level of coverage above \$50,000 if eligible

#### **Age 65 through 69**

Coverage is reduced by 35% of the pre-age 65 amount until age 70.

#### **Age 70 through 74**

Coverage is reduced by 50% of the pre-age 65 amount until age 75.

#### **Age 75 and up**

Coverage is reduced by 25% of the pre-age 65 amount.

## **Supplemental Life**

An employee may elect supplemental life insurance coverage at one, two, or three times their salary. Evidence of insurability is required by the life insurance company for increases to supplemental coverage for any amount over one times salary.

## **Dependent Life**

Coverage is available for eligible dependents. The coverage includes \$20,000 for spouse, and \$10,000 for child. Questions concerning life insurance should be directed to Human Resources.

## **Florida Retirement System (FRS)**

### **FRS (Pension Plan)**

PSC is a participating agency with Florida Retirement System (FRS). The pension plan is a defined-benefit option available through the (FRS). It is a traditional retirement plan designed for longer service employees with a vesting period requirement of eight years of service. The guaranteed retirement monthly benefit is determined on the employee's age, average final salary, years of service and other factors. There is a state-mandated employee contribution of 3% of employee's earnings deducted on a pre-tax basis.

Employer contribution rates are determined by the FRS each year and are subject to change.

### **FRS (Investment Plan)**

The investment plan is a defined-contribution plan available through FRS. This option is a portable retirement plan designed for mobile employees. The vesting period requirement is one

year of service. The amount of the retirement benefit will depend on the investment options, accumulations, investment returns and account fees, and other factors chosen by the employee that might contribute to the account growth of the employee's earnings deducted. The employee selects their preferred investment options. There is a state-mandated employee contribution of 3% on a pre-tax basis on wages earned.

Employer contributions are determined by the FRS each year and are subject to change.

## **State College System Optional Retirement Plan (SCSORP)**

The State Community College Optional Retirement Program (SCCORP) is an option offered to faculty and certain administrators. A full-time employee who chooses to participate in the SCCORP will withdraw from the (FRS).

Pensacola State College will contribute a percentage of the identified full-time employee's salary and the employee will contribute 3% pre-tax to the SCCORP selected vendor.

SCCORP vendors include a choice among AIG, MetLife, and TIAA-CREF. Full-time employees who choose this option will have 90 days from their date of hire or job change to make this election.

Employer contributions are determined by the FRS each year and are subject to change.

## **Deferred Retirement Option Program (DROP)**

The Deferred Retirement Option Program (DROP) is a program that allows qualified pension plan participants to retire without terminating employment for up to five years of eligibility while the retirement benefit accumulates and earns interest compounded monthly at an effective annual rate of 1.3%. When the DROP period ends, ~~you~~ the employee must terminate employment. At that time, the accumulated DROP benefits are available. DROP participants do not contribute the 3% employee contribution.

Those enrolled in the FRS prior to July 1, 2011, normal retirement is age 62 with at least 6 years of service, or 30 years of service, regardless of age. For Special Risk Class members, normal retirement is age 55 with at least 6 years of Special Risk service, or 25 years of Special Risk service, regardless of age, or age 52 with 25 years of Special Risk service and military service.

## **Other**

Employees who may qualify for Special Risk or Senior Management Service Class will be advised upon hire or position change. All employees, except DROP enrollees, will contribute the state-required employee contribution from their salaries.

Contact Human Resources for more details or log on to [www.myfrs.com](http://www.myfrs.com). When planning for retirement, the employee must contact Human Resources at least 60 days before the anticipated retirement date.

## **Flexible Benefits Plan**

A flexible benefits option is available to all full-time employees under Section 125 of the Internal Revenue Service Code. Several benefits are eligible for pre-tax options. With the

exception of change in status events, enrollments and changes may be made only once per year during an established open enrollment period. Human Resources has further information.

## **Medical Reimbursement**

Employees may choose an amount to be deducted from their bi-weekly pay which will be pre-taxed. The IRS sets the annual maximum amount a plan participant may elect. This amount is set up in an account in which the employee may file qualified unpaid medical, dental, and vision receipts, plus limited over-the-counter products for reimbursement. Enrollments are during the end of the year for a January 1 effective date, or may be made throughout the year for an approved change in status event. A debit card is available to plan participants to use for qualifying expenses. Participants need to establish an online account at [www.myflexonline.com](http://www.myflexonline.com). Information is available in Human Resources.

## **Dependent Care Reimbursement**

The plan allows employees to set aside money from their pay check for expenses incurred for day care of a qualified dependent. The pay check deduction amount is pre-taxed. Information is available in Human Resources.

## **Dental Insurance**

Pensacola State College offers employees a dental plan which includes coverage for preventive, basic, and major dental work and is an employee-paid benefit. A high or low plan is offered by Ameritas. More information can be obtained from Human Resources.

## **Vision Insurance**

A choice of two plans is offered with Ameritas, and is an employee-paid benefit. Providers include Focus, or VSP. More information can be obtained from Human Resources.

## **Additional Benefits and Available Plans**

Other benefits are available to full-time Pensacola State College employees. Information can be obtained from Human Resources. Options included are:

- Additional Life Insurance
- Cancer and Intensive Care
- Credit Union membership
- Deferred Compensation Plans 457(b)\*
- GAP protection insurance
- Income Protection, Disability, and Supplemental Accident
- Legal Shield/ID Shield
- Long Term Disability
- Mutual Funds
- ROTH 403(b)\*
- Short Term Disability
- Tax Sheltered Annuities 403(b)\*

- Vision Coverage

Representatives from companies offering additional benefits must be contacted for explanation and enrollment. The list of authorized vendors for payroll deduction is available in Human Resources or at the College's website Benefits link.

\*Part-time employees may participate through payroll deductions.

## **Consolidated Omnibus Budget Reconciliation Act (COBRA)**

The Federal law, COBRA, (Public Law 99-272, Title X), requires employers sponsoring group health insurance plans to offer employees and their dependents the opportunity for a temporary extension of coverage. A person qualifying under the COBRA law may elect coverage at his/her cost for a specified time which was available under the group plan and at the group rate, plus an administrative fee. Further information may be obtained by contacting Human Resources.

## **Workers' Compensation**

Florida's Workers' Compensation Law is intended to facilitate an employee's return to gainful employment and ensure a cost-effective delivery of appropriate payments to an employee injured in the normal course of duties.

Regardless of where or how it occurs, all on-the-job illness and/or injuries must be reported immediately to the employee's immediate manager, and Human Resources Director at 850-484-1766, as required by state law. Human Resources will create a medical referral for treatment, provide follow up with the facility, the worker, and the manager. Human Resources will assist the employee with proper use of leave and payments received from workers' compensation. Out of state workers must be provided the specific state required poster of workers compensation.

If, after twelve (12) days of injury/illness in the line of duty, an appropriate medical authority still considers the employee disabled from performing their assigned job, he/she will be eligible for workers' compensation pay under the guideline of Florida law at a rate of 66 2/3 percent of the employee's average weekly earnings based on 13 weeks prior to the injury/accident. Accrued sick and annual leave may be used on a proportionate basis so that the total amount of pay received equals full pay.

Workers' compensation payment for the first seven days of lost time is not payable unless more than 21 total days are missed, according to Florida law. Any workers' compensation payment made for any portion of time for which full payment was made to the employee by the College shall be endorsed to the District Board of Trustees and turned in to Human Resources. Double compensation for the same period of time is forbidden by state law.

## **Cosmetic Arts**

The Cosmetic Arts programs are located on the Pensacola Campus in building 12, and the Milton Campus in building 4300. The Pensacola program includes Cosmetology, Barbering, Nails, Facials, and Massage Therapy. Students provide low-cost services in each of these programs as a part of their training and education. Day and evening appointments are available, depending upon the service. To make an appointment or to ask a question, call 850-484-2567.

To make an appointment for Cosmetology services at the Milton Campus or to ask a question, please call 850-484-1397. A list of available services and prices is available at the College's website under the "Community link," by scrolling to "Salon Services."

## **Culinary and Hospitality**

Culinary and Hospitality programs are located at the Pensacola Campus in building 5. During the fall and spring semesters, culinary and hospitality students prepare and serve lunches and dinners as a part of their education and training. They are offered at a low cost to PSC faculty, staff, students, and general public.

Reservations may be made by going to the College's website under the "Community link," and scrolling to "Lunch and Dinner Series by Culinary Management."

## **Dental Clinic**

Full-time employees are eligible for free dental treatments provided by student hygienists in the Pensacola State College Dental Hygiene Clinic at the Warrington Campus. Treatments such as X-rays, fluoride treatment, and cleaning of teeth are available. For an appointment, call the clinic at 850-484-2236.

## **Employee Assistance Program (EAP)**

An Employee Assistance Program (EAP) is offered to employees for counseling relating to family, financial, emotional or personal concerns, and substance abuse issues. Limited counseling is free to full-time Pensacola State College employees and dependents. Information is available in Human Resources, at the HR Benefits web link, or by calling Baptist Hospital at 850-469-2383.

## **Discount Programs**

Pensacola State College occasionally receives offers for discounts at various entertainment venues and businesses. Any offers will be directed to senior level administration for consideration and approval. Approved offers will be distributed by web link, email, mail, or posting of flyers.

## **Swimming Pool**

The swimming pool is reserved for open swim time during lunch hour, evenings and Saturdays. Call 850-484-1311 for information and open hours.

## **Parking**

Parking is free on campus. All employees and students must register his/her vehicle with the Public Safety/College Police Department in order to receive a parking permit for the vehicle. Vehicle registration, Pensacola State College ID card, and/or Pensacola State College class schedule must be presented at the time of registration. An information sheet with traffic rules and regulations will be issued with the decal.

## **Pensacola State College Art Exhibits**

The Visual Arts Gallery at Pensacola Campus hosts a variety of exhibitions each year including Art Faculty and Annual Student shows. All events are free of charge and open to the public. For a schedule of events call 850-484-2563 or 850-484-2554.

## **Campus Fitness Centers**

Employees may use the campus fitness centers by following the process of completion of a lab course which explains proper use of facilities and safe practices. Information may be obtained by contacting the fitness center at the appropriate location.

## **Educational Assistance**

Employees are encouraged to enroll in courses offered by the College. Employees with six months' full-time service and their dependents may apply for a scholarship. The District Board of Trustees has authorized a maximum of (12) credit hours per term. Lab fees are not included. The employee or dependent must be making satisfactory academic progress. The dependent may not have exceeded 90 attempted credits including transferred in credits. Information may be obtained in the Procedure manual under Fee Waivers/Scholarships.

## **Staff Professional Development (SPD)**

The Staff Professional Development office is available to assist employees with professional development and training needs. The SPD Office establishes workshops, seminars, and specialized training designed to help staff update and improve their knowledge and skills. Details concerning College Committees are kept by the Staff Professional Development office, and online at [www.pensacolastate.edu/spd](http://www.pensacolastate.edu/spd) "standing committees." To obtain information, call 850-484-1953.

## **Hazardous Materials and Wastes**

Pensacola State College takes every precaution against hazards normally associated with handling and disposing of hazardous chemicals and wastes to avoid human and environmental exposures. Since the College is a small quantity generator of hazardous wastes, it complies with mandated Federal, State and Local regulations governing the management and disposal of hazardous wastes. These regulations require the College to determine if any given waste is hazardous, and if so, manage and dispose of it in accordance with regulations. The Hazardous Materials Contingency Plan specifies policy and procedures for managing hazardous materials, emergencies and waste disposal in accordance with OSHA, EPA, DOT and other regulations.

## **Occupational Exposure to Blood borne Pathogens**

Pensacola State College adheres to a policy of employee protection and work place safety as prescribed by the Occupational Safety and Health Administration (OSHA) Blood borne Pathogens Regulation 29 CFR 1910.1030, effective July 2016. All employees having occupational exposure to blood borne pathogens require OSHA training in occupational exposure control procedures. Employee training sessions will be arranged by the areas needed. Adherence with the policies and procedures contained in the College's Occupational Exposure Control Plan is required of all employees. The plan is available by contacting the Plant Operations Department.

## **DISCIPLINARY ACTION PROCESSES**

In order to strengthen the employer/employee relationship, guidelines are designed to allow managers to be consistent when taking disciplinary action. A manager contemplating disciplinary action shall review the relevant circumstances with appropriate administrators and the Director of Human Resources prior to initiating the action.

A disciplinary action may involve oral reprimand, written reprimand, suspension, or termination, depending upon the degree or seriousness of the deficiency or problem. Action shall be taken only after there has been a thorough investigation of the problem.

It is recognized that the type of discipline used may vary in each case depending on the employee's past work record, seniority, replace ability, the severity of the conduct and other reasons related to the efficient operation of the College. Nothing herein shall require that any particular type of discipline be used as a condition precedent to use another form of discipline.

## **ALCOHOL / DRUG ABUSE**

In keeping with its educational mission, Pensacola State College will utilize primarily educational strategies as its major approach to addressing problems related to the abuse of alcohol and other drugs by any member of the college community (students, faculty, and staff). However, any member of the college community who violates the drug and alcohol policy will be subject to prosecution and punishment by the civil authorities and to disciplinary procedures of the College.

The District Board of Trustees of Pensacola State College adopts this policy to accomplish the following:

- Prevent the abuse of alcohol and drugs through a strong educational effort
- Encourage and facilitate the use of counseling services and rehabilitation programs by those members of the college community who require their assistance in stopping the abuse of alcohol and other drugs; and
- Discipline appropriately those members of the college community who engage in substance abuse and related behaviors.

### **Educational Efforts**

In keeping with its primary mission of education, Pensacola State College will conduct a strong educational program aimed at preventing the abuse of alcohol and other drugs.

Educational efforts shall be directed toward all members of the college community and will include information about the incompatibility of the abuse or sale of alcohol and other drugs with the goals of Pensacola State College; the health hazards associated with the abuse of alcohol and other drugs; the incompatibility of alcohol and other drug abuse with the maximum achievement of educational, career, and other personal goals; and the potential legal consequences of involvement with alcohol and other drugs.

### **Counseling and Rehabilitation Services**

Those faculty or staff who seek assistance for an alcohol or drug-related problem shall be provided with information about counseling and rehabilitation services available through Human

Resources and/or Employee Assistance Program and other community resources. Those individuals who have failed to voluntarily avail themselves of such services shall be assured that applicable professional standards of confidentiality will be observed. For those working in good faith with the Employee Assistance Program, every attempt will be made to return the individual to full employment status. More information can be obtained by calling the Baptist Hospital Behavioral Medicine Center, at 850-469-2383 or Human Resources at 850-484-1766.

## **Disciplinary Actions**

Students, faculty members, administrators, and other employees are responsible, as citizens, for knowing and complying with the provisions of Florida law that make it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as "controlled substances" in Chapter 893 of the Florida Statutes. The following minimum penalties shall be imposed for the particular offenses described.

## **College Regulations Governing Illegal Drugs**

### **1. Trafficking in Illegal Drugs**

- For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedules I and II of Chapter 893.03 of The Florida Statues, [including, but not limited to, heroin, cannabis, mescaline, lysergic acid diethylamide (LSD), opium, cocaine, amphetamine, MDMA (ecstasy), methaqualone], any student shall be expelled and any faculty member, administrator, or other employee shall be discharged.
- For a first offense involving the illegal manufacture, sale, or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedules III through V of Chapter 893.03 of the Florida Statutes (including, but not limited to, steroids, diazepam, Phenobarbital), the minimum penalty shall be suspension from enrollment or from employment. For a second offense, any student shall be expelled and any faculty member, administrator, or non-probationary employee shall be discharged.

### **2. Illegal Possession of Drugs**

- For a first offense involving the possession of any controlled substance identified in Schedules I or II of Chapter 893.03 of the Florida Statutes, the minimum penalty shall be suspension.
- For a first offense involving the illegal possession of any controlled substance identified in Schedules III through V of Chapter 893.03 of the Florida Statutes, the minimum penalty shall be probation for a period to be determined on a case-by-case basis. A person on probation must agree to participate in drug education and a counseling program, consent to regular drug testing, and accept such other conditions and restrictions as the appropriate College official deems appropriate.
- For refusal or failure to abide by the terms of probation or second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators, or employees. These penalties will be in accordance with College disciplinary procedures and/or the collective bargaining agreement.

### **3. Possession, Sale, or Consumption of Alcoholic Beverages**

Possession, sale, or consumption of alcoholic beverages on campus, or at off-campus college sponsored activities is prohibited unless specifically authorized. Alcoholic beverages include, but are not limited to, beer, wine, distilled spirits, wine coolers, and liqueurs.

State Laws are outlined as follows:

- **Drinking Age** — The legal drinking age in Florida is 21. Selling, giving or serving alcoholic beverages to a person under 21 is unlawful in Florida; this law extends to possession of alcoholic beverages by anyone under 21. It is unlawful for any person to misrepresent or misstate his or her age. This includes the manufacture or use of false identification. Use of altered identification for the purpose of procuring alcoholic beverages is a felony.
- **Open Container Law** — It is unlawful for any person to consume or possess open containers of alcoholic beverages while in municipal parks, playgrounds, or on sidewalks, or streets.
- **DUI (Driving Under the Influence)** — A person is guilty of the offense of DUI if such person is driving or in actual physical control of a vehicle and the person is under the influence of alcoholic beverages, any chemical set forth in Section 877.111, F.S., or any substance controlled under Chapter 893, F.S., when affected to the extent that his/her normal faculties are impaired, or the person has a blood alcohol level of .08 or higher.

## **Conditions for Immediate Suspension**

When a student, faculty member, administrator, or other employee has been charged by the College with a violation of policies concerning alcohol and other drugs, he/she may be suspended from enrollment or employment before initiation or completion of regular disciplinary proceedings, if assuming the truth of the charges, the responsible authority concludes that the person's continued presence within the College community would constitute a clear and immediate danger to the health or welfare of other members of the College community.

An immediate suspension and subsequent hearing will be in accordance with College disciplinary procedures and/or the collective bargaining agreement.

## **Civil Conviction for Drug and Alcohol Offenses**

If employees of Pensacola State College in performance of college duties within the scope of their employment are convicted of an offense related to drugs, they will be subject to the same penalties as the offense would warrant if the offense were committed on College property or at a College sponsored event. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes. The individual involved is required to notify the College of the conviction or incident within five (5) working days following said conviction or incident.

# **PROBLEM SOLVING AND GRIEVANCE PROCEDURES**

## **Informal Problem Solving**

Any employee of the College who has a work-related complaint, problem, or concern shall address this problem through appropriate channels on the campus site.

Discussions to resolve these concerns should begin with the immediate manager and, if not resolved, should progress to the next manager level, up to and including the appropriate senior level administrator.

The appropriate senior level administrator is charged with addressing problems that may arise, and will make every effort to resolve them in a mutually satisfactory manner.

## **DISTRICT GRIEVANCE PROCEDURE**

### **Career Service, Faculty, and Administrators**

Faculty may use these procedures or the procedures outlined in the CBA.

### **Statement of Purpose**

The primary objective of the District Grievance Procedure is to provide a credible and practical method of addressing problems or complaints, and to assure the District Board of Trustees that each employee will receive fair treatment and an impartial hearing.

### **Definitions**

**Grievance** — A violation or improper application of any of the following:

- Written policies and/or procedures promulgated by the state or the College, including those pertaining to salary, promotion, job classification, and leave.
- Disciplinary guidelines, unless alleged violation or improper application is considered during hearings held in accordance with the College's disciplinary procedures.
- A legally prohibited discriminatory act or practice.

**Grievant** — A grievant is any full-time or part-time employee in a budgeted position at Pensacola State College who professes a grievance, or any group of employees professing the same grievance. Probationary (less than one year's service as a career service employee), adjunct, or temporary employees shall have access only to the Informal Problem-Solving Procedure. Executive, managerial/professional personnel, as defined by the Office of Civil Rights classification, may direct their grievance to the College President via the Informal Problem-Solving Procedure.

**Administration Representative** — The individual designated by the College President to act as the primary representative of the administration during the formal grievance procedure

## **FORMAL GRIEVANCE PROCEDURE**

### **Initiation Time**

If a problem has not been resolved using the Informal Problem-Solving Procedure at the campus level within four weeks of the time the immediate manager is made aware of the act or condition that is the source of the grievance, a formal grievance may be filed at the district level with Human Resources.

## **Forms**

Grievance forms shall be available on the College's website, or in Human Resources, Pensacola campus, building 7. Forms for grievances alleging constitutionally prohibited discrimination are available in the Executive Director of Institutional Diversity and Student Conduct's office located in building 5. The Director of Human Resources shall forward the original grievance form to the appropriate Vice President, and deliver copies to associated manager.

## **Steps**

- Senior level administrator. After the grievance form and related documents are filed, the appropriate senior level administrator shall arrange a meeting with the grievant, managers, and other concerned parties in order to discuss the matter. The meeting shall be held within five working days of the date the grievance is filed in Human Resources. Following this meeting, the senior level administrator has ten working days to resolve the problem and provide a written response to the grievant settling or denying the grievance. The grievance form and related documents, and a copy of the senior level administrator's response shall be returned to Human Resources in a sealed envelope.
- Grievance Committee. Should the employee consider the senior level administrator's response unsatisfactory, and maintains that a grievance still exists, he/she shall submit the grievance for a Grievance Committee review with the Grievance Committee Chairperson as appropriate, within five (5) working days of receipt of the senior level administrator's response.

## **Grievance Committee Formation**

The three members of the Grievance Committee shall be selected from a pool that will be established by the administration.

**Pool** — The pool will consist of fourteen persons, seven to be appointed by the College President.

Once committee members are selected, Human Resources will send to committee members for review the sealed envelope of grievance materials. The Grievance Committee shall conduct a hearing within ten (10) working days of its formation. Within five (5) working days of this hearing, copies of the committee's written opinion its findings, reasoning, and recommendations shall be sent to the President, the grievant, and the administrative representative.

**Selection** — The grievant shall contact the chair of the selected Pool, or the Director, Human Resources, as appropriate, to obtain a list of current members of the Grievance Committee Pool. From this list, the grievant shall appoint one person to serve on the committee. The College President or his designated representative shall appoint one committee member from the list. A third person shall be chosen from the pool by the first two Grievance Committee members. If the members cannot agree on a third person, a name shall be drawn at random from the pool.

**Chairperson** — The Grievance Committee chairperson shall be elected by the three committee members. Responsibilities of the chairperson shall include:

- Determining the time and place of the hearing.
- Assuring appropriateness of information submitted.
- Conducting an orderly hearing.

- Preparing a written summary of the findings, reasoning, and recommendations of the committee.
- Obtaining the signatures of all committee members on the written summary.
- Submitting the committee's written summary to the appropriate individuals.
- Arranging an official recording of the hearing for storage in locked files.

## **Conduct of Hearing**

Conduct of the grievance hearing before the Grievance Committee shall be in accordance with following guidelines:

- The presiding officer at a grievance hearing shall be the duly elected chairperson of the hearing body.
- Attorneys may be present to advise the grievant and the managers involved, but may not actively participate in the hearing procedure.
- All hearings shall be officially recorded by a representative of the Director, Human Resources, who will be available for technical interpretation of policies and procedures. The grievant and the administrative representative will also have the right to record the hearing, and to have a copy of the official recording at no cost.
- Witnesses and documents to be used in the hearing shall be limited to those on a list submitted during the earlier meeting. Addition of new documents or witnesses at this point is not permitted, unless mutually agreed upon by the administrative representative, the grievant, and the hearing body.
- If possible, all hearings shall be conducted during regular working hours. When requested to appear, a witness or participant shall be allowed time off to be present at the hearing.
- The Grievance Committee should set specific time limits for the opening and closing statements of both parties involved. If desired, time limits may be set for the examination of each witness.
- Once the hearing is convened, the grievant shall first present his opening statement of grievance and the remedy desired. Then, the administration shall make its opening statements.
- After witnesses have given their testimony on behalf of one of the parties, they are to be questioned only by members of the hearing body. However, either party may, before or during the hearing, provide written questions to the committee, which the committee may wish to include in its questioning.
- After each party has completed the presentation of testimony and other evidence, the grievant shall summarize his case in a closing statement.
- The committee shall deliberate and reach a decision based on the testimony and evidence. The committee's decisions shall be by majority vote.

## **Conduct of Grievance Hearings Before the Board**

Unless waived by the parties, all hearings held before the District Board of Trustees shall be in accordance with Section 120.57 and Section 120.58 of the Florida Statutes, as amended. Reasonable notice of not less than fourteen (14) days shall be given of the hearing when scheduled by the board, unless requirement is waived by all parties. Notice shall include:

- A statement of the time, place, and nature of the hearing.

- A statement of the legal authority and jurisdiction under which the hearing is to be held.
- A reference to the particular sections of the statutes and rules involved.
- A short and plain statement of the matters asserted by all parties of record at the time notice is given.

The presiding officer at a hearing before the Board of Trustees shall be the Chair of the Board, or, if the Board so elects, a panel of three (3) Board members may serve as presiding officers.

The Board shall provide for the accurate and complete preservation of all testimony in the proceeding, and on the request of any party, it shall make a full or partial transcript available at no more than actual cost. The witnesses and documents to be used at this hearing shall be those witnesses and documents submitted at the hearing before the Grievance Committee.

If either party intends to present or submit additional witnesses and/or documents to the Board, reasonable advance notice shall be given to the other party.

The Board will set time limits for the opening and closing statements by both parties to the grievance, and may set time limits for the examination of each witness. After the hearing convenes, the grievant shall first present his/her opening statement of the grievance and the desired remedy. Then, the administration shall make its opening statements. After both parties have completed their presentation of testimony and other evidence, the grievant shall summarize his/her case in a closing statement, and then the administration shall summarize its case in a closing statement.

At the hearing, unless otherwise agreed upon, all parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross- examination and submit rebuttal evidence, to submit proposed findings of fact and orders, to file exceptions to any order, or to any hearing officer's recommended order, and to be represented by counsel. When appropriate, the general public may be given an opportunity to present oral or written communications. If the Board proposes to consider such material, then all parties shall be given an opportunity to cross-examine or challenge or rebut it.

The parties to a grievance may stipulate the adoption of a hearing procedure that is less formal and restrictive than the procedures outlined in Sections 120.57 and 120.58 of the Florida Statutes. Unless the Board is of the opinion that the stipulated procedure would result in a lack of due process, the Board will adopt the stipulated procedure for that particular hearing. If a grievant chooses not to be represented by counsel at the hearing, then the administration will not be represented by counsel. The Board's attorney shall serve as legal advisor and consultant to the Board, and may be called upon to rule on evidentiary matters and other points of law.

The final decision of the Board shall be by majority vote and will be in writing or stated in the record and include findings of fact and conclusions of law separately stated, and it shall be rendered within forty-five (45) days:

- of the conclusion of the hearing, if conducted by the Board.
- of submission of a recommended order to the Board if the hearing is conducted by a hearing officer (recommended order must also be mailed to all parties involved), or
- of receipt by the Board of written and oral material it has authorized to be submitted, if there has been no hearing.

The forty-five (45) day period may be waived or extended with the consent of all parties.

## **GENERAL PROVISIONS**

### **Reprisals**

No reprisals of any kind shall be taken against any employee for filing a grievance.

### **Confidentiality**

All participants in a grievance hearing are to protect themselves and their fellow participants by refraining from discussion of grievances outside of the proceedings.

### **Storage of Records**

All documents, forms, communications, and records dealing with the grievance shall be filed separately from the records of the participants.

### **Time Limits**

The number of days at each level of discussion shall be considered as maximum, and every effort should be made to expedite the process. However, time limits may be extended by mutual consent of all concerned.

### **Failure to Meet Time Limits**

Failure on the part of the grievant to act within time limits shall result in the grievance being dropped for consideration. Failure by the Grievance Committee or the College President to issue a written decision within the specified time limit shall advance the grievance to the next step.

### **Withdrawal**

A grievance may be withdrawn by the grievant at any level.

### **Direct Appeals**

An alleged legally prohibited discriminatory act or practice may be presented by the grievant directly to the appropriate Vice President or senior level administrator, with appeal made to the College President, and to the Board of Trustees, if necessary. The Executive Director of Equity shall serve as consultant to all participants in any grievance involving alleged discrimination.

### **Jurisdictional**

Disciplinary actions by the administration are not grieveable. Employees entitled to a hearing as the result of disciplinary action taken by the administration shall pursue their rights under State Board of Education rules and the College's disciplinary procedures. Matters under active consideration by an external agency or court of law are excluded from the grievance procedure. Non-renewal of annual contracts may not be grieved.

## **Protection for Grievant**

At no time in the process shall the grievant be threatened, intimidated, unnecessarily delayed, or otherwise discouraged from pursuing the satisfaction of the grievance.