

Lake Michigan College  
Board of Trustees Meeting Minutes  
September 27, 2022

**CALL TO ORDER**

Chair Curry called the Meeting of the Lake Michigan College Board of Trustees to order at 5:00 p.m. Chair Curry opened the meeting with the Pledge of Allegiance.

**ROLL CALL**

Present: Jeff Curry, John Grover, Debra Johnson, Vicki Burghdoff, Mary Jo Tomasini, Joan Smith, Brian Dissette

**SETTING OF THE AGENDA**

Dr. Trevor Kubatzke asked that New Hire introductions be moved ahead of the President's Report out of respect for the employee's time. Removed agenda item C under the new business Finance Committee as it was no longer needed. Also, removed item ii under first-read policies for this month.

**APPROVAL OF MINUTES**

Minutes of the August 23, 2022 Board meeting were approved as presented with a voice vote by all trustees present.

**PETITIONS AND COMMUNICATIONS FROM THE FLOOR**

None

**PRESIDENT'S REPORT**

**NEW BUSINESS**

**ACTION:**

It is recommended that the Lake Michigan College Board of Trustees (retroactively) authorizes the College to establish an advisory board for the South Haven Region and the Niles Region.

**MOTION:**

By Mr. Brian Dissette with support from Ms. Mary Jo Tomasini to accept the establishment of the advisory board as presented.

**In Favor:**

All

**Opposed:**

None

**APPROVED**

**Approval to Submit Start 2 Finish Grant**

Title: Frederick S. Upton Foundation Start 2 Finish Grant of \$75,000

Source: Frederick S. Upton Foundation

Officer: Doug Schaffer, Vice President Advancement & Community Impact

Dates: FY 2022-23

Summary: The grant supports the financial sustainability of the Start to Finish (S2F) Program. S2F is a successful student support program targeting Benton Harbor Promise Zone students who are faced with multiple barriers. In addition, LMC has identified students transitioning out of foster care as another student population that would benefit from S2F strategies.

**ACTION:**

It is recommended that the Lake Michigan College Board of Trustees (retroactively) authorizes the College to submit an application to the Frederick S. Upton Foundation in support of the Start 2 Finish Program.

September 27, 2022

**MOTION:**

By Ms. Mary Jo Tomasini with support from Mr. Brian Dissette to accept the grant as presented

**In Favor:**

All

**Opposed:**

None

**APPROVED**

**NON-DISCRIMINATION**

Office of Origin: Human Resources  
Responsibility: Executive Director, Human Resources  
Original Date Adopted: 07-29-82  
Dates Reviewed: 09-23-14, 05-23-17, 12-08-20, 07-15-22  
Last Date Approved by Board: 12-08-20

Lake Michigan College (the College) is an equal opportunity institution, affording enrollment, employment, and services without distinction based on age, color, disability, gender identity or expression, genetics, national origin, protected veteran status, race, religion, sex, sexual orientation or any other characteristic protected by federal state, or local laws.

Admission to the College is outlined in the [Admission policy](#), which states that the College has an “open door policy”. Because of this open door policy, diversity is not considered regarding admissions.

This commitment to equal opportunity encompasses: all individuals. The College commits that every individual will have the right to personnel, employment, and College business practices that provide equal opportunity and equity.

Specifically, the College commits that every student will have the right to:  
access all courses, including career education courses and programs;  
physical education and participation in interscholastic, intramural and club athletics, if offered;  
equal treatment, including financial aid assistance, counseling, employment assistance, honors and awards, and extracurricular activities.

Inquiries or complaints by students, prospective students, employees, employment applicants, and persons providing services to or for the College that concern non- discrimination policies or procedures should be directed to the Executive Director, Human Resources, whose contact information can be found on the [Directory page](#) of the College website, or the Michigan Department of Civil Rights, whose contact information can be found at <https://www.michigan.gov/mdcr/0,4613,7-138-83879---,00.html>.

GRIEVANCES

A discrimination grievance is an unresolved complaint by an employee or student that there has been a violation or misinterpretation of the *Non-Discrimination* policy or procedures, or of any anti-discrimination provisions of law.

The following are not subject to the grievance procedure:  
decisions to reduce the workforce;  
contents of evaluations;  
modification or repeal of policy; or  
modification or repeal of a procedure unless it violates a policy.

No act of retaliation will made to any person making a charge, filing a complaint, testifying or participating in any discrimination investigation or proceeding.

The College will investigate each complaint according to its College-Wide Grievance procedure and will, upon request, provide a copy of the College grievance procedure. For concerns involving students, the student filing the grievance should direct it to the Vice President, Student Services, who will coordinate the process with the Executive Director, Human Resources.

All grievances must be signed by the aggrieved person and must specify the date or dates upon which the complained of action occurred; the policy, procedure or law which is claimed violated; the facts upon which the aggrieved person relies; and the relief requested.

A grievant must join in a single grievance every claim that he/she has arising out of the same transaction or occurrence, even where it is asserted that the transaction or occurrence has violated more than one policy, procedure or law. A grievant is prohibited from filing more than one grievance concerning the same transaction or occurrence.

**References:**

[Admissions](#) policy

Age Discrimination Act of 1975

Campus Crime Statistics Act

Civil Rights Act of 1964, Title VI

[Celery Act Compliance](#) policy

Education Amendments of 1972, Title IX

Elliott-Larsen Civil Rights Act

*Grievance – Title VI of Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of Rehabilitation Act of 1973, and Age Discrimination Act of 1975 procedure*

Rehabilitation Act of 1973, Section 504

[Title IX Sexual Harassment policy](#) [[hyperlink needed](#)]

**ACTION:**

We recommend that the Board of Trustees pass the Survey Policy as presented

**MOTION:**

By Mr. John Grover with support by Mr. Brian Dissette to approve the policy as presented

**In Favor:**

All

**Opposed:**

None

**APPROVED**

## DATA COLLECTION THROUGH SURVEY POLICY

Office of Origin: Accreditation, Strategic Projects, & Quality  
Responsibility: Dean, Accreditation, Strategic Projects, & Quality  
Original Date Adopted:  
Dates Reviewed:  
Last Date Board Approved:

Administrative surveys are important tools for collecting information used to inform decision-making at Lake Michigan College (the College) and as part of the evaluation process. The Office of Accreditation, Strategic Projects, and Quality (ASPQ) is responsible for managing internal surveys of the campus community (employees and students) and external surveys of College constituents and stakeholders. To accomplish the goals of informed decisions and evaluation, surveys must be approved and conducted through the ASPQ.

The goal of this policy is to ensure efficiency, accountability, and consistency in the administration of surveys and data collection efforts. This policy is intended to:

Eliminate unnecessary and duplicate data collection efforts.

Reduce survey fatigue.

Improve the response rate and quality of results for all data collection projects.

Alert departments and researchers to existing available data (where appropriate).

Ensure that collected data is valid, reliable, and secure.

Ensure appropriate distribution and use of survey results.

Ensure that data collection projects do not violate privacy, confidentiality, and/or policies.

This policy primarily applies to administrative surveys but may also apply to pulse and research surveys. In instances involving research surveys, this policy does not supersede the policies and procedures of the College's Human Subjects Institutional Review Board (IRB). Researchers are still responsible for obtaining the required IRB exemptions, permissions, and approval, when applicable. Survey projects meant to fulfill requirements from external governing entities, such as federal compliance offices, must also adhere to this policy as a measure of quality assurance.

### Definitions

**Administrative Survey:** Any organized effort to collect information from individuals who comprise a significant proportion of the population of interest in an effort to improve institutional, divisional, or departmental and/or programmatic effectiveness. Administrative surveys may target any part of the College community (students, employees, alumni, parents, or other persons of interest) and may address such topics as academic, student services and support, personnel, management, or environmental issues.

**Pulse Survey:** Collect information for decision-makers or to inform decision-making on policies, practices, or operations. Surveys may be distributed to advisory boards, industry partners, or any target population as needed. Surveys are typically topical or specific and strive to identify shared perceptions, opinions, experiences, expectations, or "voices" that inform changes to policy, procedure, practice, or operations.

**Research Survey:** A systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge. Often, in the conduct of research, data collection occurs using surveys to a significant proportion of the population of interest. Refer to the College's Institutional Review Board Handbook for more information.

**Exceptions to this Policy**

The following forms of data collection are exempt from this policy:

Student evaluations of individual courses and instruction.

Employee performance evaluations.

Surveys conducted by faculty and administered to currently enrolled students in their class(es) as part of instruction.

Student originated surveys conducted as part of academic coursework.

Surveys that have been approved by the IRB.

One-time surveys designed to solicit feedback from participants regarding a specific campus event/program.

**For further information contact:**

Office of Accreditation, Strategic Projects, and Quality

Email: [ASPQ@lakemichigancollege.edu](mailto:ASPQ@lakemichigancollege.edu)

**References:** Protection of Human Subjects in Research policy

**ACTION:**

We recommend that the Board of Trustees pass the Non-Discrimination Policy as presented.

**MOTION:**

By Mr. John Grover with support by Mr. Brian Dissette to approve the policy as presented

**In Favor:**

All

**Opposed:**

None

**APPROVED**

# Policy for deletion; all info incorporated into the Employee Handbook

## ADMINISTRATORS & PROFESSIONAL/TECHNICAL STAFF

Office of Origin: Human Resources  
Responsibility: Executive Director, Human Resources  
Original Date Adopted: 7-29-82  
Dates Reviewed: 8-18-14, 10-21-18, 6-15-20, 2-24-21(C), 10-6-21(C), 3-16-22(C)  
Last Date Board Approved: 4-26-22

Lake Michigan College (the College) is an equal opportunity institution, as documented in the [Non-Discrimination](#) policy. The College will comply with existing state and federal employment laws.

The College will administer employment of full- and part-time Administrator and Professional/Technical (Pro/Tech) staff in accordance with this policy and any procedures related thereto. The College may at any time adopt new policies and procedures or amend those existing. Adoption or amendment will not become effective until such has been communicated to employees and published with the other policies/procedures.

Administrators and Pro/Tech are exempt employees in accordance with the Fair Labor Standards Act (FLSA) excluding faculty, on call staff, union employees, and temporary employees.

For the purposes of this document, the terms "Administrator" and "Pro/Tech" may be used interchangeably with "employee" or "employees," and refer to those individuals employed by the College.

### **Definitions:**

Administrators are generally employees with broad administrative responsibilities and/or responsibility over an administrative units; these employees generally have a job description that graded into DBM Bands D and E.

Pro/Tech are employees whose job requires a level of autonomy and responsibility to advise and provide technical and professional support to the College; these employees generally have a job description that graded into DBM Band C.

Full-time employees are those employed for 40 or more hours per week for 40 or more weeks annually. Part-time employees are those employed for 39 or fewer hours per week.

Employment may be terminated by the employee or the College, with or without cause, at any time. Employees are considered "at will."

### **Policies:**

**Appointment:** Employees are on an at-will basis. Either the employee or the College may terminate the at-will employment relationship with or without cause or notice at any time.

**Attendance & Punctuality:** Employees are hired to perform important functions at the College. As with any group effort, operating effectively takes cooperation and commitment from everyone; therefore, attendance and punctuality are very important. Unnecessary or excessive absences and lateness negatively impact

operations and services, are disruptive, and place an unfair burden on co-workers. Excessive absenteeism or tardiness may result in disciplinary action, up to and including discharge.

There are times when absences and tardiness, however, cannot be avoided. In such cases, employees must notify their supervisor as early as possible, but no later than the start of the workday. If the absence or tardiness is due to an emergency, then the employee should notify their supervisor as soon as reasonably possible. Appointments that are required during working hours are to be coordinated in advance with and approved by the supervisor.

**Attendance at Graduation Ceremony:** It is recommended that all Administrators attend graduation ceremonies. The College will provide academic regalia for graduation exercises.

**Bereavement Leave:** Paid Bereavement Leave will be granted to full-time employees as follows upon a death in the family. Bereavement Leave will be granted for workdays falling within the period generally taken from the time of a death.

Immediate family member (current spouse/partner, child, stepchild, parent, parent-in-law, other relative residing in immediate household): 5 days

Brother, sister, grandparent, grandchild: 3 days

In-law (grandparent, brother, sister, son, daughter, aunt, uncle, niece, nephew): 1 day

Extenuating circumstances warranting use of Bereavement Leave over an extended period may be approved at the discretion of the supervisor in conjunction with the Executive Director, Human Resources (HR.)

Extenuating circumstances warranting more than the days above may be approved at the discretion of the supervisor in conjunction with the Executive Director, HR, and will be subtracted from the employee's Sick Leave.

**Classes During Work Schedule:** With supervisor approval, full-time employees may take 1 College class a semester during their work schedule, up to 3 contact hours per week.

**Constitutional Rights:** The Board of Trustees (Board) recognizes the right of any employee to take or refrain from taking a stand on a political issue and to support or oppose any issue or candidate. Such activities, however, must be conducted on an individual's own time and off College premises. An individual must exercise reasonable care to show that they are acting in their capacity as a private citizen.

**Disability Insurance:** Full-time employees are eligible to participate in the short- and long-term disability plans, subject to the terms and conditions of the agreement between the College and the insurance carrier. This is solely a monetary benefit and not a leave of absence provision. Employees who will be out of work must also request a formal leave of absence.

**Discipline:** The College will follow a system of progressive/corrective discipline. The supervisor and employee are encouraged to informally discuss the situation and/or performance problems before formal corrective steps become necessary.

In normal circumstances, corrective steps, whether for related or unrelated infractions, will include written warning, followed by suspension with or without pay, and then termination.

Discipline will be commensurate with the seriousness of the infraction; disciplinary steps may be repeated for less serious infractions or bypassed for more serious infractions.

The immediate supervisor, in consultation with the department administrator and HR, will determine the seriousness of the action requiring discipline and determine the appropriate level of discipline.



In determining the seriousness of an infraction, not only will the conduct of the employee be considered but also the consequences of the conduct to the College and its operations.

The supervisor and HR may administer a Performance Improvement Plan (PIP) for the employee to support improved performance. Successful completion of a PIP does not guarantee continued employment.

**Due Process:** The due process provisions set forth here apply only to situations involving disciplinary suspension or termination of employment for reason of illness, disability or incapacity, or just cause.

Before employment is suspended or terminated, HR will provide the employee with a written notice of suspension or of intent to recommend termination of services. This notice will contain a statement of the reason(s) for the suspension or recommendation for termination in sufficient detail to enable the employee to be informed of the reasons and a copy of the provisions for the due process.

Within 5 working days of receipt of a notice of disciplinary suspension or intent to recommend termination of services, the employee may request a meeting with the Executive Director, HR or designee for discussion within 2 weeks. Failure to request a meeting within this time limit will be deemed a waiver of the right to such a meeting, and the disciplinary suspension or termination will be in effect as deemed appropriate by the supervisor and the executive administrator of the division, in consultation with Executive Director, HR. If upon meeting, the Executive Director, HR and the employee are unable to agree on the appropriateness of the disciplinary suspension or termination, the employee may appeal to the President by submitting a written request for a meeting for discussion within 5 working days. The decision of the President will be final.

The College may terminate or suspend employment of an employee at any time where just cause exists for such termination or suspension. Just cause includes, by way of illustration but not limitation, unsatisfactory performance; gross insubordination; gross violation of College policies, procedures, rules, or regulations; abandonment of duties; commission of crimes; or such other conduct as justifies the termination or suspension of employment.

The College may terminate employment if an employee is unable to satisfactorily perform or resume their duties because of illness, disability, or incapacity at the expiration of any authorized medical leave of absence. Before employment is so terminated, a written notice of intent to terminate will be delivered to the employee, or to the guardian, spouse, or such other person as may be legally responsible for the employee. Upon receipt of such notice, the employee may request implementation of the provisions for the appeal due process set forth herein. No termination will become effective until completion of due process.

**Emergency Closures:** When the College has an Emergency Closure (e.g., closes due to weather or other sudden, unexpected occurrences), employees are expected to work remotely as a Remote Learning & Working Day. If the College closes for any reason and the employee is already at work, the employee is expected to work remotely for the remainder of that day's work schedule.

If an employee is unable to work remotely, the employee must let their supervisor know as soon as possible to minimize any disruption of services. The employee will be required to use Vacation or Sick Leave for that day or hours.

**Employee Responsibilities:** The basic employment obligation of the employee is to assist in the implementation of the College mission and goals, to administer policies and procedures. Performance of these responsibilities will be accomplished without regard to hours.

All employees are expected to continually develop in professional growth and competence, and are encouraged to participate in service to the community.

In addition to special assignments made by the supervisor, employees shall perform all duties and responsibilities as defined in the position job description.

**Employment Records:** Employees should keep their personnel file up to date by informing their HR Business Partner of any changes. Employees also should inform their HR Business Partner of any specialized training or skills they acquire, as well as changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Important life changes such as birth or adoption of a child, marriage, or divorce should be reported to HR as soon as possible and no later than 30 days after the event if employee benefits changes are needed. Benefits changes will not be possible until the following open enrollment period if 30-day notice is not met.

**Felony Charges and/or Felony Convictions:** The College seeks to provide a safe and secure environment. To better promote safety and security and mitigate risk, employees are required to disclose any felony crime for which they have been charged and/or convicted.

An employee's disclosure must be made to their HR Business Partner within 5 days of knowledge of the charge and within 1 week of a conviction, if applicable.

Employees disclosing a felony charge and/or conviction must provide truthful and accurate information. Failure to disclose a felony charge and/or conviction will be subject to disciplinary actions up to and including discharge.

**Holidays:** The College will close to recognize the following Paid Holidays, either on the actual holiday or an alternate weekday near the holiday. The Paid Holiday dates will be announced at the start of each fiscal year. If the Paid Holiday falls on a date that the employee would have normally been scheduled to work, the employee will receive regular rate wages for the hours the employee would have worked. This will not apply to employees on a continuous leave of absence.

Martin Luther King Jr. Day (date varies; 1 Paid Holiday)

Memorial Day (date varies; 1 Paid Holiday)

Independence Day (July 4; 1 Paid Holiday on/near July 4, as set by College)

Labor Day (date varies, 1 Paid Holiday)

Wednesday before Thanksgiving, Thanksgiving Day, and the Friday following Thanksgiving Day (dates vary; 3 Paid Holidays)

Christmas Eve through New Year's Day ; number of Paid Holiday days vary depending on where the dates fall on the calendar in relation to weekdays and weekends

Any other days(s) announced by the College as additional holiday(s)

**Illness or Disability:** Refer to [Accessibility for Persons with Disabilities](#) policy.

**Inspections:** Upon reasonable suspicion, the College reserves the right to require employees who are on College property or on property of a business affiliate of the College (clinical site, internship, etc.) to agree to the inspection of their person, personal possessions and property, personal vehicles parked on College or affiliate property, and work areas. A College or affiliate site security guard will perform the search with HR present. Search areas include lockers, desks, cabinets, work stations, packages, handbags, briefcases, and other personal possessions or places of concealment, as well as personal mail sent to the College or to its affiliates. Employees are expected to cooperate in the conduct of any search or inspection.

**Insurance:** The College will offer health insurance to employees (and eligible dependents) who work 30 or more hours per week. The employee cost of insurance and types of coverages offered will be determined by the College in compliance with federal and state law.

**Job Postings:** To be eligible to apply for an open position, employees must meet the following requirements:  
have been in their current position for at least 6 months;  
have a performance rating of acceptable;  
not be on a Performance Improvement Plan; and  
provide their current supervisor with written notice prior to applying for the position.

An on-line job posting application must be completed to be considered for the position.

Although the College does generally post all vacant positions, there is not a guarantee that all positions will be posted.

The College reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

**Jury Duty:** An employee will be excused from work and will not lose their regular compensation when called upon for jury duty. Employees are expected to work the remainder of a workday when not performing jury duty. The employee must remit payment received from the court for jury service to the College when received. The employees may be required to submit documentation to support an absence due to jury duty.

**Lactation Breaks:** The College will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their child in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided.

The College will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall to express milk in private. This location may be the employee's private office, if applicable. The College may not be able to provide additional break time if doing so would seriously disrupt the College's operations, subject to applicable law.

Employees should advise their supervisor if they need break time and an area for this purpose (if one is not already designated.) Employees will not be discriminated or retaliated against for exercising their rights under this policy section.

**Leave of Absence:** If employees are ineligible for any other College leave of absence, the College, under certain circumstances, may grant a discretionary personal leave of absence without pay. A written request for a personal leave should be presented to the employees' supervisor and to HR at least 30 days in advance of the anticipated start of the leave. If the leave is requested for medical reasons and the employee is not eligible for leave under the Family and Medical Leave (FMLA) or any state leave law, medical documentation must also be submitted.

The request will be considered on the basis of staffing needs and the reasons for the requested leave, as well as performance and attendance records. Normally, an approved leave of absence will be granted for a period of up to 8 weeks. However, a personal leave may be extended if, prior to the end of leave, the employee submits a written request for an extension to their supervisor and HR and the request is granted.

The College will continue health insurance coverages during the leave if the employee submits their share of the monthly premium payments to the College in a timely manner, subject to the terms of the plan documents.

When the employee anticipates returning to work, they must notify their supervisor of the expected return date as soon as possible and not later than at least 1 week.

Upon completion of a personal leave of absence, the College will attempt to return an employee to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise the supervisor and/or HR of availability to return to work, failure to return to work when notified, or a continued absence from work beyond the time approved by the College will be considered a voluntary resignation of employment.

Personal leave will run concurrently with any College-provided short-term disability leave of absence.

**Mileage Reimbursement:** Refer to [Mileage Reimbursement](#) policy

**Military Leave:** Leave will be granted to an employee called for temporary military duty according to Federal statutes.

**Outside Employment:** Refer to [Conflict of Interest Policy](#).

**Part-Time Faculty Arrangements:** Refer to [Teaching by Staff](#) policy.

**Personnel Records:** There will be only one official personnel file for each employee, which will be maintained in HR. The employee has the right to review the contents of the personnel file, excluding letters of recommendation, with a member of the Human Resources Department. Excluding authorized College personnel or agents, no third party will be permitted access to an employee personnel file without the written consent of the employee unless disclosure is ordered in a legal action or government claim.

**Participation in College Groups & Volunteering:** With the approval of the supervisor, an employee may participate in College governance and planning through membership in College committees, councils, taskforces, and/or work groups and in College volunteer opportunities occurring during regular College business hours (such as Lake Michigan College Foundation Winner's Circle Auction and Holiday Food Basket.) Employees will be paid for supervisor-approved participation in these activities.

With the approval of the supervisor, the College will also provide up to 4 hours of paid off-campus volunteer service leave for each fall and spring semester for 501c3 or non-profit organization (such as Habitat for Humanity), as long as no compensation is received from the other organization.

**Performance Review:** Employees will receive at least 1 performance appraisal annually by the supervisor, which will be maintained in the employee personnel file.

**Personal Days:** Full-time employees will be granted 3 paid Personal Days annually for personal business. Personal Days are not cumulative and will be forfeited if not taken in the fiscal year granted. Personal Days are granted on a pro-rated basis upon hire and then annually in July.

**Professional Development:** Paid Professional Development time may be granted with supervisor approval to attend training and participate in other professional development activities.

In addition, the College closes two days each year (LMC Day - Fall and LMC Day - Spring) for College-wide professional development. All regularly scheduled employees are required to attend. Dates for LMC Days will be posted on the Employee Portal at the beginning of the fall and spring semesters.

**Qualifications:** HR possesses the right to verify the qualifications of employees and to determine the requirements for their hire, termination, transfer, or assignment.

Administration will establish minimum qualifications for each job position and will publish the qualifications in job descriptions. Minimum qualifications will adhere to Higher Learning Commission guidelines, criteria, and assumed practices. Minimum qualifications may be amended or modified from time to time as approved by HR.

**Raises:** An employee must have been employed for at least 90 days prior to the date of the raise to be eligible for the raise.

**Reduction in Force:** The College may terminate employment if it determines that a reduction in the workforce is necessary. In such case, the College will give written notice to the affected employee no less than 10 workdays before the employee's services are to be terminated or will provide 2 weeks' pay in lieu of notice. Health, dental, and vision insurance benefits will continue through the end of the month in which employment ends. Unused vacation time will be forfeited upon termination of employment.

**Resignation:** Refer to [Resignation](#) policy.

**Retirement Plans:** The College will make available an optional retirement salary deferral plan (the "ORP") where employees may make pre-tax contributions to tax-deferred retirement accounts, such as a 403(b) plan, as well as the Michigan Public Schools Retirement System (MPSERS) plan. MPSERS requires that all part-time and non-exempt employees enroll in MPSERS upon hire but provides a choice to exempt employees of MPSERS or the ORP.

If an employee's job classification changes from non-exempt to exempt, they can move to the ORP or stay in MPSERS.

If an employee's job classification changes from exempt to non-exempt, they will remain in the ORP.

If an exempt employee's job changes from full-time to part-time and the employee was in the ORP, the employee must stay in the ORP.

**Sabbatical Leave:** See [Sabbatical Leave- Administrators & Professional / Technical Staff](#) policy.

**Safe Harbor Policy (Salary Deductions for Exempt Employees):** It is the College's intent 1) to pay all employees qualifying as exempt under the current provisions of the Fair Labor Standards Act ("FLSA") on a salary basis, 2) to prohibit improper deductions from the salary of FLSA exempt employees, and 3) to correct any improper deductions.

An employee qualifying as exempt under FLSA provisions will receive their full salary for any week in which the employee performs any work, regardless of the number of days or hours worked, except as follows:

If an employee is absent from work for a full day or more for personal reasons other than sickness or disability;

If the employee is absent from work for a full day or more for sickness or disability as long as the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for loss of salary caused by sickness or disability;

As a penalty imposed in good faith for violations of major safety rules;

As a disciplinary suspension of one or more full days imposed in good faith for violations of workplace conduct rules;

For time not worked during an employee's initial or terminal week of employment; and

For unpaid leave taken under FMLA.

If, at any time, the College inadvertently but improperly deducted pay for time not worked from an exempt employee, it is the College's intent to fully reimburse that employee in a timely manner. If an employee believes that their salary has been subjected to an improper deduction, please contact HR. The matter will be reviewed and steps will be taken if and as necessary to provide reimbursement.

**Sick Leave:** Sick Leave is awarded annually as of July 1 (or upon date of hire in the year hired and as of July 1 subsequently.)

Full-time employees employed on July 1 will receive 96 hours of Sick Leave in a bank each July; those beginning work after July 1 will receive a sick time bank upon hire prorated based upon portion of the year remaining.

Employees working less than 40 hours per week will receive a prorated sick time bank as of July 1 based on the hours regularly scheduled to be worked compared to a full-time schedule. Such employees beginning work after July 1 will receive a sick time bank upon hire, prorated based on the hours regularly scheduled to be worked and the portion of the year remaining.

Employees may accumulate up to 960 sick hours. Unused sick time will be forfeited upon termination of employment.

Sick time must be reported in no less than half-day increments.

The College may, at its discretion, require an employee to submit competent medical verification of any use of paid Sick Leave after 5 working days of absences.

Sick leave may be used for:  
physical or mental health or injury of employee or family member. Family member is considered spouse/partner, child/stepchild, parent/parent-in-law, or other relative residing in immediate household. care of a family member when such person suffers a FMLA qualifying event.

Non-emergency doctor appointments are to be coordinated in advance with and approved by the employees' supervisor.

**Termination:** If employment is terminated, the College will have no further obligations to the employee for salary from and after the date of termination, subject to relevant statutes. Health, dental, and vision insurance benefits will continue through the end of the month in which employment ended. Unused vacation time will be forfeited upon termination of employment.

**Timekeeping:** It is the employee's responsibility to completely and accurately submit time records of all time off taken. Any errors in the time record should be reported immediately to the supervisor and HR, who will attempt to correct legitimate errors. Altering, falsifying, or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

**Travel:** All travel must be submitted and approved prior to travel using the Travel Authorization Form ("TAF"), which can be found at [mylmc.org](http://mylmc.org). Travel for conference or training purposes must support College goals and/or the employee's professional development. It is understood that information and knowledge gained will be shared.

**Tuition Waiver:** Refer to [Tuition Waiver - Faculty and Staff](#) policy

**Vacancies, Transfers & Assignments:** The Board has delegated to the President or designee the sole authority to hire, transfer, or reassign employees. Generally, vacancies and new positions will be posted unless filled by reassignment or reorganization.

An employee may request a change in departmental assignment to another area within their competency by giving official written notice to their supervisor with a copy to the Executive Director, HR. A request does not guarantee approval of the transfer.

The College retains the right to reassign or transfer any employee to any position or department within her/his competency at its sole discretion. Such involuntary transfers will not normally result in a decrease in compensation. Exceptions may occur if current pay rate falls outside of DBM pay grade of newly assigned position.

**Vacation:** Vacation is awarded annually as of July 1 (or upon date of hire and as of July 1 subsequently.) Full-time employees employed on July 1 will receive 160 hours of vacation in a vacation bank; those beginning work after July 1 will receive a vacation bank upon hire prorated based upon portion of the year remaining.

Employees working a full-time, regular schedule of less than 40 hours per week will receive a prorated vacation bank as of July 1 based on the hours regularly scheduled to be worked compared to a full-time schedule. Such employees beginning work after July 1 will receive a vacation bank upon hire, prorated based on the hours regularly scheduled to be worked and the portion of the year remaining.

Vacation is not cumulative, and is forfeited if not taken during the fiscal year awarded. Unused vacation time will be forfeited upon termination of employment.

Vacation must be approved in advance by the supervisor and must be reported in no less half-day increments; for instance, time should be taken in 4-hour increments for an 8-hour workday, 4.5-hour increments for a 9-hour workday, 5-hour increments for a 10-hour workday, etc.

**Victims of Crime Leave:** Employees who are a victim or victim's representative that are called to serve as a witness in a judicial proceeding must notify their supervisor and HR as soon as possible. Employees may not be compensated for time away from work to participate in a court case but may use available vacation and/or personal time to cover the period of absence. Employees testifying as the victim or representative of a victim in a judicial proceeding will not be disciplined for their absence.

**Wage Determination:** The President or designee has the authority to offer wages, consistent with the College compensation philosophy and/or contractual obligations. The College may at any time develop and/or modify wage placement criteria and procedures, which will be published or disseminated among employees.

**Wellness Leave:**

Full-time employees may take up to 1.5 hours of supervisor-approved paid wellness leave each week to participate in wellness activities on campus. Part-time employees may take up to 45 minutes each week. The time may be taken at one time or split throughout the week to equal the total. This time is not cumulative from week-to-week and is not paid out upon employee separation.

**Work Locations:** At the discretion of and with approval by supervisor, an employee may work offsite (including at home) on an ad hoc basis. If an employee has been employed by the College for a minimum of 6 months, and is not on a performance improvement plan, they may be given the option to request a flexible work/remote work schedule.

**Work Schedule:** Employee work schedules are assigned by the supervisor in accordance with departmental and College needs. See also the [Work Hours and Scheduled Hours policy](#).

**References:** [Accessibility for Persons with Disabilities](#) policy

[Conflict of Interest](#) policy

Employee Travel Expense Payments Per Diem Basis procedure

[Flexible Scheduling & Remote Work Options](#) policy

Inclement Weather procedure

[IRS ACA guidelines](#)

[Mileage Reimbursement](#) policy

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[Sabbatical Leave- Administrators & Professional / Technical Staff](#) policy

[Teaching by Staff](#) policy

[Tuition Waiver - Faculty and Staff](#) policy

Weather Emergency Closings procedure

[Work Hours and Scheduled Hours policy](#)



## Policy for deletion; all info incorporated into the Employee Handbook

### CLASSIFIED STAFF

Office of Origin:	Human Resources
Responsibility:	Executive Director, Human Resources
Original Date Adopted:	7-29-82
Dates Reviewed:	12-11-17, 7-9-18, 2-5-20, 6-15-20, 2-24-21(C), 10-6-21(C), 3-16-22(C)
Last Date Board Approved:	4-26-22

Lake Michigan College (the College) is an equal opportunity institution, as documented in the [Non-Discrimination](#) policy. The College will comply with existing state and federal employment laws.

The College will administer employment of full- and part-time Classified Staff in accordance with this policy and any procedures related to Classified Staff. The College may at any time adopt new policies and procedures or amend those existing. Adoption or amendment will not become effective until such has been communicated to employees and published with the other policies/procedures.

#### **Definitions**

Classified Staff are non-exempt employees, in accordance with the Fair Labor Standards Act (FLSA). For the purposes of this document, the terms "Classified Staff" and "employees" are to be used interchangeably, and refer to those individuals employed by the College.

Full-time Classified Staff are Classified Staff employed for 40 or more hours per week for 40 or more weeks annually. Part-time Classified Staff are Classified Staff employed for 39 or fewer hours per week.

Classified Staff employment is for an indefinite term and may be terminated by the employee or the College, with or without cause, at any time. Classified Staff positions are considered "at will."

#### **Policies**

**Appointment:** Classified Staff are employed on an at-will basis. Either the employee or the College may terminate the at-will employment relationship with or without cause or notice at any time.

**Attendance & Punctuality:** Employees are hired to perform important functions at the College. As with any group effort, operating effectively takes cooperation and commitment from everyone; therefore, attendance and punctuality are very important. Unnecessary or excessive absences and lateness negatively impact operations and services, are disruptive and place an unfair burden on co-workers. Excessive absenteeism or tardiness may result in disciplinary action, up to and including discharge.

There are times when absences and tardiness, however, cannot be avoided. In such cases, employees must notify their supervisor as early as possible, but no later than the start of the workday. If the absence or tardiness is due to an emergency, then the employee should notify their supervisor as soon as reasonably possible. Appointments that are required during working hours are to be coordinated in advance with and approved by the supervisor.

**Bereavement Leave:** Paid Bereavement Leave will be granted to full-time employees upon the death of a family member as follows. This leave will be granted for workdays falling in the period generally taken from the time of a death.

Immediate family (current spouse/partner, child, stepchild, parent, parent-in-law, other relative residing in immediate household): 5 days

Brother, sister, grandparent, grandchild: 3 days

In-law (grandparent, brother, sister, son, daughter, aunt, uncle, niece, nephew): 1 day

Extenuating circumstances warranting use of Bereavement Leave over an extended period may be approved at the discretion of the supervisor in conjunction with the Executive Director, Human Resources (HR.)

Extenuating circumstances warranting more than the days above may be approved at the discretion of the supervisor in conjunction with the Executive Director, HR, and would be subtracted from the employee's Sick Leave.

**Classes During Work Schedule:** With supervisor approval, a full-time employee may take 1 College class a semester during her/his work schedule, up to 3 contact hours per week.

**Compensation When College is Closed:** Employees working during a Paid Holiday or Emergency Closure will be paid for hours actually worked in addition to emergency closure or holiday pay.

**Constitutional Rights:** The Board of Trustees (the "Board") recognizes the right of any employee to take or refrain from taking a stand on a political issue and to support or oppose any issue or candidate. Such activities, however, must be conducted on an individual's own time and off College premises. An individual must exercise reasonable care to show that they are acting in their capacity as a private citizen.

**Disability Insurance:** Full-time employees are eligible to participate in the short- and long-term disability plans, subject to the terms and conditions of the agreement between the College and the insurance carrier. This is solely a monetary benefit and not a leave of absence provision. Employees who will be out of work must also request a formal leave of absence.

**Discipline:** The College will follow a system of progressive/corrective discipline. The supervisor and employee are encouraged to informally discuss the situation and/or performance problems before formal corrective steps become necessary.

In normal circumstances, corrective steps, whether for related or unrelated infractions, will include written warning, followed by suspension with or without pay, and then termination.

Discipline will be commensurate with the seriousness of the infraction; disciplinary steps may be repeated for less serious infractions or bypassed for more serious infractions.

The immediate supervisor, in consultation with the department administrator and HR, will determine the seriousness of the action requiring discipline and determine the appropriate level of discipline.

In determining the seriousness of an infraction, not only will the conduct of the employee be considered but also the consequences of the conduct to the College and its operations.

The supervisor and HR may administer a Performance Improvement Plan (PIP) for the employee to support improved performance. Successful completion of a PIP does not guarantee continued employment.

**Due Process:** The due process provisions set forth here apply only to situations involving disciplinary suspension or termination of employment for reason of illness, disability or incapacity, or just cause.

Before employment is suspended or terminated, HR will provide the employee with a written notice of suspension or of intent to recommend termination of services. This notice will contain a statement of the

reason(s) for the suspension or recommendation for termination in sufficient detail to enable the employee to be informed of the reasons and a copy of the provisions for due process.

Within 5 working days of receipt of a notice of disciplinary suspension or intent to recommend termination of services, the employee may request a meeting with the Executive Director, HR or designee for discussion within 2 weeks. Failure to request a meeting within this time limit will be deemed a waiver of the right of such a meeting, and disciplinary suspension or the termination will be in effect as deemed appropriate by the supervisor and the executive administrator of the division, in consultation with Executive Director, HR. If upon meeting, the Executive Director, HR and the employee are unable to agree on the appropriateness of the disciplinary suspension or termination, the employee may appeal to the President by submitting a written request for a meeting for discussion within 5 working days. The decision of the President will be final.

The College may terminate or suspend the services of an employee at any time where just cause exists for such termination or suspension. Just cause includes, by way of illustration but not limitation, unsatisfactory performance, gross insubordination, gross violation of College policies, procedures, rules or regulations, abandonment of duties, commission of crimes, or such other conduct as justifies the termination or suspension of employment.

**Emergency Closures:** When the College has an Emergency Closure (e.g., closures due to weather or other sudden, unexpected occurrences), employees are expected to work remotely as a Remote Learning & Working Day. If the College closes for any reason and the employee is already at work, the employee is expected to work remotely for the remainder of that day's work schedule.

If an employee is unable to work remotely, the employee must let their supervisor know as soon as possible to minimize any disruption of services. The employee will be required to use Vacation or Sick Leave for that day or hours.

**Employee Responsibilities:** The basic employment obligation of the employee is to assist in the implementation of the mission and goals of the College.

All employees are expected to continually develop in professional growth and competence, and are encouraged to participate in service to the community.

In addition to special assignments made by the supervisor, employees shall perform all duties and responsibilities as defined in the position job description.

**Employment Records:** Employees should keep their personnel file up to date by informing their HR Business Partner of any changes. Employees also should inform their HR Business Partner of any specialized training or skills they acquire, as well as changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Important life changes such as birth or adoption of a child, marriage, or divorce should be reported to HR as soon as possible and no later than 30 days after the event if employee benefits changes are needed. Benefits changes will not be possible until the following open enrollment period if 30-day notice is not met.

**Felony Charges and/or Felony Convictions:** The College seeks to provide a safe and secure environment. To better promote safety and security and mitigate risk, employees are required to disclose any felony crime for which they have been charged and/or convicted.

An employee's disclosure must be made to their HR Business Partner within 5 days of knowledge of the charge and within 1 week of a conviction, if applicable.

Employees disclosing a felony charge and/or conviction must provide truthful and accurate information. Failure to disclose a felony charge and/or conviction will be subject to disciplinary actions up to and including discharge.

**Holidays:** The College will close to recognize the following Paid Holidays, either on the actual holiday or on alternate week day near the holiday. The Paid Holiday dates will be announced at the beginning of each fiscal year. If a Paid Holiday falls on a date that the employee would have normally been scheduled to work, the employee will receive regular rate wages for the schedule the employee would have worked. This will not apply to employees on a continuous leave of absence.

- Martin Luther King Jr. Day (date varies; 1 Paid Holiday)
- Memorial Day (date varies; 1 Paid Holiday)
- Independence Day (July 4; 1 Paid Holiday on/near July 4, as set by the College)
- Labor Day (date varies, 1 Paid Holiday)
- Wednesday before Thanksgiving, Thanksgiving Day, and the Friday following Thanksgiving Day (dates vary; 3 Paid Holidays)
- Christmas Eve through New Year's Day ; number of Paid Holiday days will vary depending on where the dates fall on the calendar in relation to weekdays and weekends
- Any other day(s) announced by the College as additional holiday(s)

Employees working on a Paid Holiday will be paid for hours actually worked in addition to holiday pay.

**Illness or Disability:** Refer to [Accessibility for Persons with Disabilities](#) policy.

The College may terminate employment if an employee is unable to satisfactorily perform or to resume their duties because of illness, disability, or incapacity at the expiration of any authorized medical leave of absence. Before employment is so terminated, a written notice of intent to terminate will be delivered to the employee, or to the guardian, spouse, or such other person as may be legally responsible for the employee. Upon receipt of such notice, the employee may request implementation of the provisions for due process set forth herein. No termination will become effective until completion of due process.

**Inspections:** Upon reasonable suspicion, the College reserves the right to require employees who are on College property or on property of a business affiliate of the College (clinical site, internship, etc.) to agree to the inspection of their person, personal possessions and property, personal vehicles parked on College or affiliate property, and work areas. A College or affiliate security guard will perform the search with HR present. Search areas include lockers, desks, cabinets, work stations, packages, handbags, briefcases, and other personal possessions or places of concealment, as well as personal mail sent to the College or to its affiliates. Employees are expected to cooperate in the conduct of any search or inspection.

**Insurance:** The College will offer insurance to employees (and eligible dependents) who work 30 or more regularly scheduled hours per week. The employee cost of insurance and types of coverages offered will be determined by the College in compliance with federal and state law.

**Job Postings:** To be eligible to apply for an open position, employees must meet the following requirements:  
have been in their current position for at least 6 months;  
have a performance rating of acceptable;  
not be on a Performance Improvement Plan; and  
provide their current supervisor with written notice prior to applying for the position.

An on-line job posting application must be completed to be considered for the position.

Although the College does generally post all vacant positions, there is not a guarantee that all positions will be posted.

The College reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

**Jury Duty:** An employee will be excused from work and will not lose their regular compensation when called upon for jury duty. Employees are expected to work the remainder of a workday when not performing jury duty. The employee must remit payment received from the court for jury service to the College when received. The employee may be required to submit documentation to support an absence due to jury duty.

**Lactation Breaks:** The College will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their child in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided. If the break time cannot run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

The College will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall to express milk in private. This location may be the employee's private office, if applicable. The College may not be able to provide additional break time if doing so would seriously disrupt the College's operations, subject to applicable law.

Employees should advise their supervisor if they need break time and an area for this purpose (if one is not already designated.) Employees will not be discriminated or retaliated against for exercising their rights under this policy section.

**Leave of Absence:** If employees are ineligible for any other College leave of absence, the College, under certain circumstances, may grant a discretionary personal leave of absence without pay. A written request for a personal leave should be presented to the employees' supervisor and to HR at least 30 days in advance of the anticipated start of the leave. If the leave is requested for medical reasons and the employee is not eligible for leave under the FMLA or any state leave law, medical documentation must also be submitted.

The request will be considered on the basis of staffing needs and the reasons for the requested leave, as well as performance and attendance records. Normally, an approved leave of absence will be granted for a period of up to 8 weeks. However, a personal leave may be extended if, prior to the end of leave, the employee submits a written request for an extension to their supervisor and HR and the request is granted.

The College will continue health insurance coverages during the leave if the employee submits their share of the monthly premium payments to the College in a timely manner, subject to the terms of the plan documents.

When the employee anticipates returning to work, they must notify their supervisor of the expected return date as soon as possible and not later than at least 1 week.

Upon completion of a personal leave of absence, the College will attempt to return an employee to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise the supervisor and/or HR of availability to return to work, failure to return to work when notified, or a continued absence from work beyond the time approved by the College will be considered a voluntary resignation of employment.

Personal leave will run concurrently with any College-provided short-term disability leave of absence.

**Mileage Reimbursement:** Refer to [Mileage Reimbursement](#) policy.

**Military Leave:** Leave will be granted to an employee called for temporary military duty according to Federal statutes.

**Outside Employment:** Refer to [Conflict of Interest Policy](#).

**Overtime:** Full-time employees who work over 40 hours per work week will be paid one-and-a-half times (1.5x) hourly base pay for the hours worked over 40. Work week is defined as Sunday through Saturday. Paid or unpaid leave hours are not considered as hours worked for overtime calculations (e.g., personal days, vacation time, sick leave, paid holidays, emergency closures, etc.) Travel time is considered hours worked for overtime calculations.

**Part-Time Faculty Arrangements:** Refer to [Teaching by Staff](#) policy.

**Participation in College Groups & Volunteering:** With the approval of the supervisor, an employee may participate in College governance and planning through membership in College committees, councils, taskforces, and/or work groups and in College volunteer opportunities occurring during regular College business hours (such as Lake Michigan College Foundation Winner's Circle Auction and Holiday Food Basket.) Employees will be paid for supervisor-approved participation in these activities.

With the approval of the supervisor, the College will also provide up to 4 hours of paid off-campus volunteer service leave for each fall and spring semester for 501c3 or non-profit organization (such as Habitat for Humanity), as long as no compensation is received from the other organization.

**Performance Review:** Employees will receive at least 1 performance appraisal annually by the supervisor, which will be maintained in the employee personnel file.

**Personal Days:** Each year, full-time employees will be provided 3 paid Personal Days for personal business. Personal Days are not cumulative and will be forfeited if not taken in the fiscal year granted. Personal Days are granted on a pro-rated basis upon hire and then annually in July.

**Personnel Records:** There will be only one official personnel file for each employee, which will be maintained in HR. The employee has the right to review the contents of the personnel file, excluding letters of recommendation, with an appropriate administrator. Excluding authorized College personnel or agents, no third party will be permitted access to an employee personnel file without the written consent of the employee unless disclosure is ordered in a legal action or government claim.

**Professional Development:** Paid professional development time may be granted with supervisor approval to attend training and other professional development activities.

In addition, the College closes two days each year (LMC Day – Fall and LMC Day - Spring) for College-wide professional development. All regularly scheduled employees are required to attend. Dates for LMC Days will be posted on the Employee Portal at the beginning of the fall and spring semesters.

**Qualifications:** HR possesses the right to verify the qualifications of employees and to determine the requirements for their hire, termination, transfer, or assignment.

Administration will establish minimum qualifications for each job position and will publish the qualifications in job descriptions. Minimum qualifications will adhere to Higher Learning Commission guidelines, criteria, and assumed practices. Minimum qualifications may be amended or modified from time to time as approved by HR.

**Raises:** An employee must have been employed for at least 90 days prior to the date of the raise to be eligible for the raise.

**Reduction in Force:** The College may terminate employment if it determines that a reduction in the workforce is necessary. In such case, the College will give written notice to the affected employee no less than 10 workdays before the employee's services are to be terminated or will provide 2 weeks' pay in lieu of notice. Health, dental, and vision insurance benefits will continue through the end of the month in which employment ends. Unused vacation time will be forfeited upon termination of employment.

**Resignation:** Refer to [Resignation](#) policy.

**Retirement Plans:** The College will make available the Michigan Public Schools Retirement System (MPSERS) plan. MPSERS requires that all part-time and non-exempt employees enroll in MPSERS upon hire. If an employee's job classification changes from non-exempt to exempt, they can move to the optional retirement plan (e.g., 403(b) plan) or stay in MPSERS.

**Sick Leave:** Sick Leave will be awarded annually as of July 1 (or upon date of hire in the year hired and as of July 1 subsequently.)

Full-time employees employed on July 1 will receive 96 hours of Sick Leave in a bank each July; those beginning work after July 1 will receive a sick time bank upon hire prorated based upon portion of the year remaining.

Employees working less than 40 hours per week will receive a prorated sick time bank as of July 1 based on the hours regularly scheduled to be worked compared to a full-time schedule; those beginning work after July 1 will receive a sick time bank upon hire prorated based on the hours regularly scheduled to be worked and the portion of the year remaining.

Employees may accumulate up to 960 hours. Unused sick time will be forfeited upon termination of employment.

Sick time must be reported in no less than 15 minute increments.

The College may, at its discretion, require an employee to submit competent medical verification of any use of paid Sick Leave after 5 working days of absences.

Sick Leave may be used for:

physical or mental health or injury of employee or family member. Family member is considered spouse/partner, child/stepchild, parent/parent-in-law, or other relative residing in immediate household. care of a family member when such person suffers a FMLA qualifying event.

Non-emergency doctor appointments are to be coordinated in advance with and approved by the employees' supervisor.

Use of Sick Leave is not considered hours worked for purposes of calculating overtime.

**Start Time:** Employees may not start work until their scheduled starting time without supervisor approval.

**Termination:** If employment is terminated, the College will have no further obligations to the employee for salary or benefits from and after the date of termination subject to relevant statutes. However, health, dental, and vision insurance benefits will continue through the end of the month in which employment ends. Unused vacation time will be forfeited upon termination of employment.

**Timekeeping:** It is the employee's responsibility to completely and accurately submit time records of all time worked. Any errors in the time record should be reported immediately to the supervisor and HRBP, who will attempt to correct legitimate errors. Employees must record their actual time worked. Employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason. Altering, falsifying, or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

**Travel:** All travel must be submitted and approved prior to travel using the Travel Authorization Form ("TAF"), which can be found at [mylmc.org](http://mylmc.org). Travel for conference or training purposes must support College goals and/or the employee's professional development. It is understood that information and knowledge gained will be shared.

#### **Travel Time:**

##### Overnight, Out-of-Town Trips

When an employee is required to travel away from home overnight, the travel time (except for meal periods) that cuts across the employee's "normal" or "regular" working hours is counted as time worked and will be paid—regardless of if the travel occurs on a day on which the employee ordinarily works or on a day on which the employee does not normally work (e.g., a weekend.) Conversely, travel that takes place outside the employee's normal or regular working hours is not counted as time worked and is not paid, regardless of the travel day.

Employees also will be paid for any time spent performing job duties during otherwise non-paid travel time; however, such work should be limited absent supervisor approval.

##### Out-of-Town Trips for One Day

Employees who travel out of town for a one-day assignment will be paid for all travel time except meal periods.

##### Local Travel

Employees will be paid for time spent traveling from one worksite to another worksite during a workday. The trip home, however, is non-compensable when the employee goes directly home from the final worksite, unless it is much longer than the regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

**Tuition Waiver:** Refer to [Tuition Waiver - Faculty and Staff](#) policy.

**Vacancies, Transfers & Assignments:** The Board has delegated to the President or designee the sole authority to hire, transfer, or reassign employees. Generally, vacancies and new positions will be posted unless filled by reassignment or reorganization.



An employee may request a change in departmental assignment to another area within their competency by giving official written notice to their supervisor with a copy to the Executive Director of HR. A request does not guarantee approval of the transfer.

The College retains the right to reassign or transfer any employee to any position or department within her/his competency at its sole discretion. Such involuntary transfers will not normally result in a decrease in compensation. Exceptions may occur if current pay rate falls outside of the DBM pay grade of newly assigned position.

**Vacation:** Vacation is awarded annually as of July 1 (or upon date of hire and as of July 1 subsequently.) Full-time Classified Staff employed on July 1 will receive 160 hours in a vacation bank, unless specifically grandfathered-in in writing under prior policies that provided more than 160 hours. Full-time employees beginning work after July 1 will receive a vacation bank upon hire prorated based upon portion of the year remaining.

Employees working less than 40 hours per week will receive a prorated vacation bank as of July 1 based on the hours regularly scheduled to be worked compared to a full-time schedule. Such employees beginning work after July 1 will receive a vacation bank upon hire, prorated based upon the hours regularly scheduled to be worked and the portion of the year remaining.

Vacation is not cumulative, and is forfeited if not taken during the fiscal year awarded. Unused vacation time will be forfeited upon termination of employment.

Vacation must be approved in advance by the supervisor, and must be reported in no less than 15 minute increments.

Use of Vacation is not considered hours worked for purposes of calculating overtime.

**Victims of Crime Leave:** Employees who are a victim or victim's representative that are called to serve as a witness in a judicial proceeding must notify their supervisor and HR as soon as possible. Employees may not be compensated for time away from work to participate in a court case but may use available vacation and/or personal time to cover the period of absence. Employees testifying as the victim or representative of a victim in a judicial proceeding will not be disciplined for their absence.

**Wage Determination:** The President or designee has the authority to offer wages, consistent with the College compensation philosophy and/or contractual obligations. The College may at any time develop and/or modify wage placement criteria and procedures, which will be published or disseminated among employees.

**Wellness Leave:** Full-time employees may take up to 1.5 hours of supervisor-approved paid wellness leave each week to participate in wellness activities on campus. Part-time employees may take up to 45 minutes each week. The time may be taken at one time or split throughout the week to equal the total. This time is not cumulative from week-to-week and is not paid out upon employee separation.

**Work Locations:** At the discretion of and with approval by supervisor, employee may work offsite (including at home) on an ad hoc basis. If an employee has been employed by the College for a minimum of 6 months, and is not on a performance improvement plan, they may be given the option to request a flexible work/remote work schedule.

**Work Schedule:** Employee work schedules are assigned by the supervisor in accordance with departmental and College needs.

The work schedule of a full-time employee will include a daily lunch time of 30 minutes or 1 hour, unpaid by the College, and two 15-minute paid breaks, paid by the College.

The work schedule of a part-time employee is not required to include a lunch break or any 15-minute breaks unless the employee is under 18 years of age.

See also the [Work Hours and Scheduled Hours policy](#).

**References:** [Accessibility for Persons with Disabilities](#) policy

[Conflict of Interest](#) policy

Employee Travel Expense Payments Per Diem Basis procedure

[Flexible Scheduling & Remote Work Options](#) policy

Inclement Weather procedure

[IRS ACA guidelines](#)

[Mileage Reimbursement](#) policy

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[Resignation](#) policy

[Teaching by Staff](#) policy

[Tuition Waiver - Faculty and Staff](#) policy

Weather Emergency Closings procedure

[Work Hours and Scheduled Hours policy](#)

## POLICIES 1<sup>ST</sup> READ

### ASSISTANCE ANIMAL IN CAMPUS HOUSING - EMPLOYEES

Office of Origin:	Human Resources
Responsibility:	Executive Director, Human Resources
Original Date Adopted:	x-xx-xx
Dates Reviewed:	x-x-xx
Last Date Board Approved:	x-x-xx

This policy governs the use of Assistance Animals in Lake Michigan College (the College) campus housing by persons with disabilities, as, for some persons with disabilities, an Assistance Animal may be necessary to afford them equal housing opportunity. A separate policy governs Assistance Animals on other College property.

An Assistance Animal is defined as an animal that does work, perform tasks, provides assistance, and/or provides emotional support for a person with a physical or mental impairment that substantially limits at least one major life activity or bodily function. An Assistance Animal is necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling when there is an identifiable relationship or nexus between the person's disability and the assistance the animal provides.

The College is committed to providing reasonable accommodations to persons with disabilities and fulfilling obligations under State and Federal laws. In addition, the health and safety of students, employees, and Assistance Animal are important concerns; therefore, each request for such an accommodation will be carefully evaluated on a case-by-case basis. Requests for an accommodation of an Assistance Animal while residing in campus housing must be supported by sufficient documentation for proper consideration.

The College will not allow an Assistance Animal that:

- poses a threat to the health and/or safety of others that cannot be reduced or eliminated by another reasonable accommodation,
- would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation,
- poses an undue financial and administrative burden to the College, or
- would fundamentally alter the nature of campus housing operations.

In all cases, the owner of the Assistance Animal is responsible for the Assistance Animal's behavior. The removal of any Assistance Animal, any necessary cleaning, repairs, and/or pest control will be the expense of the owner of the Assistance Animal. Individuals living with an Assistance Animal are expected to adhere to the same campus housing policies as all other residents.

Assistance animals cannot be brought into campus housing until a meeting with Human Resources has taken place and the approval process has been completed.

Documentation related to the use of an Assistance Animal may be required to determine if it falls under the protections of Federal and/or State laws. Assistance Animals are considered part of a therapeutic intervention; therefore, documentation should include a diagnosis of the disability and its nexus to the intervention.

References: [US Department of Housing & Urban Development Assistance Animals Fair Housing Act](#)

## VEHICLE USE

Office of Origin:	Purchasing & Risk Management
Responsibility:	Manager, Purchasing & Risk Management
Original Date Adopted:	x-x-xx
Dates Reviewed:	x-x-xx
Last Date Board Approved:	x-x-xx

Lake Michigan College (the "College") provides vehicles for employees to drive on College-designated business and reimburses employees for business use of personal vehicles. The term "vehicle," as used in herein, includes cars, trucks, and golf carts.

### **Requirements for Use of College Vehicles**

- Only College employees, Edustaff employees that are regularly scheduled part-time, and employees of the College's security contractor can drive a College vehicle. (These groups collectively are referred to as "employees.")
- Students may not drive a College vehicle, even if employed by the College or Edustaff.
- Employees must have a valid driver's license to operate a College vehicle, and it must be presented when picking up a vehicle key.
- Employees with any condition or circumstance that may affect either their legal or physical ability or who do not have personal auto insurance may not use a College vehicle.
- Vehicles may be used for College business only. Personal use of College vehicles is strictly prohibited.
- Employees who are on call or for whom the travel distance is significantly shorter from their home may be allowed to take a College vehicle home.
- Passengers must be on official College business or have a valid reason to accompany an employee on official College business.
- Employees must exercise due diligence to drive safely and maintain the security of the vehicle and its contents.
- Texting while behind the wheel of a moving vehicle is strictly prohibited.
- Employees are not permitted, under any circumstances, to operate a College vehicle or a personal vehicle for College business when any physical or mental impairment causes the employee to be unable to drive safely.
- Regardless of impairment, employees may not operate any College vehicle at any time or operate any personal vehicle while on College business while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive.
- Employees holding jobs requiring regular driving for work as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy at all times.
- Employees are solely responsible for any driving infractions or fines as a result of their driving.
- Smoking and vaping are not permitted in LMC vehicles.
- Animals are not permitted in LMC vehicles unless allowed by the Service Animal policy.

### **Use of Employee Vehicles**

Although the College encourages employees to use College vehicles for work travel, employees may also use their own vehicles. Employees who use their personal vehicles will receive a mileage reimbursement; see the [Mileage Reimbursement](#) policy.

### **Auto Insurance Coverage**

The College's insurance policy provides coverage for authorized drivers of College vehicles when on official College business.

An employee using their own vehicle for College business must have an active personal automobile insurance policy that includes bodily injury and property damage liability and that provides primary coverage. The College's insurance may be considered excess coverage for operators of privately-owned vehicles engaged in College business once primary coverage has been exhausted.

### **Reporting Accident, Theft, or Damage Involving a College Vehicle**

Employees must report any accident, theft, or damage involving a College vehicle to Facilities Management and the Manager, Purchasing & Risk Management, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 48 hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of the investigating officer.

Personal property stolen or damaged in an accident in any vehicle is not covered by the College's insurance.

**References:** College Motor Pool procedure (in process)

[Mileage Reimbursement](#) policy

Service Animal policy (in process)

## WORKPLACE VIOLENCE

Office of Origin: ~~Facilities Management~~ Human Resources  
Responsibility: Executive Director, ~~Facilities Management,~~  
~~and Director of Public Safety/Evening Administrator~~ Human Resources  
Original Date Adopted: 7-6-01  
Dates Reviewed: 6-20-18, ~~x-x-22~~  
Last Date Board Approved: 6-20-18

~~Lake Michigan College (the College), consistent with what has always been its goal of providing a safe workplace, has adopted this workplace violence policy.~~

~~Acts or threats of physical violence that involve or affect the College or its students, employees, or guests and which occur on College property or elsewhere when in connection with matriculation, employment, or attendance, with or at the College will not be tolerated.~~

~~Acts or threats of violence include intimidation, harassment, joking and/or coercion; specific examples of conduct that may be considered include, but are not limited to, the following:~~

~~Hitting or shoving an individual~~

~~Threatening harm to an individual or their family, friends or associates~~

~~The intentional damage or destruction of or threat of damage or destruction of property~~

~~Harassing or threatening phone calls~~

~~Harassing surveillance or stalking~~

~~The suggestion or intimation that violence is appropriate~~

~~Unauthorized possession or inappropriate use of firearms or weapons~~

~~Harassing via any mode of social media~~

~~Violation of this policy will lead to disciplinary action up to and including termination and/or legal action, as appropriate.~~

~~Every student and employee is encouraged to report incidents of threats or acts of physical violence. The report may be made to the Director of Public Safety/Evening Administrator, the Executive Director, Facilities Management or to the individual's immediate supervisor.~~

Lake Michigan College (the College) is committed to maintaining a workplace and learning environment where violence, threatening behavior, and harassment (collectively, "workplace violence") directed towards any person will not be tolerated. The College will actively work to prevent and eliminate workplace violence on campus, and will respond promptly and decisively to such.

Any and all forms of workplace violence that involves or affects the College or that occurs on campus is prohibited by this policy. "Campus" is collectively defined as the College's premises, any off-campus location where an employee is on official duty or travel status, and related facilities such as the residence hall.

Workplace violence encompasses any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts

the workplace, the academic environment, or the College's ability to provide services to the public. Examples of workplace violence include, but are not limited to:

Disruptive behavior, which is defined as the intent to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists.)

Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).

Menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively, or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interpret such behavior as constituting evidence of intent to cause harm to individuals or property.

Violating the [Weapons-Free College policy](#).

### General Reporting Responsibilities

Engaging in workplace violence is considered a serious form of employee misconduct. Reports of such acts will be promptly investigated and action will be taken, as necessary, to appropriately address each incident. Actions may include the termination of an employee involved in such acts and the timely involvement of law enforcement, when appropriate. Actions may also include removal of visitors or vendors from campus or termination of vendor contracts.

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any member of the College community. Employees should alert their supervisors, the Director of Public Safety, or the Human Resources Department of any suspicious workplace activity or situations that they observe or of which they are aware, such as threats or acts of workplace violence. Each person to whom such a report is made must immediately refer the report to the Human Resources Department.

Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The College will not condone any form of retaliation against any employee for making a report under this policy. It is important that all members of the College community take this responsibility seriously to effectively maintain a safe working and learning environment

**References:** [Weapons-Free College policy](#)

## DEPARTMENT REPORTS

### ACADEMIC AFFAIRS DEPARTMENT REPORTS

*Dr. Ken Flowers, Interim Provost and Vice President of Academic Affairs*

#### ACADEMIC EXCELLENCE

On August 19, **Jay Keeler**, **Kevin Kreitner**, and **Nathan Kramb** received notifications that they had been selected as recipients of the 2022 Trends in Occupational Outstanding Educator Awards. **Mr. Keeler** won an individual award while **Mr. Kreitner** and **Mr. Kramb** won the team award. Their accomplishments will be recognized on Thursday morning, October 13 at the annual Trends conference during the morning opening session to be held at the Grand Traverse Resort.

On August 31, over sixty Nursing students voluntarily attended a skill review fair during the last week of summer break. Nursing faculty and staff set up and managed ten skill stations for students to have the opportunity for hands-on review before starting their clinical education at the hospital for this Fall semester.

#### STUDENT SUCCESS

On August 22, **Sean Newmiller**, English Department Chair, and student, **Abby Melson**, were featured in a Bridge Magazine article titled "MI Community Colleges Ditching Remedial Courses to Keep Students Enrolled." The article focused on the statewide initiative to remove standalone developmental coursework in favor of a co-requisite model (taking a developmental and transfer level course concurrently) and how LMC has been a leader in that effort since 2014. **Mr. Newmiller's** interview portion focused on LMC's success rates and why co-requisite courses are beneficial for students, while **Ms. Melson** was featured as one of the many success stories of students benefiting from a co-requisite strategy. On September 14, **Chef Luis Amado** with the help of several Culinary students kicked off the first of four, hands-on Culinary Medicine courses. This partnership with Spectrum Lakeland blends the

art of cooking with the science of medicine. Over 20 Spectrum Lakeland employees participated with the objective to be educated about the powerful influence food has on health and disease, and through hands-on cooking classes, teach skills for preparing meals with nutritional benefits toward preventing, managing, and reversing chronic disease.





## **COMMUNITY IMPACT**

In July, **Dr. Sarah J. Smith**, full-time English faculty, gave a presentation to the Dowagiac Rotary Club regarding her father's WW II experiences.

In 1941, John F. Smith, DDS, then eighteen years old and a student at Michigan State College, was initially conducted into the Army Specialized Training Program; in 1943 he was shipped to the European Theatre and managed to survive the Battle of the Bulge.

**Dr. Smith** presented a PowerPoint along with WWII artifacts. Her father was a prolific letter writer, and **Dr. Smith** read from a handful of these letters as well.

Due to **Dr. Tiffany Bohm's** continued efforts, Lake Michigan College has been included in [Washington Monthly's 2022 Best Colleges for Student Voting Honor Roll](#). This report focuses on schools that are doing the most to turn out students to vote, and in 2018, LMC had 34.1% of our students vote (data compiled in the NSLVE report).

Our big push for voter registration is coming up Tuesday, September 20, and we will have registration opportunities at our main campus (Bookstore & Todd Center), as well as at the Niles and South Haven campuses. We are hoping to reach over 50% turnout in the upcoming mid-term election. We have received several grants to support the college's efforts for registration and voter engagement.

## **Student Affairs-Mr. Nygil Likely, Vice President of Student Affairs**

### **Academic Excellence:**

As of September 15 Student Support Services has filled 164 of our 200 participant slots. This is up from the 70 we had in the last academic year.

### **Student Success:**

Student Support Services awarded six students with scholarships for the 2022-2023 academic year.

*Luz Perez* was awarded the Student of the Year Scholarship of \$1,000. She was also awarded the Whirlpool Scholarship

*Ametrius Fleming* was awarded a \$600 Academic Incentive Scholarship

*Quincy Sulton* was awarded a \$600 Academic Incentive Scholarship

*Jeremy Combs* was awarded a \$600 Academic Incentive Scholarship

*Nia Limehouse* was awarded a \$600 Academic Incentive Scholarship

*Toney Walker Jr.* was awarded a \$600 Academic Incentive Scholarship

**Community Impact:**

Upward Bound

Upward Bound seniors have been working with the Pre-College Coordinator, ***Kesha Jones***, to submit college applications. The goal is to submit a minimum of three college applications by the October 31 early admission deadline. Many of the seniors have surpassed this minimum.

Recent UB Graduates began at their respective institutions on August 15. Upward Bound Scholars are at Lake Michigan College, Southwestern Michigan College, Grand Valley State University, Tennessee State University, and Minnesota Technical College.

20 Upward Bound scholars traveled to the University of Michigan on September 10 for a college visit. Upward Bound Scholars enjoyed their trip and were able to eat at Pizza House afterward.

As of September 9, 2022

## **Employment Report:**

### Positions Posted or in the Hiring Process:

Academic Programs Coordinator, Upward Bound  
Admissions Specialist, Niles Campus  
Associate Director, Residence Life  
Coordinator, Learning Assistance & Testing (Part-time)  
Executive Director, Human Resources  
Faculty, Emergency Medical Technology/Paramedic (EMT)  
Faculty, Physical Therapy Assistant (PTA)  
Lecturer, Mechatronics  
Mendel Center Operations Manager  
Teaching Assistant /Lab Coordinator - Natural Sciences  
Office Manager, Student Support Services  
Payroll Assistant (Part-time)  
Phlebotomy Technician Lab Support Specialist (Part-time)  
Residence Life Coordinator (Part-time)  
Specialist, Financial Aid  
Utility, Benton Harbor Campus

### New Hires:

Admissions Specialist, South Haven Campus – Laura Henderson-Whiteford  
Associate Dean, Visual & Performing Arts – George Kendall (9/19)  
Cashier/Accounts Receivable Assistant (Part-time) – Jessica Bennett  
Executive Director, Community & Governmental Relations – Al Pscholka (9/23)  
Director, Educational Opportunity Center – Trevin Alexander (9/19)  
Educational Coordinator – Joanna Higgins  
Instructional Technology Specialist Part-time – John Till  
Instructional Technology Specialist Part-time – Nathaniel Miller  
Lecturer, Music – Rebecca Selvidge  
Technical Support Specialist – Tina Nguyen  
Winemaker - Enologist – Tom Godfrey

### Position Changes:

Effective 9/19/22, the Director, Early / Middle College Partnerships (Rita Whise) will move from reporting to Provost & VP of Academic Affairs to reporting to VP, Student Affairs.  
Effective 9/19/22, Barbara Craig will move into the Director of Career Services & Alumni Relations position and will report to VP, Student Affairs with a dotted line to VP, Advancement & Community Impact.

### Separations:

Assistant Payroll Coordinator – Greg Massey  
Coordinator, Learning Assistance & Testing – Edward Libera  
Provost & Vice President, Academic Affairs – Leslie Kellogg

**ADJOURNMENT**

MOTION by Mr. Curry to adjourn the Regular Meeting of the Lake Michigan College Board of Trustees at 5:35 p.m.

Mary Jo Tomasini  
Lake Michigan College Board Secretary