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ARTICLE IX – PROFESSIONAL STAFF

9.00 DUTIES & RESPONSIBILITIES

Professional Staff shall include all employees that have supervisory responsibilities of processes and/or people and whose job description holds a minimum requirement of a Bachelor's degree including grant funded employees whose primary responsibilities do not include teaching. Professional Staff shall perform their duties and responsibilities as outlined in job descriptions on file with the appropriate administrator.

9.01 WORKING DAY

Unless defined as a condition of hire, the number of working hours per day during the academic year (fall and spring semesters) shall be seven (7) hours exclusive of lunch time. During the balance of the fiscal year, the number of working hours per day shall be six (6) hours exclusive of lunch time. The time of work each day shall be determined by the immediate supervisor.

9.02 WORK WEEK

Employees are normally expected to work Monday through Friday unless other arrangements are made by the immediate supervisor and approved by the President of the College. A work week is defined as the period beginning on a Sunday and ending on a Saturday.

9.03 HOLIDAY SCHEDULE

New Year's Day -- 1 day
Martin Luther King Day 1 day
Presidents' Day -- 1 day
Spring Break -- 5 days*****
Spring Holiday -- 1 day
Memorial Day -- 1 day
Independence Day -- 1 day
Labor Day -- 1 day
Veterans Day -- 1 day
Thanksgiving -- 2 days
Christmas -- 6 days*****

***IT Services may be required to work during these breaks. Hours worked during these breaks will be available for use at other times within the fiscal year. Employees will follow appropriate procedures for requesting time off for the hours worked during breaks.**

9.04 FACULTY ADVISORY COMMITTEE

A committee, to be known as the Faculty Forum Executive Council (FFEC), will be elected by the Faculty and Professional Staff annually following the bylaws of the Faculty Forum Constitution. The bylaws of the Faculty Forum Constitution may not usurp the authority of the Board of Trustees and Board Policy. This committee will be authorized to make recommendations from the Faculty and Professional Staff to the Board of Trustees through the President of the College.

ARTICLE IX – PROFESSIONAL STAFF

9.05 SELECTION

All new positions will be advertised and posted in accordance with the state and federal laws governing equal opportunity employers. Selection of Professional Staff will be the responsibility of the appropriate administrator and the Human Resources Director. They will seek the aid of a hiring committee in making selections. All persons to be employed will be nominated to the Board of Trustees by the President of the College, and employment will be subject to approval by the Board of Trustees as provided in the By-Laws.

Although the selection of Professional Staff will be as provided above, the President of the College may issue a letter of employment that will be binding upon the Board of Trustees under the circumstance that the position has been authorized by the Board of Trustees and the appropriate salary established. The position has been authorized by the Board of Trustees and the appropriate salary established.

9.06 TERM OF EMPLOYMENT

The period of employment is 12 months unless otherwise noted in the contract. Contracts for full-time Professional Staff are subject to annual renewal and require Board of Trustee approval each year. As soon as possible following completion of the periodic evaluation, the Professional Staff shall receive a copy of his/her formal evaluation form and rating scale as filed in his/her personnel file.

9.07 DISMISSAL

1. Full-time Professional Staff who are not to be reemployed at the end of their contract periods will be notified in writing by the last business day in March. These provisions do not apply to part time Professional Staff.

2. Dismissal with Cause: Professional Staff employees may be discharged during the term of contract for one or more of the following causes:

    a. Continued incompetence or inefficiency in the line of duty or workplace environment following written warning and performance improvement plan completion,

    b. Willful or persistent violation of the school laws of the State or the published regulations of the Board of Trustees of the College,

    c. Unreasonable absence or noncompliance from performance of duties,

    d. Conviction of a felony,

    e. Failure to comply with performance improvement plan,

    f. Consistent below satisfactory evaluations,

    g. Willful failure to comply with direction of a supervisor, or

    h. Gross misconduct.

ARTICLE IX – PROFESSIONAL STAFF

9.08 REDUCTION IN FORCE

If, in the judgment of the Administration, it is necessary to implement a reduction in force plan because of financial considerations; a decrease in student enrollment; or program reduction, consolidation, or elimination, the President of the College shall notify the Professional Staff of such intention one hundred and twenty (120) days prior to the end of the contract period. Prior to the April Board of Trustees Meeting the President of the College and the Professional Staff, and/or Faculty-elected representatives, will meet and confer to determine whether there are acceptable alternatives to a reduction in force plan. If a reduction in force occurs, the following criteria will be applied:

1. Subject to program continuity consideration, specialization enrollment by departments and programs, and Professional staff service needs. Professional Staff with the fewest years of service in the district will be considered for reduction in force first.

2. Professional staff on the reduction list may be eligible for re-employment.

3. Affirmative action consideration will be taken into account to modify the seniority principle when, in the judgment of the administration, it appears to be necessary.

4. Notice of reduction in force will be given in writing to Professional Staff no later than forty-five (45) days prior to the contract expiration or, if a contract terminates during the academic year, at least forty-five (45) days in advance of its termination.

5. Professional Staff will continue to have tuition waiver rights of full-time employees for the duration of the current term.

6. Professional Staff who have been with Mineral Area College five (5) years or more will be paid for any accumulated sick leave in accordance with Section 9.14 SICK LEAVE.

7. If a reduction in force is determined by the administration, and approved by the board, due to unexpected financial loss or catastrophic event, the notification timeframe may be altered or amended.

9.09 EMPLOYEE DUE PROCESS

Employees may appeal any decisions made by a supervisor and/or administrator. In all cases the final board of appeal shall be the Board of Trustees, the governing body of the Mineral Area College District.

Guidelines

Except where a definite procedure exists, the following will serve as guidelines for all appeals:

1. Any employee wishing to make an appeal may have counsel to advise and represent him/her in the due process procedure.

2. It will be the employee's sole responsibility to see that the appeal is placed with the Director of Human Resources within ten (10) working days from the date of receiving written notification of the alleged violation.

3. The President of the College will review the case referred to him/her and render a decision. In all cases, a decision will be made only after consultation with the employee and the Human Resources Director, supervisor, and Administrator.

4. If an employee disagrees with a decision made by the President of the College, he/she may submit an appeal to the Board of Trustees. The Board may hear the appeal or affirm the decision of the President without a meeting with the employee.

5. In order to protect the welfare of the employee, all appeals shall be reviewed and resolved within ten (10) working days from the date the administration received the appeal.

6. No reprisals of any kind shall be taken against any employee for participation in the due process procedure.

9.10 EVALUATION

Professional Staff will be evaluated on an annual schedule, no later than March 1, as determined by the appropriate Administrator.

9.11 TERMS OF PAYMENT

Full-time and part-time Professional Staff shall be paid in accordance with the terms of their contracts.

9.12 TEACHING OR EXTRA DUTY ASSIGNMENTS

The assignment for teaching or extra duty assignments shall be reflected in supplemental contracts. The assignment can be administered by payment of extra salary, to be determined by the supplemental contract.

Professional Staff employees that have teaching assignments in excess of their full-time contract will be paid the adjunct rate. All extra duty/teaching assignments must be completed outside of regular working hours of contracted position. Regular work hours may be adjusted due to extenuating circumstances with supervisor approval. .

9.13 VACATION

Full-time 12-month Professional Staff employees will be allowed 67.5 hours of vacation each year for the first 5 years of employment. Thereafter, the vacation allowance will be 101.25 hours. Full-time Professional Staff employees may accumulate a maximum of 135 hours of vacation during the first five (5) years of employment and 202.5 hours thereafter. All other Professional Staff employees serving less than a full year shall receive vacation in the amount equal to 5.63 hours per month worked.

However, this does not in any way alter the statement, "Vacation accrued during any fiscal year should be taken by the end of the following fiscal year unless other

arrangements are made with the supervisor and approved by the President." When an employee resigns, retires or is terminated, accrued vacation may be used before the separation date or accrued time is forfeited. If an employee is unable to use accrued vacation time based on the needs of the college, as approved by administrator and president, the employee will be compensated for accrued vacation at separation. The time of vacation shall be scheduled in accordance with the needs of the College and, as nearly as possible, at the convenience of the employee. It may be necessary to divide the allowed vacation time into two or more periods. Vacation requests shall be made to the immediate supervisor and approved by the respective administrator. Vacation time may be taken in increments of no less than one hour. A Report of Absence form must be submitted immediately upon return to work.

In the event of campus closure due to emergency or inclement weather, employees who have scheduled vacation leave are not required to utilize paid time off for the amount of time campus is closed.

9.14 SICK LEAVE

The primary purpose of sick leave is to protect the Professional Staff employee against losses due to illness. All full-time employees are eligible for sick leave. Each full-time employee shall accrue unlimited sick leave at the rate of 6.75 hours for each calendar month of contracted service.

Whenever any full-time Professional Staff employee is compelled to be absent from duty due to personal illness or illness of an immediate family member in their care, full compensation for the maximum accumulated sick leave hours shall be allowed. Sick leave may be taken in increments of no less than one hour. A Report of Absence form must be submitted immediately upon return to work.

At the beginning of each fiscal year the amount of accrued, unused sick leave will be transferred to the new contract year and additional accumulations will be made, as earned.

For absences in excess of 21 consecutive hours, the employee will be required to submit to the Human Resources Office medical documentation or other acceptable evidence of incapacity to work.

Employees absent for longer than 21 consecutive hours, related to the same illness or injury, are required to notify the Human Resources Office so that it may be determined whether the leave qualifies as family and medical leave.

Paid sick leave may also be used by employees with disabilities for the purpose of securing necessary treatment. Employees may be required to use their accrued sick hours during a leave of absence for their own serious health condition.

In the event of campus closure due to emergency or inclement weather, employees who have scheduled sick leave are not required to utilize paid time off for the amount of time campus is closed.

ARTICLE IX – PROFESSIONAL STAFF

9.15 PAY FOR UNUSED SICK LEAVE UPON RETIREMENT

Professional Staff may accumulate sick leave not used.

Any employee who retires from Mineral Area College or has been employed by Mineral Area College at least 10 years will receive reimbursement for accumulated sick leave according to the following rate determined by the appropriate formula effective at the beginning of the 1984-85 fall term of the academic school year.

Average salary for top five years of employment or part thereof/1300=amount/6.75 hours=dollar amount per hour.

9.16 EMERGENCY/PERSONAL LEAVE

All Full-time Professional Staff employees shall be allowed up to twenty-one (21) hours per year for emergency, funeral or personal business leave. Such leave will be noncumulative and may be taken in no less than one hour increments. In an extraordinary situation, the President of the College may approve emergency leave in excess of twenty-one (21) hours per year; full salary will be paid for such leave.

Uses of emergency leave in excess of twenty-one (21) hours per year will be recorded and reported to the Board of Trustees. A Report of Absence form must be submitted immediately upon return to work.

9.17 WORKERS' COMPENSATION

Workers' compensation insurance benefits, in accordance with Missouri law, are available to all employees of the Mineral Area College District. If an employee is injured on the job, he/she must notify his/her supervisor immediately. Supervisors must notify the Human Resource office in order to file the claim and assist the employee in seeking medical attention. Employees are entitled to receive medical treatment for the work-related injury at no cost to the employee. Employees will be directed to a physician chosen by Mineral Area College, unless emergency services are necessary. If emergency services are necessary, the employee should be seen at the nearest treatment center available.

If an employee is unable to return to work per physician's orders, the employee may be eligible to receive temporary total disability (TTD). Employees do not receive TTD benefits for the first three (3) regularly scheduled work days unless they are off the job for a total of fourteen (14) calendar days at which time the employee will be reimbursed for the first three (3) days off the job. TTD benefits are calculated at two-thirds of the employees' average weekly wage not to exceed a maximum amount as set by legislature. TTD benefits cease when the employee is released by the physician and returns to work.

If after medical treatment the employee is not as physically able as he/she was prior to the injury, the employee may be assessed as having a permanent partial disability (PPD) and may have limitations or restrictions as to perform his/her job when he/she returns to work. Reasonable accommodations will be made for the injured employee if possible.

ARTICLE IX – PROFESSIONAL STAFF

9.18 LEAVE OF ABSENCE

Leave of absence may be granted to a Professional Staff employee without remuneration. Leave must be requested in sufficient time to permit securing an adequate temporary replacement. Leaves of absence must be approved by supervisor, appropriate administrator and human resources.

9.19 PROFESSIONAL IMPROVEMENT

Each Professional Staff employee, including full-time grant funded employees, is encouraged to continue his/her professional improvement. The Board of Trustees recognizes the value of continued professional improvement to Mineral Area College, to the students, to the community, and to the individual staff member.

A Professional Staff employee pursuing an advanced degree or a program that broadens the scope of his/her abilities and knowledge may apply to the President of the College for reimbursement for professional improvement tuition and fees. If the request

is approved, reimbursement may be paid upon successful completion of the courses required for the program.

Reimbursement will be based on charges made by the University of Missouri (Columbia) for similar credits.

A Professional Staff employee who voluntarily separates from employment prior to completing or within 2 years of degree completion will be responsible for repayment of reimbursed tuition according to the pro-rated scale:

2 years after degree completion	0%
19-23 months after degree completion	25%
13-18 months after degree completion	50%
7-12 months after degree completion	75%
0-6 months after degree completion	100%
Prior to degree completion	100% of funds reimbursed by MAC

9.20 RETIREE INSURANCE COVERAGE

Per RsMo 169.590, any employee retiring shall have the option of continuous insurance coverage. Retirees are responsible for payment of insurance premiums.

9.21 EARLY RETIREMENT NOTIFICATION

The College strives to recruit, employ and appropriately train replacement employees in a timely fashion. To enhance the College's hiring process, full-time employees who have worked full-time for at least five (5) years may qualify for a monetary incentive in an amount to be set by the Board of Trustees. The monetary incentive is contingent upon available funds and the Board of Trustees receiving, by February 1 or in special circumstances at least 4 months' notice, the employee's written intent to retire effective beginning the following fiscal year.

ARTICLE IX – PROFESSIONAL STAFF

9.22 ALCOHOL AND DRUG ABUSE POLICY

I. All members of the campus community (students, faculty, staff, alumni, and guests) must adhere to all applicable state and local laws and college regulations related to the sale and use of alcoholic beverages and other drugs.

II. No faculty or staff member shall secure or serve alcoholic beverages or illegal drugs to any student engaged in any college related activity.

III. The consumption, possession, or sale of alcoholic beverages or illegal drugs is strictly forbidden on campus.

IV. Anyone under the influence of alcohol or illegal drugs or otherwise violating college policy regarding drug abuse shall be subject to disciplinary action, up to and including termination.

V. An educational program shall be provided addressing the problems of alcohol and drug abuse. The program will include information services, posters, and brochures.

VI. Counseling will be available to all faculty who identify themselves as having a drug and/or alcohol addiction to supervisory faculty of the College, leading to appropriate referrals.

VII. Disciplinary proceedings for drug/alcohol related abuses shall be conducted using current policies of Mineral Area College.

VIII. Mineral Area College's Policy for a Drug Free Workplace is as follows:

1. The manufacture, distribution, and/or dispensation in the College District's workplace of a controlled substance (as defined by Chapter 195 RSMo) are prohibited. Violations of this policy shall result in the immediate termination of the violating employee.

2. The unlawful use of a controlled substance (as defined by Chapter 195 RSMo) is hereby prohibited and shall result in disciplinary action (up to and including suspension and/or discharge) to the violating employee.

   Any employee who comes to work or is at work while under the influence of alcohol or who consumes alcohol at work shall be subject to disciplinary action up to and including suspension and/or discharge.

3. Any employee convicted of or receiving a suspended imposition of sentence for a drug crime shall report his/her said conviction and/or suspended imposition of sentence within two (2) days after said conviction or suspended imposition of sentence and will be subject to discipline, up to and including termination.

4. Compliance with the provisions of this policy is a condition of an employee's initial and continuing employment.

ARTICLE IX – PROFESSIONAL STAFF

9.23 JURY DUTY/WITNESS DUTY

Mineral Area College encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may request up to one week of paid jury duty leave over any two-year period. Normal pay will continue during that jury duty leave with pay for additional leave at the College's discretion.

If an employee is required to serve jury duty beyond the period of paid jury duty leave and the College does not choose to pay for the time served, the employee may use any available paid time off (e.g., vacation) or may request an unpaid jury duty leave of absence.

The employee must show the jury duty summons to his/her supervisor as soon as possible so that the supervisor may make arrangements to accommodate his/her absence. The employee is expected to report to work whenever the court schedule permits.

Either the College or the employee may request an excuse from jury duty if, in the College's judgment, the employee's absence would create serious operational difficulties.

9.24 DRESS CODE

MAC employees are expected to dress in a professional manner that adheres to the standards appropriate for the nature of their work as defined by their supervisor. Employees are expected to dress in a manner that is not offensive, suggestive, distracting, or insulting to others. Supervisors are responsible for setting and enforcing these expectations.

Article 9.00 (newly created article of Board Policy) approved by Board of Trustees 03-11-21