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Topic: Employee Relations – Procedures

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Policy Number:  
SS5

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**Personnel Files.** A personnel file is established and located in the Office of Human Resources for all support staff employees. The following items are placed in the personnel files: employment applications and resumes, wage and salary information, insurance information and documents, KPERS documents, evaluation results, commendations, disciplinary actions, changes in employment status, correspondence, items required by law, and such other items necessary to document an employee's history with the College.

All employees are entitled to review their respective personnel files during normal College business hours by making an appointment with the Director of Human Resources. During such a review, no items may be added, deleted, or altered unilaterally by the employee; such actions will be considered grounds for disciplinary measures or even termination.

### **Other Leaves of Absence**

**Jury Duty.** A support staff employee who is called for jury duty may be granted a leave of absence without loss of pay for such time as is necessary to complete his/her obligation, **provided that,** such leave will not impair seriously the working responsibilities of the employee's department or unit. In such cases, the Director of Human Resources will request the judge to release the employee.

**Required Court Appearances.** A support staff employee may appear in court when required to do so without loss of pay as a privilege. This privilege does not apply to personal business except when unusual or extenuating circumstances warrant an exception. Such exceptions shall be determined by the President.

**Unpaid Leave.** The Board may require a period of unpaid leave. The period of leave and reason for unpaid leave shall be determined by the Board. The Board shall not be required to pay any salary or benefits during periods of unpaid leave except as may be required by law.

**Nepotism.** See Personnel Policy C15

**Support Staff Meetings.** Meetings of support staff employees will be permitted during normal working hours. It is expected that no more than one support staff meeting will be held per month unless unusual circumstances warrant additional meetings.

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**Workshops and Conferences.** Upon approval of the immediate supervisor, members may attend both on-campus and off-campus workshops and conferences without loss of pay. All travel arrangements of support staff personnel will be processed through the normal institutional travel policies and procedures.

**Grant Funded Positions.** Support staff employees who hold an employment arrangement funded by a grant will not be guaranteed or promised continued employment upon the termination of grant funding. If an employee under a grant-funded employment arrangement is selected to fill a non-grant funded regular position vacancy, the salary of the regular position will prevail.

**Drug-Free Workplace.** See Personnel Policy C8.

**Sexual Harassment.** See Personnel Policy C9.

**Problem Resolution.** See Personnel Policy C10.

### **Discipline Definitions**

**Verbal Warning** – to communicate verbally to the employee the supervisor’s observations of policy/procedural violations or unacceptable behavior.

**Written Reprimand** – a statement of the specific charges or observed behaviors that will include a warning that the continuation of observed violations and/or behaviors will result in a more severe disciplinary action or even termination of employment.

**Suspension** – requiring an employee to leave their position usually for a short period of time for a reason that would include, but is not limited to, employee behavior that is deemed to be unusually severe or hostile.

**Demotion** - to change the position of an employee to a lower one.

**Termination** - employment with the college is severed.

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### **Causes of Disciplinary Action**

The following is a list which may include, but is not limited to valid reasons or causes for disciplinary action such as verbal warning, written warning, suspension, demotion, and termination. Cloud County Community College reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense.

- Conviction of a felony. (If an employee with a felony conviction is conditionally offered employment, and it is revealed at the time of employment and made a matter of record in the employee's personnel file, that conviction shall constitute a reason for subsequent non-renewal or termination).
- Commission of acts, which cause or result in a disruption of the operation of classes or other regular activities at the college.
- Failure to maintain required certification and/or licensing for position held.
- Activity which adversely reflects upon the college or impairs effectiveness on the job.
- Incompetency.
- Insufficient revenue.
- Inability to perform the essential job functions with or without reasonable accommodations.
- Unauthorized absence or excessive absenteeism.
- Unauthorized conversion or use of college property for personal use.
- Violation of terms of contract.
- Failure to comply with reasonable requirements of the job, as may be prescribed from time to time.
- Willful neglect of duty.
- Insubordination.
- The unlawful manufacture, distribution, dispensation possession, or use of a controlled substance (as defined in the Drug-Free Workplace Act of 1988) by an employee in the workplace, being under the influence of a controlled substance while performing work duties (with the exception of using the employee's own prescription medications in accordance with label directions) and/or failure of an employee to notify the college of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) business days after such conviction.

**Resignation.** Any support staff employee who wishes to terminate voluntarily his/her employment at the College shall submit a letter of resignation to his/her immediate supervisor a minimum of two (2) weeks prior to the date of resignation. The employee

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will be compensated at his/her hourly rate on the first monthly payroll following the date of resignation for all unpaid hours, all accrued by unused vacation days, and all accrued but unused compensatory time. In order to receive payment for accrued but unused vacation leave upon separation, proper notice must be given. Proper notice is defined as ten business days. Business days are defined as weekdays, Monday through Friday, excluding scheduled College closings. Employees who are terminated for “gross misconduct” as used by the Kansas Unemployment System or whose voluntary resignation date is escalated for “gross misconduct” as used by the Kansas Unemployment System will not be eligible for payout for accrued but unused vacation leave upon separation. In addition, the employee will be advised of and extended all options available under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

**Reduction in Work Force.** The Board of Trustees may, at its total discretion, **reduce** the scheduled working hours, **assign** to another position at the College, **lay off** temporarily, or **abolish** the position of any support staff employee as the result of a lack of funds or the curtailment of work activities. The support staff employee shall be given written notice a minimum of two weeks prior to such actions.

Persons in good standing who are laid off temporarily will either be recalled as soon as conditions permit, or given priority based upon qualifications and length of service to be hired for a different position at the College when conditions permit. The decision to recall or rehire a support staff employee who has been laid off temporarily is at the discretion of the President.

A support staff employee who has been laid off temporarily, will be compensated at his/her current hourly rate on the first monthly payroll day following the date of lay off for all unpaid hours worked, all accrued but unused vacation hours, and all accrued but unused compensatory hours. In addition, the employee will be advised of and extended all options available under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

A support staff employee, whose position has been abolished, will be compensated at his/her current hourly rate on the first monthly payroll day following the date of abolishment for unpaid hours worked, all accrued but unused vacation hours, and all accrued but unused compensatory hours. In addition, the employee will be advised of and extended all options available under COBRA.

Grant-Funded Employees. Upon resignation or other reasons for separation of employment, grant-funded employees will not be paid a lump sum of the remaining vacation leave unless the grant provided funding for the vacation leave.

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**Involuntary Termination.** A support staff employee who is absent from work for five (5) consecutive workdays without approval shall be considered to have abandoned the position and to have resigned. A support staff employee whose employment is terminated by the President for unacceptable behavior as described above in the section on suspension shall be compensated at his/her hourly rate on the first monthly payroll day following the date of termination for all unpaid hours worked, all accrued but unused vacation hours, and all accrued but unused compensatory time. The involuntarily terminated employee will be advised of and extended all options available under COBRA.

**Involuntary Termination Without Cause.** Since Kansas is an employment-at-will state, the President may terminate the employment of any support staff employee at its total discretion without cause upon written notice two weeks prior to the termination date.

A support staff employee so terminated shall be compensated at his/her hourly rate on the first monthly payroll day following the date of termination for all unpaid hours worked, all accrued but unused vacation hours, and all accrued compensatory time. In addition, the employee will be advised of and extended all options available under COBRA.

**COBRA.** The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) was enacted to ensure, among other things, that employees who experience certain defined “qualifying events” may continue health coverage for themselves and their respective dependents for specific periods of time following the qualifying event(s). Since the circumstances of a qualifying event will vary from person to person, support staff employees should contact the Director of Human Resources for an explanation of the continuation rights under COBRA.

Qualifying events include separation from employment, reduction of working hours, divorce, death, loss of dependent status as a result of age, disability, retirement prior to age 65, and any other event determined to be qualifying under COBRA provisions. In those cases in which COBRA and state law requirements and regulations vary, the employee will be extended the benefits most favorable to the employee.

It is the responsibility of a support staff employee to notify the immediate supervisor and the Director of Human Resources of the occurrence of a qualifying event(s).