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Handbook and Human Resources Policies Acknowledgement Form
Welcome

Dear SMC Team Member,

Welcome to Southwestern Michigan College! We are delighted to have you as a member of the SMC family. Excellent faculty and staff are identified as a condition for success in our 2020-2023 Strategic Plan. The value statement relevant to it reads: “We will continue to value our diverse exceptional faculty and staff by creating a culture of open communication, celebrating the successes of groups and individuals, and being committed to attracting and developing quality faculty and staff.”

I welcome your suggestions as we continually strive to improve and refine our policies and procedures, and most importantly to enhance the experience of our students. I trust that you will be a positive and successful employee of the College, and I wish you the best in your tenure at SMC.

All the best,

Dr. Joe Odenwald,
President
Mission Statement

The mission of Southwestern Michigan College is to serve our community by providing affordable local access to high quality postsecondary career preparation and college education – including the total college life experience.

Core Values

The core values of Southwestern Michigan College describe the beliefs that direct the College in all that it does.

- "Excellence with a Personal Touch" is a working principle guiding our actions.
- High quality is inherent in all that Southwestern Michigan College does.
- We have a commitment to be responsible managers of college resources: human resources by promoting growth, satisfaction, and empowerment; financial resources by operating with a balanced budget and investing in the future; physical resources by maintaining a high quality physical plant.
- We believe in “Knowledge for all.” As the only institution of higher education in the district, Southwestern Michigan College has the dual responsibilities of providing postsecondary career preparation for those who are seeking immediate employment and college coursework and degrees for those seeking baccalaureate degrees.
- We have a commitment to being a learner-centered college, developing students through a total college life experience and providing them with 21st century services.

Civility Statement

Southwestern Michigan College is committed to the highest standards of academic and ethical integrity. All members of our academic community are encouraged to promote and value an ethic of common respect and civility. SMC defines civility as the demonstration of respect for others, basic courtesy, reciprocity (treating others as we wish to be treated), and behaviors that create a positive environment in which to learn and to work.

Membership in any community is enhanced by a concern for the common good for all who belong to that community. Each individual may possess different ideas as well as different ways of communicating those ideas, particularly in a community as varied and diverse as a college. Because of these differences, respect and civility are integral to maintaining the quality of the academic environment and free inquiry. Respect and civility should, therefore, be afforded to all individuals regardless of race, ethnicity, gender, age, sexual orientation, disability, religion, family status, socioeconomic level, educational background, veteran status, or position at the college.

Examples of civility that we wish to foster within our campus community:

- A feeling of shared responsibility to cultivate an environment in which all members feel intellectually respected and physically safe.
- Everyone in the community takes a personal responsibility for creating a productive learning environment.
- The ability to express ideas and thoughts in a respectful manner.
- Respect for other people’s work is also important. This includes acknowledging material, including ideas, images, and language, taken from electronic, language, and visual sources available in print sources and on the internet.
• Students behave in a courteous and respectful manner toward their instructors and fellow students by being self-disciplined and responsible for their own learning.
• All members of the college community (faculty, staff, and students) exemplify and model civil behavior, and in so doing, provide direction for each other.

History of SMC
Southwestern Michigan College was founded in 1964 in Dowagiac and began classes in 1966. The first class graduated in 1968. A Niles campus was built and opened in 1991 and the Michigan Technical Education Center (M-TEC) at SMC opened in 2001 at the Niles Campus.

SMC is one of 28 community colleges in the state of Michigan and is locally governed by an elected seven member Board of Trustees. SMC’s tax paying district includes Cass County and Hamilton and Keeler townships in Van Buren County. The College’s service area also includes Berrien County and Northern Indiana.

Human Resources
Mission Statement
The mission of Human Resources is to be a partner with the SMC Community by supporting the employee life-cycle with honesty, integrity, and respect.

Core Values
Equal Treatment: We have a commitment to providing equal treatment to all, including accepting and promoting a diverse and inclusive community where people are treated with respect.

Safe Environment: We provide a place where employees are supported and safe.

Growth, satisfaction, and empowerment: We support the employee life-cycle through a holistic approach in the following ways: providing training and supporting professional growth, ensuring satisfaction through comprehensive benefits and wellness programs, and empowering employees by encouraging learning, and supporting knowledge for all.

Student connection: Extend the classroom experience through on campus job opportunities that provide valuable work experience in building additional skills.

Conditions of Employment
Policies governing conditions of employment for staff members of Southwestern Michigan College have been established by the Board of Trustees. These policies can be found at: https://portal-proxy.swmich.edu/new-orc/-/wiki/ORC/Board+Policy+Manual+Table+of+Contents. The Board delegates authority to execute College policies to the President and their cabinet. The President is the officer of the College and the principal spokesperson for the College with the Board of Trustees and the community. Please refer to administrative procedures within each department for guidelines on College operations.

Updated 02/17/2021
This handbook contains policies applicable to all employees at Southwestern Michigan College except where in conflict with a Collective Bargaining Agreement, in which case the Collective Bargaining Agreement shall take precedence.

This handbook summarizes many, but not all, of the College's employment policies, practices and benefits. Those actions initiated by a work coordinator, supervisor and/or administrator which affect the employment conditions or status of a staff member will be in accordance with applicable federal and state laws, Board policies and administrative procedures. This handbook serves as a guideline for these topics. Supporting details are provided in the relevant Board policies or administrative procedures on the following pages of text. The handbook should not be viewed as a contract between employees and the College, nor should any statement contained herein be construed to supersede actual Board policy, administrative procedure or established employment precedents. Further, it should be understood that no one other than the President of the College or the Board of Trustees is authorized to enter into any agreements contrary to the policies and procedures in effect at any point in time and such agreement will only be enforceable if it is in writing signed by the President or a Trustee with authority to enter into the document.

**Equal Opportunity and Commitment to Diversity**

**Equal Opportunity Policy**
The Equal Opportunity Policy may be found in Board Policy.

**Americans with Disabilities Act (ADA) and Reasonable Accommodation**
In accordance with the Americans with Disabilities Act (ADA), no qualified individual with a disability shall, by reason of such a disability, be excluded from participation in, or be denied the benefits of the services, programs or activities of Southwestern Michigan College or be subjected to discrimination by Southwestern Michigan College. Nor shall any qualified individual, in regard to job application procedures, the hiring, advance or discharge of employees, employee compensation, job training and other terms, conditions and privileges of employment and/or student services be denied any service, program, or activity of Southwestern Michigan College.

Reasonable accommodations will be provided to qualified employees with a disability to enable the employee to perform the job’s essential functions unless the accommodation(s) causes the College to incur an undue hardship. Under Michigan law, disabled employees who believe an accommodation is needed to perform the job’s essential functions must notify the Human Resources Department in writing of the need for an accommodation within one hundred eighty-two (182) days after the date they knew, or should have known, that an accommodation was needed. The College treats all medical information and records as strictly confidential.

**Commitment to Diversity**
Southwestern Michigan College is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the college and are valued for their skills, experience, and unique perspectives. This commitment is embodied in college policy, the way we hire, onboard, and train employees and the way we educate our students.
Anti-Harassment, Discrimination & Retaliation and Complaint Procedure

Southwestern Michigan College does not permit discrimination or harassment in its programs and activities as defined by federal and state law and/or college policy. Anyone who believes they have been subjected to discrimination or harassment in violation of this policy, law or regulation should follow the procedure outlined in this document to report these concerns. Any college community member who believes that they have been subjected to sexual harassment or sexual misconduct of any kind should refer to the College’s Sexual Misconduct Policy and promptly report the violation in accordance with that Policy.

Definitions

**College Community Member** is defined as a student, faculty, employee or administrator of Southwestern Michigan College.

**Reporting Party** is defined as the person who is alleging to have been discriminated or harassed in violation of SMC policy.

**Responding party** is defined as the person who is alleged to have discriminated or harassed someone.

Overview of Process

If a college community member alleges a violation of this policy, the college will initiate an investigation that is thorough, reliable, impartial, prompt and fair. If the investigation determines that a policy violation has occurred, the college will promptly implement an effective remedy designed to end the wrongful conduct, prevent its recurrence and address its effects. To the extent possible, all complaints will be kept confidential. However, it is the primary goal of the College to investigate and resolve all harassment and discrimination complaints. As part of the investigation, it is likely that it will be necessary to reveal certain details and information to certain individuals who have a legitimate need to know. It is also possible that the information gathered during an investigation will be subject to subsequent legal or administrative proceedings which will require disclosure of the contents and results of the investigation.

Interim Remedies/Actions

The Chief of Staff (or designee) may provide interim remedies intended to address the short-term effects of harassment, discrimination and/or retaliation, i.e., to redress harm to the alleged victim and the community and to prevent further violations.

These remedies may include, but are not limited to:

- Referral to counseling and health services
- Education to the community
- Altering the housing situation of the responding party (resident student or resident employee (or the alleged victim, if desired))
- Altering work arrangements for employees
- Providing campus escorts
- Providing transportation accommodations
- Implementing contact limitations between the parties
- Offering adjustments to academic deadlines, course schedules, etc.

The college may suspend a student, employee or organization on an interim basis pending the completion of investigation and resolution, particularly when, in the judgment of Chief of
Staff (or designee), the safety or well-being of any member(s) of the campus community may be jeopardized by the on-campus presence of the responding party, or the ongoing activity of a student organization whose behavior is in question. In all cases in which an interim suspension is imposed, the student, employee or student organization will be given the opportunity to meet with the Chief of Staff (or designee) prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show good cause why the suspension should not be implemented.

The Chief of Staff (or designee) has sole discretion to implement or stay an interim suspension and to determine its conditions and duration. Violation of an interim suspension is grounds for expulsion or termination.

During an interim suspension or administrative leave, a student or employee may be denied access to housing and/or the campus/facilities/events as determined by the Chief of Staff (or designee). This restriction can include classes and/or all other college activities or privileges for which the student might otherwise be eligible. At the discretion of the Chief of Staff (or designee) alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding party.

**Formal and Informal Resolution Procedure for Reports of Violations**

**Informal Resolution**

Before pursuing the Formal Resolution Process, every reasonable effort should be made to constructively resolve conflict between SMC community members. Whenever possible, safe, and appropriate, the alleged problematic behavior, conflict or misconduct should first be discussed by the impacted person and the person engaged in the problematic behavior, conflict or misconduct. The Chief of Staff will facilitate such conversations, upon request and monitor them for safety.

The college does not require an impacted party to contact the person involved or that person's supervisor if doing so is impractical, inappropriate, if the impacted party believes that the conduct cannot be effectively addressed through informal means, or if the discrimination/harassment involves violence. If informal efforts are unsuccessful, the formal resolution process may be initiated. Either party has the right to end the informal process and begin the formal process at any time prior to resolution.

**Formal Resolution Procedure**

The college Chief Of Staff is designated to formally investigate, address inquiries and coordinate the college's compliance efforts when there is an alleged violation of this policy. The Chief of staff may assign other college administrators to assist in these efforts. If an employee is involved in a complaint, one or more members of the Human Resources department will be involved in the formal resolution procedure. If the Chief of Staff has a conflict of interest, the President shall choose the appropriate college administrator to perform these duties.

Employee complaints taken by a supervisor must be communicated to Human Resources within twenty-four (24) hours.

Any employee who believes they have been subjected to any harassment or discrimination in violation of this policy should file a written complaint on the Harassment, Discrimination or Retaliation Complaint IMMEDIATELY after the incident(s) occurred. Additional copies of the form are available in Human Resources. Complaints may be submitted to the Human Resources Director or the Chief of Staff or via the SMC Concerns reporting system provided on the college web page. All other community members should use the SMC Concerns reporting system to report violations of this policy.
If the reporting party wishes to pursue a formal resolution, or if the college, based on the alleged policy violation, wishes to pursue a formal resolution, trained investigators will be assigned to conduct the investigation once a determination that a resolution should proceed.

All investigations will be prompt, thorough, reliable and impartial, and will entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary. The college may delay its investigation or resolution process when needed to comply with a law enforcement request for cooperation when criminal charges on the basis of the same behaviors that invoke this process are being investigated.

The investigator will take the following steps (not necessarily in order):

- Determine the identity and contact information of the reporting party;
- Initiate any necessary remedial actions;
- Identify the exact policies allegedly violated;
- Meet with the reporting party, if necessary, as part of the initial inquiry;
- Prepare the notice of charges on the basis of the initial inquiry;
- Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding party;
- Complete the investigation promptly, and without unreasonable delay;
- Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not) and share that information with the Human Resources Director.

The Human Resources Director (employees as respondent) or Student Conduct Director (student as respondent) will then determine what sanctions (if any) will be the result of the finding. They will then share the findings with the responding and reporting party. The Human Resources Director or Student Conduct Director will also notify the reporting party if sanctions are to occur, but not necessarily the nature of the sanctions.

At any point during the investigation, if it is determined there is no reasonable cause to believe that college policy has been violated, the Chief of Staff (or designee) has authority to terminate the investigation and end resolution proceedings.

**Outcome**

Where the investigation determines that, based on a preponderance of the evidence, there has not been a violation of this policy, the investigation will be closed.

Where a violation is found based on the preponderance of the evidence, the college will act to end the wrongful conduct, prevent its recurrence, and remedy its effects on the victim and the college community.

**Appeal Procedures**

College Community Members who disagree with the findings of the investigation and/or the sanctions may file a written appeal to the Chief of Staff within seven (7) working days of receiving the notice. The Chief of Staff will respond in writing within fourteen (14) days of receiving the appeal. The decision of the Chief of Staff is the final decision of the college.

The ONLY grounds for appeal are as follows:

- A procedural [or substantive] error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
To consider new evidence, unavailable during the investigation, that could substantially impact the finding or sanction. A summary of this new evidence and its potential impact must be included;

- The sanctions imposed fall outside the range of sanctions designated for this offense and the cumulative conduct history of the responding party.

Should the appeal be granted then the case will be remanded to the Human Resources or Student Conduct Director to allow reconsideration of the original determination.

**Non-Retaliation**

The College not only prohibits discrimination and harassment, but also strictly prohibits any retaliation against any college community member who, in good faith, has registered a complaint. Any college community member who, after an investigation, has been determined to have retaliated against an employee for making a complaint under this policy will be subject to appropriate discipline up to and including discharge. Any college community member who believes they have been retaliated against for exercising the rights guaranteed under this policy, should utilize the complaint procedure or notify the Chief of Staff, Director of Human Resources or Student Conduct Director.

**False Complaints**

Any employee who files a complaint which is knowingly false when made will be subject to immediate discipline up to and including discharge. Any student who files a complaint which is knowingly false when made will be subject to immediate discipline up to and including expulsion.

**WARNING:** Harassment, including sexual harassment and other forms of prohibited conduct, may lead to personal liability. Any person engaged in such conduct may be compelled by a court to pay money damages to victims of harassment.

**Conflict of Interest and Confidentiality**

**Employee Conflict of Interest Policy**

The Southwestern Michigan College Board of Trustees Policy Manual states that all college employees who are in a position to authorize or execute purchases or who are in a position to authorize or substantially influence business transactions with the College must adhere to the College Conflict of Interest Policy.

Board Policy Employee Conflict of Interest Policy

**Confidential Information**

As an employee at Southwestern Michigan College, you will have access to private information as a condition of employment to the extent necessary to perform your duties. This confidential information includes, but is not limited to, transcripts, applications, personnel files, personal and institutional information and other written materials or electronic files. It also includes conversations about confidential information.

You cannot release this information to the public or to other individuals, including but not limited to college employees who have not been authorized or who do not have a legitimate institutional or business need to know.

By virtue of your employment at Southwestern Michigan College, you may have access to records or other forms of individually identifiable information, the disclosure of which is
prohibited by the Family Educational Rights and Privacy Act of 1974 (FERPA). Disclosure of this information to any unauthorized person could subject you to criminal and civil penalties imposed by law.

Should an employee breach this confidentiality requirement, there may be disciplinary action up to and including termination.

**Employment Relationship**

**Employment Classifications**

**Fair Labor Standards Act Job Classifications**

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws:

- Nonexempt employees are employees who are not exempt from the Fair Labor Standards Act’s (FLSA) requirements concerning minimum wage and overtime.
- Exempt employees are generally executives, managers, professional, administrative, or instructors who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

The College will notify you as to whether your position is exempt or non-exempt. If you have any questions regarding this designation, please see Human Resources.

**Southwestern Michigan College Job Classifications**

Southwestern Michigan College has established the following categories for both nonexempt and exempt employees:

- Full-time Administrators are not in a temporary status and are regularly scheduled to work SMC’s full-time schedule. This is typically a leadership position. Generally, they are exempt employees and eligible for the full benefits package, subject to the terms, conditions and limitations of each benefit program.
- Full-time Classified employees are not in a temporary status and are regularly scheduled to work SMC’s full-time schedule. Generally, they are nonexempt employees and eligible for the full benefits package, subject to the terms, conditions and limitations of each benefit program.
- Full-time Faculty are not in a temporary status and are regularly scheduled to teach SMC students during fall and spring semesters. Generally, they are exempt employees and eligible for the benefits as stated in the applicable Collective Bargaining Agreement, subject to the terms, conditions and limitations of each benefit program.
- Full-time Professionals are not in a temporary status and are regularly scheduled to work SMC’s full-time schedule. Generally, they are exempt employees and eligible for the full benefits package, subject to the terms, conditions and limitations of each benefit program.
- Adjunct Faculty are hired one semester at a time to teach SMC students and are regularly scheduled to work less than the full-time schedule. Generally, they are
exempt employees and are eligible for some specifically identified benefits offered by SMC, subject to the terms, conditions and limitations of each benefit program.

- **Employment Pool employees** are hired as on-call, as needed, to supplement the workforce or to assist in the completion of a specific project. They are scheduled to work less than SMC’s full-time schedule for a limited duration, or up to 1,040 hours from October 1st through September 30th, averaging no more than 25 hours per week during the 12 month period. Employment beyond any initially stated period does not in any way imply a change in employment status. Employment pool employees are eligible for some specifically identified benefits offered by SMC, subject to the terms, conditions and limitations of each benefit program.

- **Part-time Classified employees** are not in a temporary status and are regularly scheduled to work less than the full-time schedule. Generally, they are nonexempt employees and work at least 20 hours each week. They may work up to 1,456 hours from October 1st through September 30th, averaging no more than 28 hours per week during the 12 month period. Regular Part-time Classified employees are eligible for some specifically identified benefits offered by SMC, subject to the terms, conditions and limitations of each benefit program.

- **Student Employees** are enrolled at SMC for at least half time (six credits in the fall and spring or three credits in the summer) or continuing their education with a four-year College partner, on the campus of SMC, and be enrolled in a minimum of six credit hours and at least one SMC credit hour during the fall and spring semesters and three credit hours and at least one SMC credit hour during the summer semester, with a primary goal of pursuing an academic degree. They are nonexempt employees who are appointed to a position designated as “student” and are not eligible for benefits being offered by SMC except as required by law. They generally do not work more than 20 hours per week.

**Board Policy – Staff Personnel - Definitions**

**Time Records**

All nonexempt employees are required to complete accurate weekly time reports showing all time actually worked. These records are required by governmental regulations and are used to calculate regular and overtime pay. At the end of each pay period, the employee and their supervisor must acknowledge the time sheet attesting to its correctness before forwarding it to the Payroll department.

**Overtime**

When operating requirements or other needs cannot be met during regular working hours, employees may be required to work in excess of 40 hours in a 7 day work week. At Southwestern Michigan College the work week begins on Saturday at 12:00 a.m. and ends on Friday 11:59 p.m.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Paid time-off, holidays, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Southwestern Michigan College requires authorization from the employee’s supervisor for all hours worked over 40 in a standard work-week. Working overtime without authorization may lead to disciplinary action up to and including discharge.
On occasion, the College will offer volunteering opportunities. The College accepts the services of staff as volunteers. This service is accepted provided that the volunteer service meets all legal requirements.

**Human Resources Policy – Volunteer Policy**

**Attendance and Punctuality**

Regular attendance is critical to the College’s success as well as the success of its students. As such, unless otherwise prohibited by law, you are expected to be dependable and reliable, and that means to be at work every day you are scheduled and to be on time. A considerable amount of importance is placed upon a person’s dependability on the job. Attendance records (absence and tardiness) are a vital factor in employment related decisions regarding performance, wage increases, promotions, transfers and discharge. Excessive absenteeism/tardiness is subject to disciplinary action and may result in termination pursuant to the “at-will” relationship.

If you are going to be absent, you must notify your supervisor before the beginning of your shift by using the proper call-in procedure. Failure to notify your supervisor, pursuant to this policy is subject to disciplinary action.

A doctor’s certificate may be required before you are allowed to return to work after an absence of three (3) or more consecutive work days, or for a previously unscheduled one (1) day absence which occurs on a regular working day immediately prior to or following a holiday or vacation period.

An absence of three (3) or more consecutive working days without notification as set forth above will be considered a voluntary resignation.

**Breaks For Nursing Mothers**

Nursing mothers will be provided with reasonable breaks to express breast milk for her to nurse her child for up to one year after the child’s birth. Nursing mothers may take such a break as frequently as needed.

The College will provide a place that is shielded from view and free from intrusion from coworkers and the public for nursing mothers to use to express breast milk.

For more information on this policy, including where nursing mothers may take their break to express breast milk, please contact the Human Resources Director.

**Emergency Closings**

Please refer to our [Emergency Closing - Snow Day Compensation Policy](#).

**Payroll Deductions and Optional Deductions**

The law requires that Southwestern Michigan College make certain deductions from every employee’s compensation. Among these applicable are federal, state, and local income taxes. Southwestern Michigan College must also deduct Social Security and Medicare taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." Southwestern Michigan College matches the amount of Social Security and Medicare taxes paid by each employee. Southwestern Michigan College offers programs and benefits
beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions (i.e., voluntary wage assignments, court orders for payment of child support, wage garnishments) taken by Southwestern Michigan College, usually to help pay off debt or other qualified obligations.

SMC employees may elect to make voluntary contributions. Questions regarding voluntary contributions to the Southwestern Michigan College Foundation, should be directed to the Development Office. Other voluntary contributions such as donations to the United Way may be organized through the Payroll Office. If you are interested in making a donation and would like more information about these programs, please visit the Payroll Office.

**Pay Periods and Pay Days**

Checks will be distributed to Southwestern Michigan College employees on a bi-weekly basis, usually on Friday. Direct deposit information may be found using Employee Dashboard on Wired.

Employees should carefully review every paycheck and pay stub, which will outline any deductions from pay. If you believe that there has been an error in your pay, please contact the Payroll office immediately. A prompt investigation will be conducted. If the College determines that an error has occurred, it will be rectified immediately.

**Employment Records**

To comply with the law, employment records must be kept up to date. If there is a change in mailing address, telephone number, marital or dependant status, etc., information must be submitted to the Department of Human Resources by completing an Employee Change Request Form. An employee's record of address on file with the Human Resources Department, is the official address. Southwestern Michigan College will adhere to the standards defined by the Bullard-Plawecki Employee Right to Know Act.

[Employee Change Request Form](#)

**Access to Personnel Files**

Employee files are maintained by the Human Resources department and are considered confidential.

**Access by the Employee:**

Upon reasonable intervals, generally not more than twice a year, an employee may inspect and review the employee’s personnel file. The employee must submit a written request to review the file to Human Resources at hr@swmich.edu. Human Resources will process all personnel file requests and will assemble all personnel file records for review by the employee. Once the request has been processed, Human Resources will contact the employee to schedule the review. In all instances, individuals reviewing documents will be accompanied by an authorized college representative. The review shall take place in Human Resources during normal business hours. If a review during normal business hours would require the employee to take time off work, the employee shall be provided some other reasonable time or opportunity for review. After review, the employee may obtain a copy of
some or all of the personnel file, in which case only actual costs may be charged.

**Access by College Personnel:**
Managers, deans, department heads, supervisors, human resource personnel, investigators, or other college personnel with a business need to do so, may review an individual’s personnel file upon request and demonstrate the business need.

**Access by a Third Party:**
Personnel files or information from personnel files will be made available to those outside the College only with the consent of the staff member, or as required by law.

**Personal Relationship Policy**
To ensure that the College remains free from personal conflicts of interest in its hiring practices and in the learning and working environment, the College prohibits individuals who have a personal relationship from working in positions that have a reporting relationship, either directly or indirectly. No individual may participate in or influence, directly or indirectly, decisions having a direct benefit—including but not limited to salary, promotion, performance appraisals, work assignments, or other learning and working conditions—for an individual with whom a personal relationship exists. Exceptions to this policy may occur when assistance is needed for special, temporary, or special short-term projects, typically less than three months. All exceptions require the prior approval of the President.

In addition, it is considered unethical and a conflict of interest for an employee to have any personal relationship with a student: 1) during the time of course/program enrollment in the employee’s department, 2) when an employee has oversight responsibilities for a student, or 3) when a significant power differential exists. An example of a power differential would include, but not be limited to, if an employee is in a position to recommend the student for academic or employment opportunities, even after the student has completed courses with the employee.

To avoid a conflict of interest, the definition of personal relationship that is covered by this policy will be interpreted broadly. A personal relationship generally includes relations by blood or marriage, domestic partners, individuals living in the same household, or individuals having a consensual romantic, intimate, or sexual relationship. A personal relationship between an employee and student is also any relationship that is unprofessional and goes beyond the bounds of a teaching-learning or educational focus.

An employee who has a personal relationship with another employee or student must disclose the relationship to the Director of Human Resources in a timely manner to assess the implications for the learning and working environment and to make arrangements to ensure that decisions are made in an appropriate and unbiased manner. Each employee who is involved in a personal relationship with another employee or student is individually responsible for disclosing the relationship as described in this policy.

Employees who fail to meet the disclosure requirements described in this policy will be subject to appropriate disciplinary action up to and including termination. In addition, because a supervisor bears an affirmative responsibility for sustaining a positive learning and working environment that is conducive to the professional growth of all individuals, supervisors must disclose to Human Resources all personal relationships of which they are aware, even if the supervisor is not involved in the relationship. If a supervisor fails to
report a personal relationship, he/she will be subject to appropriate disciplinary action, up to and including termination of employment, especially if there has been bias, favoritism, or sexual harassment in connection with that relationship.

Any individuals involved in a personal relationship must conduct themselves appropriately in the workplace to avoid offending others or placing others in an uncomfortable position.

If you have any questions as to whether a relationship falls within this policy, please discuss it with Human Resources.

**At-Will Employment Relationship & Separation from Employment**

Employment with Southwestern Michigan College is voluntary and subject to termination by the employee or Southwestern Michigan College at will, with or without cause, and with or without notice, at any time. Nothing in this policy shall be interpreted to conflict with or to eliminate or modify in any way the employment-at-will status of Southwestern Michigan College employees.

**Voluntary Terminations**

A voluntary termination of employment occurs when an employee submits a written or verbal notice of resignation, including intent to retire, to their supervisor or when an employee is absent from work for three (3) consecutive workdays and fails to contact their supervisor (job abandonment).

**Procedures**

Employees are requested to provide a minimum of two weeks' notice of their intention to separate employment. The employee should provide a written resignation notification to their manager.

Administrators are requested to provide at least twenty-eight (28) days written notice of their intention to separate employment with the College. Administrators are expected to work twenty (20) working days after giving notice.

Faculty are required to give notice by July 1st to terminate their employment for Fall Semester and by November 1st to terminate their employment for Spring Semester. Faculty are required to complete all Fall Semester teaching obligations if they fail to furnish notice of intent to resign by July 1 and are required to complete all Winter Semester teaching obligations if they fail to furnish notice of intent to resign by November 1st.

Employees who fail to provide the requested minimum notice will forfeit any unused vacation and may forfeit rehire eligibility status.

Upon receipt of an employee's resignation, the manager will notify the Human Resource (HR) department by sending a copy of the resignation letter and any other pertinent information (e.g., employee's reason for leaving, last day of work) and complete a Termination Workflow.

The HR department will coordinate the employee's departure from the College. This process will include the employee's returning all College property, a review of the employee's post-termination benefits status, the employee's completion of an exit interview, and completion of a Personnel Action Notice.
Involuntary Terminations
An involuntary termination of employment, including a layoff of over 30 days, is a management-initiated dismissal.

Death of an Employee
A termination due to the death of an employee will be made effective as of the date of death. Upon receiving notification of the death of an employee, the employee's manager should immediately notify HR. Human Resources will process all appropriate beneficiary payments from the various benefits plans. The employee's manager should ensure that the payroll office receives the deceased employee's timecard.

Final Pay
An employee who resigns or is discharged will be paid through the last day of work, plus applicable unused vacation time (if applicable), less outstanding loans, advances or other agreements the employee may have with the College, in compliance with state laws. In cases of an employee's death, the final pay due to that employee will be paid to the deceased employee's estate or as otherwise required under state law.

Termination of Benefits
Health Insurance
Medical, dental and vision insurance coverage terminates on the last day of the month the employee separates employment or is terminated. An employee will be required to pay his or her share of insurance premiums through the end of the month. Information about COBRA continuation coverage will be provided.

All Other Benefits
All other benefits terminate on the employee's last day of employment with the College.

Return of Property
Employees must return all College property at the time of separation, including uniforms, keys, laptops and identification cards. Failure to return some items may result in deductions from the employee's final paycheck where state law allows. An employee will be required to sign a wage deduction authorization to deduct the costs of such items from the final paycheck. In some circumstances, Southwestern Michigan College may pursue criminal charges for failure to return College property.

Exit Interview
The HR department will contact an employee who voluntarily resigns to schedule an exit interview on the employee's last day of work.

Eligibility for Rehire
Employees who leave Southwestern Michigan College in good standing with proper notice may be considered for rehire. Former employees must follow the normal application and hiring processes and must meet all minimum qualifications and requirements of the position, including any required qualifying exam. Rehired employees will not retain previous
tenure when calculating longevity, leave accruals or any other benefits, unless required by law.

Employees who are involuntarily terminated by Southwestern Michigan College for misconduct or who resign in lieu of termination are ineligible for rehire. In addition, employees who resign without providing adequate notice or who abandon their job will not be considered for rehire.

Workplace Safety

Drug and Alcohol Abuse Prevention Policy and Program
The College program and policy may be found on swmich.edu.

Drug and Alcohol Use and Abuse Policy

Purpose:
Drug and alcohol use or abuse may pose a threat to the health and safety of Southwestern Michigan College students, staff and community members, and to the security of our equipment and facilities. The risks associated with the use or abuse of drugs or alcohol are numerous. These include physical and mental impairment as well as effects on professional and personal lives. Use or abuse of drugs, including marijuana in any form or alcohol, can negatively impact job performance, attendance, and can jeopardize continued employment. Southwestern Michigan College is committed to providing an alcohol-free, drug-free, healthy and safe environment. This policy is designed to comply with the requirements of local, state and federal laws and is applicable to all employees except where addressed in a collective bargaining agreement.

Overview

A. While on Southwestern Michigan College premises and while conducting business-related activities off of Southwestern Michigan College's premises, no employee may use, possess, distribute, sell or be under the influence of illegal drugs, or be intoxicated. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

B. To make certain that the work environment is safe and to comply with Federal law regarding drug-free environments, the College may carry out drug and alcohol testing during employment, as set out in this policy. A reliable external agency will carry out the testing. Employees shall:
   1. Not be impaired by, or work under the influence of, alcohol when at work or at any College functions on or off campus, while traveling for work, or representing the College in any capacity on or off College property.
   2. Not have any level of marijuana or other Controlled Substance in their body detectable by urinalysis when at work or at any College functions on or off campus, while traveling for work, or representing the College in any capacity on or off College property. This is a Zero Tolerance rule for any Controlled Substance listed on Schedules I through V of the Federal Controlled Substances Act.
3. Fully comply with this policy, all phases of testing procedures and not attempt to or actually tamper with, dilute, or substitute any specimen sample or test.
4. Agree that the results of all tests conducted under this policy be released to the College, its agents and professional consultants.
5. Full-time college employees required to live on campus as a condition of employment shall be allowed to use or possess alcohol in their living quarters under the following conditions:
   i. The employee shall follow all college policies including local, state and federal laws.
   ii. The employee cannot provide alcohol to SMC students or consume alcohol in the presence of SMC students.
   iii. Kegs or other bulk containers of alcoholic beverages are not allowed at any time.
   iv. The employee may not be “on duty” or “on call” when consuming alcohol.
   v. Intoxication or failure to use alcohol responsibly while on SMC property may result in disciplinary action up to and including termination of employment.

Failure to meet any of the above requirements or other provisions of this policy may lead to immediate termination of employment and/or required participation in a substance abuse rehabilitation or treatment program at the sole and exclusive discretion of the College.

C. The College is a substance and drug-free workplace. As such, the College prohibits working under the influence of any level of Controlled Substances or blood alcohol content of .08 or greater. This prohibition includes medical marijuana or recreational marijuana otherwise permitted under Michigan law.

D. Any drug or alcohol sample collection and testing required by the College will be conducted by a facility/laboratory located within a reasonable distance, which is authorized under State and/or Federal Law and shall be selected at the sole discretion of the College. All expenses related to the testing will be incurred by the College. The College is not required to, and will not, accept test results provided by any testing facility selected by an employee as a substitute for testing by the College’s designated testing facility/laboratory.

E. If there is reason to suspect that an employee is in violation of this policy, the employee will be suspended with pay until the results of a drug and/or alcohol test are made available to the College. If the College receives notice that the employee’s test results were confirmed positive at the levels stated in this policy, the employee will be given the opportunity to explain the positive result. A confirmed positive test at the levels stated in this policy will result in a suspension without pay and a payroll deduction will be made for the entire suspension period until the employee has a meeting with College officials to explain the positive result. Further disciplinary action, up to and including immediate discharge from employment, may occur following the meeting.

F. Testing will be directed when the College or any of its management staff have reasonable suspicion of the influence, possession or use of alcohol or controlled substances in violation of this policy. Reasonable suspicion will exist when an employee’s appearance, behavior, speech, breath, or body odors indicate the influence of Controlled Substance or alcohol use or evidence of possession of alcohol or Controlled Substances is observed.
1. An employee will be transported to the specimen collection site and tested as directed by the College as soon as possible. The College will attempt to contact a family member (or other person designated by the employee), to notify the person of the transportation and testing of said employee or make arrangements for other suitable transportation in order to transport the employee home following reasonable-suspicion testing.

2. An employee required to take a reasonable suspicion test is considered unqualified to work and will be placed on immediate suspension, with pay, pending the results of their test. If the test results are positive at the levels stated in this policy, a payroll deduction will be made for the time of an unpaid suspension.

3. Employees shall not: (a) fail or refuse to appear for testing at a designated testing facility/laboratory; (b) fail or refuse to sign any consent or testing forms required by the testing facility; (c) fail or refuse to produce adequate test samples; (c) attempt to or actually tamper with, adulterate or dilute, or substitute test samples; (d) fail or refuse to cooperate with any part of the testing process. Any violations of these provisions shall be considered a refusal to participate in testing under this policy and may lead to immediate termination of employment at the sole and exclusive discretion of the College.

G. In order to enforce this policy, the College reserves the unlimited right at its sole discretion to inspect any College owned vehicles, desks, lockers, work areas, file cabinets, containers, computers, computer hardware and software, and electronic messaging systems and records. An employee will be asked to be present at a search and may be asked to remove a personal lock from College owned property. Employees are hereby notified that locked areas or containers do not prevent a search and thus employees should understand there is no expectation of privacy on College premises or in any College owned vehicles. When an employee refuses to remove a personal lock, the College may do so for him/her and compensate the employee for the lock.

H. Based on reasonable suspicion of a violation of this Policy, the College may conduct searches of any personal property of an employee, including personal containers, purses, briefcases or personal motor vehicles present on College property. Employees shall provide any keys, key fobs, combinations or codes necessary to perform a complete search of personal property. At the time of a search, the employee will be present.

I. Employees with substance use problems, which have not resulted in or are not the subject of investigation or disciplinary action, may request approval from Human Resources to take unpaid leave to participate in a rehabilitation or treatment program. Leaves may be granted if the employee agrees to discontinue all use of the problem substance and abides by this Policy. The employee must supply the College with documentation of satisfactory completion of the program issued by the program provider prior to return to work.

Smoke Free Environment

In keeping with Southwestern Michigan College intent to provide a safe and healthful work environment, smoking in the workplace and in all College buildings is prohibited except in those locations that have been specifically designated as smoking areas and are a minimum of at least 25 feet from all buildings. In situations where the preferences of smokers and non-smokers are in direct conflict, the preferences of non-smokers will prevail.
This policy applies equally to all employees, students, and visitors.

**Commitment to Safety**
To assist in providing a safe and healthful work environment for employees, students, and visitors, Southwestern Michigan College has established a workplace safety program. Its success depends on the alertness and personal commitment of all.

Southwestern Michigan College provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, Operations and Processes Meetings or other communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor or with the Safety Coordinator in the Building and Grounds Department. Reports and concerns about workplace safety issues may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards or who cause hazardous or dangerous situations may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify a supervisor. These reports are necessary to initiate insurance and workers' compensation benefits procedures.

**Employee Conduct and Work Rules**
In an effort to ensure a productive and harmonious work environment, Southwestern Michigan College reserves the right at its sole discretion to inspect any College owned vehicles, desks, lockers, work areas, file cabinets, containers, computers, computer hardware and software, and electronic messaging systems and records. An employee will be asked to be present at a search and may be asked to remove a personal lock from College owned property. Employees are hereby notified that locked areas or containers do not prevent a search and thus employees should understand there is no expectation of privacy on College premises or in any College owned vehicles. When an employee refuses to remove a personal lock, the College may do so for him/her and compensate the employee for the lock.

Based on reasonable suspicion of a violation of this Article, the College may conduct searches of any personal property of an employee, including personal containers, purses, briefcases or personal motor vehicles present on College property. Employees shall provide any keys, key fobs, combinations or codes necessary to perform a complete search of personal property.

Southwestern Michigan College wishes to maintain a work environment that is clean, safe and functional. SMC has prohibited the use of devices which may cause harm to the facilities, students or its employees. These items include but are not limited to; candles, personal space heaters and scented oil lamps.
To ensure orderly operations and provide the best possible work environment, Southwestern Michigan College expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working in violation of the Employee Drug and Alcohol Policy
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace (while on duty, or while operating employer-owned vehicles or equipment)
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of employer or a co-worker’s property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful or unwelcome discrimination or harassment
- Possession of dangerous or unauthorized materials
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Unauthorized disclosure of confidential information
- Violation of personnel policies
- Unsatisfactory performance or conduct

Policies governing conduct and work rules, for employees of Southwestern Michigan College have been established by the Board of Trustees. The Board delegates authority to terminate employment, subject to board policies, and state and federal laws, to the President or their designee. The College will determine the appropriate level of disciplinary action based on the conduct at issue, in its sole discretion.

**Dowagiac and Niles Campus Parking Policy**

- **Purpose of the Policy or Policy Statement:** Southwestern Michigan College will strive to provide adequate parking on SMC’s campuses.

The basis for the parking policy is to provide the following:

- A fair and open parking system;
- Accessible parking for students, faculty, and staff;
- Adequate parking for disabled individuals;
Adequate short-term parking for visitors and volunteers to the College;
Appropriate distribution of vehicles across all lots on campus to avoid parking and traffic congestion; and
An appropriate enforcement system.

- **Applicability:** This policy serves to accommodate students and visitors to the College, as well as, faculty and staff who are employed by the College. The parking lots of SMC are strictly reserved for students, visitors, volunteers, faculty, and staff of SMC.

**Procedure:**

Students, College offices and departments that host visitors are responsible for acquainting their guests with the parking regulations.

**A. Types of Parking**

- Based upon the “need to park” principal, Southwestern Michigan College has four types of parking: regular, handicapped, reserved, and designated.
- Regular parking: Faculty, staff, visitors and commuter students may park in any open parking spaces in non-reserved lots.
- Accessible parking: requires a state issued disability parking placard. Accessible parking is provided in all College parking lots. These accessible spaces are identified with blue stripping and by access parking signs.
- Reserved parking: reserved parking lots are provided for residents and overnight guests of McKenzie, Jerdon, and White Hall residents and require a parking permit. Permits are available at the time residency is established. Overnight guests may park in designated spaces in the reserved lots and display a temporary parking pass.
- Designated parking: As identified to meet the unique parking and delivery needs of specific College entities, service vendors and delivery vehicles. These areas will be specifically designated with signs identifying their allowed use.

**B. Enforcement**

- **Hours of enforcement:** Enforcement of no-parking zones, fire lanes, accessible parking, metered/visitor and designated parking and overnight parking will be continuous. The parking policy is enforced by the Dowagiac Police, the College's security coordinator and the College's maintenance department. Violators will be towed.
- **Overnight parking:** Normal parking hours are from 7:00 a.m. to 11:00 p.m. Monday through Friday. From 11:00 p.m. to 7:00 a.m. there will be no overnight parking in any lot, with the following exceptions: residence hall students with valid SMC parking permits may park in the McKenzie Hall, Jerdon Hall and White Hall lots. Vehicles parked overnight in other lots or without expressed permission from the Director of Buildings and Grounds will be ticketed and/or towed at the owner’s expense. This policy will be strictly enforced. Any exceptions will be handled by the Director of Campus Security.
- **Unauthorized or derelict vehicles:** SMC parking lots are strictly reserved for motorized vehicles in working condition. Cars without plates, without proper permits, or in non-working condition will be subject to towing at the owners’
expense. Boats, snowmobiles, trailers, campers, etc. are not permitted on campus, and will be subject to towing at the owners’ expense.

C. Unauthorized Parking and Driving Areas

- A valid parking space is defined by two yellow parallel lines only, with no other marks or signs within the space.
- Yellow diagonal lines or markings mean no parking is permitted except for motorcycles.
- Parking is not permitted (whether posted "No Parking" or not) on roads without designated parking spots. Examples: driveways, sidewalks, lawns or grass, non-paved areas, and in front of garbage bins. This includes the cement apron in front of the Niles Campus front doors.
- Accessible spaces are reserved only for vehicles displaying a disability parking placard from the state of registration.
- Vehicles violating College parking policies are subject to ticketing or towing, at the owner’s expense and without notice.

D. Snow Removal Warning

As snow removal from the parking lots, campus roads and sidewalks becomes necessary during the winter months, heavy snow removal equipment may be operating in these areas day and night. The College reserves the right to issue notice to remove vehicles from any parking lot or roadway at any time during periods of heavy snowfall. It is the vehicle operator’s responsibility to look for email notices, notices posted in the buildings, notices posted in parking lots, or notices posted on affected vehicles.

E. Theft, Vandalism or Damage to Vehicles or Bicycles

Any theft, vandalism or damage to property should be reported immediately to Campus Security (269-783-2970) or the Dowagiac Police Department (269-782-6689). Southwestern Michigan College does not accept or assume responsibility for loss under any circumstances, including theft, vandalism or malicious mischief. It is recommended that parked vehicles be locked at all times.

F. Tow Away Policy

Vehicles are subject to tow-away by a towing company for the following reasons:

- Abandoned vehicles, including those not having license plates.
- Parking in "No Overnight Parking" areas between 11:00 p.m. to 7:00 a.m.
- Parking in areas which create a danger to safety and welfare of persons and property (i.e. fire lanes, service areas, traffic lanes, walkways, lawns, etc.).
- Parking in non-designated lots during vacation periods.
- Parking in accessible parking spaces.
- When obstructing snow removal operations.

If you believe your vehicle has been towed, contact Campus Security (269-783-2970)

G. Vehicle Breakdown

If your vehicle breaks down or will not start, notify Campus Security (269-783-2970), SMC Maintenance (269-782-1383), or after hours assistance (269-782-1234). This can prevent
tickets. All disabled vehicles should be moved within 24 hours unless special arrangements have been made.

**Security Inspections**
Southwestern Michigan College wishes to maintain a work environment that is free of illegal drugs, alcohol, explosives, or other improper materials in accordance with Board Policy. Southwestern Michigan College prohibits the possession, transfer, sale, or use of such materials on its premises. Southwestern Michigan College requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of Southwestern Michigan College. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of Southwestern Michigan College at any time, either with or without prior notice.

If you have a need to lock your belongings, Southwestern Michigan College will supply a lock. If a personal lock is used the employee will be required to remove it upon request, if the employee is not available to remove the lock then a member of SMC Security will remove the lock.

**Information Technology Policies**

**College Equipment and Electronic Systems**
The use of telephones (including College-issued cellular phones), computers, Internet, email, servers, copiers, fax machines, etc. (collectively “College Equipment and Electronic Systems”) is necessarily restricted to business purposes. Personal use of College Equipment and Electronic Systems should be limited to non-working time, emergencies, and urgent matters. If there is a question as to the urgency of a situation, you should discuss the matter with your manager and have your manager’s explicit prior approval.

Employees are explicitly prohibited from using College Equipment and Electronic Systems for inappropriate purposes (e.g. accessing sexually oriented materials, sending or receiving sexual/racial/religious/ethnic/age oriented “jokes,” or materials, or contacting racist/sexist organizations, etc.).

Employees have no right of personal privacy in any matters stored in, created, received, or sent over the College’s Equipment and Electronic Systems. The College may monitor its Systems and Equipment to ensure compliance with this policy and to prevent inappropriate usage.

**Acceptable Use Policy**
Can be found at swmich.edu in Disclosures and Policies: [https://www.swmich.edu/media/website/content-assets/documents/acceptable-use-policy-ADA.pdf](https://www.swmich.edu/media/website/content-assets/documents/acceptable-use-policy-ADA.pdf)

**Privacy Policy**
**Web Accessibility Policy**
Can be found at swmich.edu in Disclosures and Policies:  
[https://www.swmich.edu/media/website/content-assets/documents/web-accessibility-policy-ADA.pdf](https://www.swmich.edu/media/website/content-assets/documents/web-accessibility-policy-ADA.pdf)

**Electronic Communications Policy**
Can be found at swmich.edu in Disclosures and Policies:  

**Use of College Technology Resources**
Can be found at  

**Workplace Guidelines**

**Employee Relations**
The successful integration and growth of the College depends on the development and effective deployment of a full range of employee's abilities and on strong mutual commitment between the College and its employees.

It is the goal of the Department of Human Resources, to provide for SMC's employees conditions of employment which will:

- Assist all employees to acquire the skills and experience to carry out their responsibilities;
- Recognize each individual's merit, skill development, and provide opportunities commensurate with each employee's ability and performance;
- Recognize and value the diversity of employees and ensure freedom from bias and discrimination;
- Provide a work environment that encourages self-motivation, honest, trust and high legal and ethical standards;
- Provide employees with the relevant information needed to conduct the College's business and connect employees with the achievement of the College's goals and objectives; and
- Afford all employees an effective process for communicating their views.

**Outside Employment**
Outside employment by full-time College employees is governed by the Board of Trustee Policy [II.5.6 Outside Employment](https://www.swmich.edu/about-smc/disclosures-and-policies/policies/board-policy-manual-).

Full-time employees shall not be employed by anyone other than the College during the term of their normal work year (academic or fiscal) except with the approval of the President. Such approval may be granted when the work in question will not interfere with the performance of College duties.

**Attire and Grooming**
Purpose of the Policy or Policy Statement: Our dress, grooming and identification influence how our students, customers, vendors, etc. perceive their experience with Southwestern Michigan College. Our goal is to create an experience that instills confidence in all that we do for everyone with whom we interact. The dress code at SMC is business casual attire.

- Applicability: All Employees

General Guidelines:

a. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with Southwestern Michigan College.

b. Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during new-hire orientation and evaluation periods. Any questions about the department’s guidelines for attire should be discussed with the immediate supervisor.

c. Any staff member who does not meet the attire or grooming standards will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

d. Students and other customers come first. Always dress to match your situation, utilizing the guidelines below as minimum standards.

e. It is essential that all employees are neat, clean and professional, with attire reflecting the same qualities. Clothing or accessories should never obstruct job performance or cause a safety concern. It is expected that all employees will follow good personal hygiene practices.

f. There may be times during your work that you are meeting and interacting with members of the community and other businesses. It is critical that during these interactions, your appearance instills confidence. When in doubt, err on the side of traditional business attire. The following guidelines apply to business attire: Dress shirts, ties, tailored sport coats or blazers worn with dress pants, tailored pantsuits, coordinated separates and close-toed shoes.

g. Some departments may set additional standards, above the minimum, to meet the department service needs for internal and external customers.

h. SMC administrative and human resource leadership will announce casual/dress down days. SMC Logo attire is preferred. These days are typically every Friday and during intercession.

i. Special projects may merit dress down days for a certain department such as cleaning out an office space.

j. Addressing workplace attire and hygiene problems

   a. Violations of the policy can range from inappropriate clothing items to offensive perfumes and body odor. If a staff member comes to work in inappropriate dress, he or she will be required to go home, change into conforming attire or properly groom, and return to work.

   b. If a staff member’s poor hygiene or use of too much perfume/cologne is an issue, the supervisor should discuss the problem with the staff member in private and should point out the specific areas to be corrected. If the problem persists, supervisors should follow the normal corrective action process.
k. These general guidelines will not always cover every situation.

Acceptable Dress:

a. Skirts, Bermuda shorts and dresses, provided they are not more than two inches above the knee.
b. Sleeveless blouses or shirts.
c. Dockers, khakis and dress pants.
d. Golf shirts, polo shirts, dressy t-shirts and coordinating sweaters.
e. Yoga pants and/or leggings, only when worn with the appropriate cover.

Unacceptable Dress:

a. Tank tops, spaghetti straps or any outfits with bare shoulders or back.
b. Muscle shirts, bare midriff tops, halter or tube tops, sheer outfits, and sweatpants.
c. Rubber flip flops and shorts.
d. Clothing with visible inappropriate words or phrases.

Casual/Dress Down Days:

- Jeans*
- Sweatshirts/hoodies*
- Tennis shoes/sneakers
- SMC Logo apparel

* All apparel worn (must be clean and free of rips, tears and fraying; may not be excessively tight or revealing).

**Please see your direct supervisor or human resources if you have any questions regarding the dress code.

Reasonable accommodation of religious beliefs

SMC recognizes the importance of sincerely held religious beliefs to persons within its workforce. SMC will reasonably accommodate an employee’s religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the human resources department.

Public Relations

All College personnel should constantly work for and toward better community understanding and cooperation in promoting the aims and objectives of Southwestern Michigan College. In pursuit of this objective the following guidelines shall apply:

The President of the College shall be the official spokesperson for the College in all administrative and instructional matters.

The Chairman of the Board of Trustees shall be the spokesperson on matters relating to the responsibilities of the Board. When representing the College, all employee interviews, speaking engagements and news releases shall abide by the following process:

- Should an employee receive a direct request from the media to speak on behalf of the College, the request must be brought to the attention of the Vice President of
Enrollment and Student Development for the College. At that time, it will be reviewed and an appropriate process of communication will be decided upon.

- Any employee wanting written or verbal communication with the media on behalf of the College must first bring their request to the Vice President of Enrollment and Student Development. At that time, the request will be reviewed with the President and an appropriate process of communication, if any, will be decided upon.
- Under no circumstances may an employee initiate communication directly with the media without written or verbal permission from the Vice President of Enrollment and Student Development.
- Employees should not bring media requests directly to the President. All media relations issues should go through the office of Marketing. The Vice President of Enrollment and Student Development reviews all media requests with the President.
- Any employee wanting marketing or media relations materials i.e. brochures, news releases, feature stories, for distribution outside the College must go through the Vice President of Enrollment and Student Development or their designee. The materials requests will be reviewed in relationship to the overall communication goals of the College and a decision will be made at that time.
- If a College employee would like to make a statement to the media as a member of the community, they may do so. However, they must identify themselves as an individual community member speaking on their own behalf, not an employee of the College, and must make it clear that they are not speaking on behalf of the College.

The interactions of College employees with the media are governed by College Policy. See Board Policy 2.5.2.

**Intellectual Property Rights**

Intellectual property means any material, process, or product, whether or not patentable or copyrightable, developed by an employee within the scope of employment or for which employees were hired, directed, or commissioned to create or invent, that is created, authored, conceived, or invented, in whole or in part, by any employee during the period of employment, attendance or other relationship with SMC and all such items, things, inventions, improvements, software, marks and works shall immediately and automatically be the exclusive property of and be owned and controlled by the College except as specifically provided herein as follows:

- Employees shall have the rights to publish intellectual property that they developed in the course of their assigned work for the College including, but not limited to, textbooks, presentations, articles, and reviews. Any royalties or other revenues arising from or related to these works shall be shared equally between the College and the employee. The College has the unlimited right to use materials produced by employees in the course of their assigned work for the College.
- An employee who authors or creates paintings, drawings, digital art, sculptures, cartoons, musical compositions and performance, poetry, dramatic compositions and performance, fiction, and other similar works of artistic expression, retains ownership of such works of artistic expression, unless: (i) such work is expressly commissioned by the College; (ii) such work is developed, derived, or created using significant College resources that are not made available to the general public (e.g., computers in the public library); or (iii) such work includes the name or insignia of the College as an endorsement, enhancement, or sanction of or for the work.
● An employee who creates such Traditional Works of Scholarship shall retain a perpetual, non-exclusive, world-wide, royalty-free, non-assignable license to use such materials for their personal, non-profit educational and research purposes.
● The College and employee may otherwise mutually agree to the management of all other intellectual property rights and residual rights.

Commercial Solicitation by Outside Organizations
See Board Policy 1.8

Progressive Discipline
The college administration generally seeks to take progressive corrective action when the need for discipline arises. Progressive corrective action may take the form of verbal reprimand, written reprimand, and suspension without pay, dismissal or a combination of these actions, depending on the severity of the circumstances. The College may choose to skip or combine steps in its sole discretion. Before the College takes any action affecting an employee’s wages or status, the employee will be provided with notice of the allegations against them and an opportunity to be heard. Extreme misconduct may result in immediate dismissal. The College may also choose to suspend an employee pending the outcome of a full investigation. Please see Progressive Discipline Policy.

The purpose of this policy is to state Southwestern Michigan College's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

Southwestern Michigan College ensures fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with Southwestern Michigan College is based on mutual consent and both the employee and Southwestern Michigan College have the right to terminate employment at will, with or without cause or advance notice, Southwestern Michigan College may use progressive discipline at its discretion.

Southwestern Michigan College is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging open communication in an atmosphere in which any problem, complaint, suggestion, or question receives a timely response from Southwestern Michigan College's supervisors and management.

Southwestern Michigan College strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with Southwestern Michigan College in a reasonable, business-like manner, or for using the problem resolution procedure in good faith.
Problem Resolution

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step. If the problem involves alleged harassment, discrimination or retaliation, the employee should follow the complaint procedure set forth in that policy.

1. The employee presents the problem in writing to the immediate supervisor within 5 business days, after the incident occurs. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee may present a problem to the Director of Human Resources or any other member of management.
2. The supervisor responds to the problem during discussion or within a reasonable period of time, after consulting with appropriate management, when necessary. Supervisor documents discussion.
3. Employee presents the problem to the Director of Human Resources within 5 business days, if the problem is unresolved.
4. The Director of Human Resources counsels and advises the employee, assists in putting the problem in writing, visits with the employee's manager(s), if necessary, and directs the employee to the President's Cabinet for review of the problem.
5. The President's Cabinet reviews and considers the problem. A member of the President's Cabinet informs the employee of the decision within a reasonable period of time, and forwards a copy of the written response to the Director of Human Resources for the employee's file. The President's Cabinet has full authority to make any adjustment deemed appropriate to resolve the problem.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment.

Time Off and Leaves of Absence

Holidays

Holiday Policy - This policy is written in conjunction with Board Policy II.5.3

Regular full-time employees are provided the following paid holidays falling on their regularly scheduled workday (per fiscal year):

1. Good Friday
2. Memorial Day
3. Independence Day
4. Labor Day
5. Day before Thanksgiving Day
6. Thanksgiving Day
7. Day After Thanksgiving
8. Winter Break; defined as December 24 through January 1

When the fourth of July falls on a Saturday or Sunday, the following Monday or preceding Friday shall be observed as a holiday at the discretion of the College President.

Unless an employee actually works on a scheduled holiday, holiday hours are not considered as "hours worked" for the purpose of computing weekly overtime of nonexempt employees.
A paid holiday occurring during an employee's scheduled vacation or authorized sick leave will not be charged to accrued leave.

Religious holidays that occur outside the college’s holiday schedule may be taken off without pay if the employee customarily observes the holiday. The employee must make prior arrangements with his/her supervisor. Vacation time may be used if desired.

**Vacation**

1. Full-time exempt staff shall accrue annual vacation of eighteen (18) working days per year, at the rate of 12 hours per month for the first three consecutive years of employment and twenty-three (23) working days per year, at the rate of 15.33 hours per month thereafter. All vacation requests must be approved by the direct supervisor through the applicable process prior to taking the vacation day(s).

2. Full-time non-exempt staff shall accrue annual vacation of thirteen (13) working days per year, at the rate of 8.67 hours per month for the first three consecutive years of employment and eighteen (18) working days per year, at the rate of 12 hours per month thereafter. All vacation requests must be approved by the direct supervisor through the applicable process prior to taking the vacation day(s).

3. Vacation accrual is based on the original hire date. For example, a full-time non-exempt staff who started employment on January 1, 2021, would start to accrue eighteen (18) days of vacation per year on January 1, 2024.

4. Service worked as a part-time staff member does not count towards the consecutive years of employment to accrue vacation time when transitioning into a full-time staff member.

5. At the end of the fiscal year, staff members may carry forward no more than the maximum amount of vacation that they accrued in the prior fiscal year.

6. In extraordinary circumstances, an exception may be allowed for staff members who wish to use vacation hours before they are accrued. This must be approved by the appropriate Vice President and the Director of Human Resources. Note that if the staff member has been allowed to use vacation before it is accrued and then is separated from the College before accruing the vacation that was already used, that vacation will be deducted from the staff member’s final paycheck(s) up to the maximum extent allowed by law.

7. Newly appointed staff members may be granted credit for prior full-time SMC service in establishing their beginning vacation benefit at the discretion of the College President.

8. Employees who voluntarily resign from the College will receive payment for up to a maximum of 30 working days’ worth of accrued and unused vacation. Employees who are involuntarily terminated will not receive payment for any accrued and unused vacation.

9. Exceptions to any of the above will need written approval from the President and shall be placed in the staff member's personnel file.

10. All vacation hours must be submitted and tracked in the Employee Dashboard on WIRED and are monitored by Human Resources.

11. Part-time staff members do not accrue vacation time. They are able to take scheduled unpaid time off with prior approval from their direct supervisor.
Sick Leave

Eligible Employees: Full-time Administrative, Professional, and Classified, Employees and Part-time Classified Employees

Purpose: To provide a clear understanding of Southwestern Michigan College’s Sick Leave Policy and the coinciding procedures.

1. Full-time Administrative, Professional, and Classified staff receive:
   1. Eighty (80) hours of sick leave per fiscal year.
   2. Unused sick leave shall be allowed to accumulate up to a maximum of eight hundred (800) work hours.
   3. Personal leave may be permitted for matters which cannot be cared for in free time and which would result in legal, business or family disadvantage if not covered at the appropriate time. Such leave shall be arranged in advance with the appropriate supervisor and provision made for handling responsibilities in the employee's absence. This leave will be at regular pay and shall not exceed sixteen (16) hours per fiscal year. Such leave shall be deducted from sick leave.

2. Part-time Classified employees receive:
   1. Forty (40) hours of sick leave per fiscal year.
   2. Unused sick leave is not eligible to carry-over into the next fiscal year.

3. Procedure applicable to all eligible employees:
   1. Applicable sick leave will be awarded and available at the beginning of each fiscal year.
   2. Accumulated sick leave will be cancelled when employment with the College is terminated and will not be paid out at the end of employment.
   3. Employees must notify their direct supervisor of their absence prior to commencing leave.
   4. If an employee transfers to a position that is given more sick time, the additional sick time will be prorated from the start date through the end of the fiscal year. If an employee transfers to a position that is given less sick time, then the employee will be allowed to utilize their sick time pool through the end of the fiscal year, but will not be able to carry over the remaining balance.
   5. Allowable Uses:
      1. Eligible employees, or a family member’s mental or physical illness, injury or health condition; medical diagnosis, care or treatment; or preventative medical care.
      2. Employee, or to assist a family member, who is a victim of sexual assault or domestic violence. The medical care or psychological or other counseling for the injury/disability; to obtain services from a victim services organization; to relocate due to the violence or assault; to obtain legal services; or to participate in civil or criminal proceedings.
      3. For the closure of the employee’s workplace or to care for a child whose school/childcare that has been closed for a public health emergency by a public officer.
4. An employee will not be allowed to go into a negative balance for paid sick leave. If an employee requires additional time off, it will be considered an unpaid absence subject to discipline for absenteeism.

5. An employee may be asked to sign an affidavit of illness or produce a physician’s statement of illness. If requested, the employee will have three (3) days to produce any medical documentation.

6. An employee who is absent from their duties at the College because of illness may be required to certify, immediately upon returning, that the absence was necessitated by illness and are released to return to work for full duty with or without restrictions. The College may not be able to accommodate all work restrictions.

7. Some situations for use of sick leave may qualify for Family Medical Leave Act (FMLA). See Family and Medical Leave Policy. If the time off qualifies for FMLA leave, it will run concurrently with sick leave.

8. Failure to provide requested medical verification for paid sick leave use and/or false use of paid sick leave may be grounds for discipline, up to and including termination.

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**Family and Medical Leave**

**Policy Title: Family and Medical Leave (FMLA)**

- **Purpose of the Policy:** Southwestern Michigan College will provide Family and Medical Leave Act (FMLA) leave to its eligible employees. The College posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act in the Human Resources Office, the mailroom located on the second floor of the Briegel building and the employee break room at the Niles campus. The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact the Director of Human Resources in writing.

- **Related Policies:** Board Policy II.5.4C, Leaves of Absences - Till-Time Employees.
- **Applicability:** All Employees

**Procedure:**

**A. General Provisions**

Under this policy, SMC will grant up to 12 workweeks of leave during the applicable 12-month period to eligible employees (or up to 26 weeks of military caregiver leave to care for a covered servicemember with a serious injury or illness). FMLA leave is generally unpaid, but it may run concurrently with other forms of paid leave or benefits depending on the circumstances of the leave and as specified in this policy.

**B. Eligibility**

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:
a. The employee must have worked for the College for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

b. The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

c. The employee must work in a worksite where 50 or more employees are employed by the College within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

C. Type of Leave Covered

To qualify as FMLA leave under this policy, the leave must be for one of the reasons listed below:

   a. The birth of a child and in order to care for that child within 12 months of the birth.
   b. The placement of a child for adoption or foster care and to care for the newly placed child within 12 months of the placement.
   c. To care for a spouse, child or parent with a serious health condition (described below).
   d. The serious health condition (described below) of the employee that makes the employee unable to perform the functions of their position.

Under the FMLA, a "spouse" means a husband or wife. Husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state.

A serious health condition is defined as a condition involves either an overnight stay in a medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider, that either prevents the employee from performing the functions of the employee’s job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions
may meet the definition of continuing treatment. If you are not sure whether your condition qualifies for FMLA leave, you may apply for such leave and, after review of appropriate medical documentation, The College will advise you of whether you are covered under this provision.

If an employee takes paid sick leave for a condition that progresses into a serious health condition, the College must designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

e. Qualifying exigency leave for families of members of the National Guard or Reserve or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty for reasons related to or affected by the family member's call-up or service, including the following:

1. to address issues arising from short-notice deployment (7 days' notice or less)
2. to attend official military events and activities
3. to arrange for child care and attend certain school activities
4. to make or update financial and legal arrangements
5. to attend family support or assistance programs, military informational briefings, or counseling
6. to spend time with the covered military member during rest and recuperation while on short-term, temporary leave from deployment for a period of 15 calendar days from the commencement of the leave
7. to attend official post-deployment activities for a period of 90 days following the termination of the active duty status
8. additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

f. To care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the covered servicemember.

1. A "son or daughter of a covered servicemember" means the covered servicemember's biological, adopted, or foster child, stepchild or legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
2. A "parent of a covered servicemember" means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents in law.
3. The "next of kin of a covered servicemember" is the nearest blood relative, other than the covered service member's spouse, parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions,
brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember's next of kin. Alternatively, where a covered servicemember has siblings and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin.

An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122(k).

The term "covered servicemember" means:

a. a member of the Armed Forces (including a member of the National Guard or Reserve) who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; or

b. a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserve) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The term "serious injury or illness" means:

a. in the case of a member of the Armed Forces (including a member of the National Guard or Reserve), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating;

b. in the case of a covered veteran, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is: (i) a continuation of a serious injury or illness that was
incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or (ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or (iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or (iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

c. Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

D. Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (No. 1) through (No. 5) above under this policy during a rolling 12-month period measured backward from the date of any FMLA leave usage.

An eligible employee can take up to 26 weeks for the FMLA circumstance (No. 6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the single 12-month period begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date. If an eligible employee does not take all of his or her 26 workweeks of leave entitlement to care for a covered servicemember during this single 12-month period, the remaining part of his or her 26 workweeks of leave entitlement to care for the covered servicemember is forfeited. If a husband and wife both work for the College and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the College and each wishes to take leave to care for the same injured or ill covered servicemember for the same injury or illness, the husband and wife may only take a combined total of 26 weeks of leave.

Any FMLA leave taken during the applicable FMLA period will count towards the employee's total leave entitlement for any FMLA-covered reason.

E. Employee Status and Benefits During Leave

While an employee is on leave, the College will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the College will require the employee to reimburse the
College the amount it paid for the employee's health insurance premium during the leave period.

Under current college policy, the employee pays a portion of the health care premium. While on paid leave, the College will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Business Office by the 15th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave.

The College will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the College will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the College may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the College may discontinue coverage during the leave. If the College maintains coverage, the College may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

F. Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from a health care provider before returning to work. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The College may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

G. Use of Paid and Unpaid Leave

An employee who is taking FMLA leave must use all paid vacation, personal or sick leave. Once paid leave is exhausted, the remaining FMLA leave will be unpaid. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Leave during which an employee is receiving any short-term disability benefits or workers compensation benefits will generally be designated as FMLA leave and does not extend the duration of an employee's available FMLA leave. The College will allow employees receiving those benefits to use paid time off to supplement their income in order to bring it to 100%.

Vacation time will not accrue while an employee is on FMLA leave. When an employee returns to work, vacation time will resume accruing according to the Vacation policy.

H. Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks or, when medically necessary for the employee's own serious health condition, the serious health condition of a covered family member, or to care for an ill or injured covered service member, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or
26 workweeks to care for an injured or ill servicemember) over the applicable 12-month period. Leave due to a qualifying exigency may also be taken on an intermittent or reduced leave schedule basis.

If an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, then the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the College’s operations.

The College may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the College and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

I. Certification for the Employee's Serious Health Condition

The College will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The College may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The College will not use the employee's direct supervisor for this contact. Before the College makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the College will obtain the employee's permission for clarification of individually identifiable health information. The College has the right to ask for a second opinion if it has reason to doubt the certification. The College will pay for the employee to get a certification from a second doctor, which the College will select. The College may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the College will require the opinion of a third doctor. The College and the employee will mutually select the third doctor, and the College will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

J. Certification for the Family Member's Serious Health Condition

The College will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

The College may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional,
leave administrator or management official. The College will not use the employee's direct supervisor for this contact. Before the College makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the College will obtain the employee's family member's permission for clarification of individually identifiable health information.

The College has the right to ask for a second opinion if it has reason to doubt the certification. The College will pay for the employee's family member to get a certification from a second doctor, which the College will select. The College may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the College will require the opinion of a third doctor. The College and the employee will mutually select the third doctor, and the College will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

K. Certification of Qualifying Exigency for Military Family Leave

The College will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

L. Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

The College will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

M. Recertification

The College may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days unless circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the College may request recertification after the minimum duration of the condition expires according to the applicable certification. In all other cases, the College may request recertification every six months in connection with an FMLA absence. The College may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition. Any recertification requested by the College shall be at the employee's expense.

N. Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the HR department. Within five business days after the employee has provided this notice, the HR department will complete and provide the employee with the DOL Notice of Eligibility and Rights.
When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days’ notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the College’s usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

An employee needing FMLA leave must provide sufficient information for the College to reasonably determine whether the FMLA may apply to the leave request. When an employee seeks leave for the first time for a FMLA-qualifying reason, the employee need not expressly assert rights under the FMLA or even mention the FMLA. When an employee seeks leave due to a qualifying reason, for which the College has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave. Calling in “sick” without providing more information will not be considered sufficient notice to trigger the College's obligations under the Act.

An employee has an obligation to respond to the College's questions designed to determine whether an absence is potentially FMLA-qualifying. Failure to respond to reasonable inquiries regarding the leave request may result in denial of FMLA protection if the College is unable to determine whether the leave is FMLA-qualifying.

**O. Designation of FMLA Leave**

Within five business days after the employee has submitted a complete and sufficient certification form, the HR department will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

**P. Intent to Return to Work from FMLA Leave**

On a basis that does not discriminate against employees on FMLA leave, the College may require an employee on FMLA leave to report periodically on the employee's status through the Monthly Leave Report for exempt employees and time-sheets for non-exempt employees, the college may require an employee on FMLA leave to report periodically on the intent to return to work.

During the time an employee is off work on FMLA leave, he/she shall have no other employment. Thus, an employee on FMLA leave or any other medical leave is not allowed to work for another employer, including self-employment, during the leave of absence.

Employees who knowingly misrepresent facts in order to be granted FMLA leave may be subject to discipline, up to and including termination.

Absent extraordinary circumstances or other reasons protected by law, an employee who fails to return to work on the first business day after the expiration of the FMLA leave period will be considered a voluntary quit.

**Medical Leave Of Absence**

Regular full-time employees may request an unpaid medical leave of absence if physical or mental conditions (e.g. serious illness, pregnancy complications, child birth or related medical conditions, disability, etc.) necessitate time away from work and the employee is not eligible for FMLA leave or has exhausted his/her FMLA leave.

a. **Procedure.** A "Leave of Absence Request" form must be submitted to the Human Resources Director as early as possible (preferably at least 30 calendar
days prior to the desired time off). In the request you should specify the dates, requested length, and other useful information.

You must also include with your request form a physician’s supporting written statement explaining (to the College’s satisfaction), the basis for the requested medical leave and why he/she believes you need a medical leave of absence (i.e., why you cannot perform your current job). Your physician should specify whether you are:

- “totally disabled” and unable to perform any work
- if not “totally disabled,” can you perform your job’s essential functions despite your “disability”
- if not, what are your restrictions (your restrictions must be explained in detail)

If you are “totally disabled,” we will look to an appropriate Medical Leave of Absence (MLOA). If you are not “totally disabled,” the College may attempt to reasonably accommodate your condition, thereby allowing you to continue working in your current or an alternative position. If unable to reasonably accommodate your restrictions, we will again look to an appropriate MLOA (which may also run concurrently with FMLA).

The College may also, at its expense, require a second physician’s opinion. If the second opinion is contrary to your physician’s opinion, the parties will pick a mutually agreeable third physician to review your condition (at the College’s expense). In such cases, the College and employee agree that they will abide by the third physician’s opinion. If the doctors reach a consensus that the employee is “totally disabled,” or place restrictions on the employee which the College cannot “reasonably accommodate,” the period of MLOA shall be deemed to have commenced on the date of the employee’s doctor’s diagnosis.

b. **Length.** Like FMLA leave, the employee will, as part of a MLOA, first be required to exhaust any accrued and available paid time off. Upon exhaustion of the foregoing, any remaining portion of the MLOA will be unpaid, unless you qualify for Worker’s Compensation or Short-Term Disability benefits. A MLOA will be limited to the period of actual inability to work, but may not exceed the period in which the College can reasonably accommodate the leave of absence without incurring an undue hardship.

C. **Compliance and Return.** An employee will be accorded their COBRA continuation rights (if applicable) in order to continue their health insurance coverage during an MLOA that lasts longer than six months (which 12 weeks of the period will run concurrently with the FMLA period if the employee took FMLA leave immediately preceding the MLOA). An employee who fails to comply with the conditions accompanying their leave (e.g., periodically reporting in, additional physician’s statements, etc.), or who fails to return to work at the designated time (the employee must present a physician’s written certification releasing them to return to work and setting forth any restrictions), or who fails to return within the time period during which the College can reasonably accommodate the leave of absence, will be separated from employment. A returning employee will be reinstated if there is a vacant position that they are able to perform, and for which they are qualified. If you are released by your physician to return to work after the date required by the College, you will have to reapply as a new hire.
Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required; unless military necessity prevents such notice or it is otherwise impossible or unreasonable. Written notice is preferred, but not required under the law or this policy.

This leave is unpaid. However, employees may use, at their option, any or all accrued paid vacation or personal leave during their absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. The group term life/AD&D insurance and long term disability provided by SMC will terminate the day the employee becomes active military. Employees do not accrue vacation, personal leave or sick leave while on military leave of absence status.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled work-period after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Bereavement Leave

I. Bereavement time of up to and not to exceed three (3) days may be taken because of a death in an employee’s immediate family. Bereavement time of up to and not to exceed five (5) days may be taken because of a death in an employee’s immediate family if the deceased lived further than 100 miles away from the SMC Dowagiac Campus.

   1. Immediate family is defined to include: spouse, domestic partner, child, mother, father, brother, sister, "step" of the previous, in-laws (father, mother, brother, sister, daughter and son), grandparent, grandchild, spouse's grandparent, foster child or children assigned by the court, or an adult who stood in loco parentis to the employee during childhood.

II. Bereavement time of up to and not to exceed one (1) day may be taken because of a death in an employee’s extended family to attend the service or funeral during work hours.

   1. Extended family is defined to include: aunts, uncles, cousins, nieces and nephews.

III. Employees shall be allowed, without loss of pay, two hours off work to attend the funeral of other employees and for non-immediate family members or friends. Employees taking time off to serve as pallbearers, or in a similar capacity, shall be allowed up to four hours off work without loss of pay.

IV. Authorized bereavement days are not to be deducted from the employee’s available sick time. Additional days needed should be taken from the employee’s vacation or personal leave.

Updated 02/17/2021
V. Part-time employees including adjunct faculty do not receive paid bereavement time.

VI. Verification of leave taken may be requested by the supervisor or Human Resources. Exceptions to family status and extensions of time may be requested and granted if approved by the employee’s Cabinet member and Human Resources.

**Jury Duty/Court Appearance**

In the event that any regular, full-time employee of the College is summoned as a juror or subpoenaed as a witness in any judicial proceeding, the employee shall suffer no loss of pay, in proportion to the employee's scheduled working hours. It is the responsibility of the juror to waive all fees received for the court service except for mileage allowance. Upon returning to work, the employee must present proof of jury duty or subpoenaed-appearance service including dates of service to Human Resources.

Employees appearing in their own case as a plaintiff or defendant or for a non subpoenaed court appearance will not receive paid time off. Vacation or unpaid time should be used for such instances.

**Voting Leave Policy**

Southwestern Michigan College believes that it is the responsibility and duty of employees to exercise the privilege of voting in elections. In accordance with this philosophy, the College will grant its employees approved time off to vote if necessary due to work schedules and for periods of service as an election official.

**Time Off for Voting**

All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, managers are authorized to grant a reasonable period of time, up to three hours, during the work day to vote. This time off will be without pay. Employees may use accrued vacation or personal leave. Time off for voting should be reported and coded appropriately on timesheets or leave reports.

**Time Off for Election Service**

Employees who are chosen to serve as election officials at polling sites will be permitted to take required time off to serve in this capacity. Employees who are chosen to act as election officials must notify their manager a minimum of seven days in advance of their need for time off in order to accommodate the necessary rescheduling of work periods. This time off will be without pay. Employees may use accrued vacation or personal leave. Employees must report time engaged as an election official and code this time accordingly on timesheets and leave reports.

**Employee Benefits**

All full-time eligible employees at Southwestern Michigan College are provided a wide range of benefits; including but not limited to, medical, dental, vision, long-term disability, and life insurance coverage effective on the first day of eligible service or the first day of the following month depending on the benefit and continuing with paid employment. These benefits are terminated as of the employee's last paid day of regular employment or last day of the month depending on the benefit unless continued in accordance with the Family Medical Leave Act (FMLA) or other applicable laws.
Employees on unpaid leave of absence may continue any of the above-noted insurances at their own expense for a portion of or the entire duration of the leave.

**Medical, Dental, and Vision Insurance**

**Medical Insurance**

Southwestern Michigan College medical, dental and vision insurance plans provide employees and eligible dependents access to medical, dental and/or vision insurance benefits.

Eligible employees may participate in the insurance plans subject to all terms and conditions of the agreement between Southwestern Michigan College and the insurance carrier. A change in employment classification that would result in loss of eligibility to participate in the medical, dental or vision insurance plan may qualify an employee for benefit continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Termination of Benefits policy for more information.

Details of the medical, dental and vision insurance plans are described in the respective Summary Plan Descriptions (SPD). A SPD and information on the cost of coverage will be provided in advance of enrollment to eligible employees.

Opt-out Health Insurance Coverage – Full-time employees may elect to opt-out of the College’s Health Plan. Proof of other coverage is required to receive the opt-out payment.

Additional information regarding medical insurance can be found on the Human Resources Page on Wired.

**AFLAC**

AFLAC offers full-time employees the option to choose from multiple benefits. AFLAC offers a one-time open enrollment period. Additions or terminations of AFLAC products may only be done during the open enrollment period. All AFLAC products are paid by the employee.

Information about AFLAC products can be found on the Human Resources Page on Wired.

**Employee Tuition Remission Policy**

Purpose of the Policy or Policy Statement: To provide guidelines for employee tuition remission.

- Related Policies: Board Policy - Standards and Conditions of Employment - General - II.5.7 Tuition Benefits
- Applicability: This policy is applicable to all full-time and part time staff including adjunct faculty at Southwestern Michigan College.

**Introduction:**

Southwestern Michigan College is strongly committed to providing enrichment and professional development of its employees, as well as, providing educational opportunities for the employee’s family members. Eligible employees and family members are given that opportunity through the SMC Tuition Remission Policy.
Eligibility:

Eligible employees and family members (children under the age of 24 at matriculation) are eligible for free tuition for any SMC semester length courses. Family members are defined as a spouse and unmarried sons or daughters, including natural or adopted children of either the employee or the spouse.

All eligible can receive the tuition remission benefit concurrently. For example, Joe has 2 children under the age of 24 who would like to attend SMC at the same time. Joe is an adjunct faculty member who is teaching 10 contact hours. Each of Joe’s children will get 10 contact hours, tuition free.

Coverage:

The Tuition Remission Benefit applies to tuition charges only. It does not apply to fees, course materials, housing, technology, registration or other associated fees.

Enrollment Criteria:

Employees and family members are expected to meet the standard admission requirements and are subject to the same academic standards and policies as all other students.

Restrictions:

Courses may not be taken which conflict with regular work hours. However, a manager may grant an exempt employee approval to take a course during work hours, only if the course is not offered outside regular work hours and is a required course. Coursework may not interfere with the performance of the employee’s regularly assigned responsibilities.

A manager may grant a non-exempt employee approval to take a course during work hours. However, the manager and employee will work together on a time for the employee to make up the missed work time during the same pay period.

In order to receive or continue receiving paid tuition the student(s) must maintain a 2.0 cumulative GPA.

The Tuition Remission Benefit does not extend retroactively.

Admissibility:

Full-Time Employees

Full-time staff who are regularly scheduled to work nine months or more per year, are eligible for tuition remission benefits under this policy.

Part-Time Employees

Part-time faculty are eligible for tuition remission in any semester in which they teach one or more contact hours. The amount of tuition benefit is determined by the number of contact hours taught on a 1:1 ratio. Adjunct faculty who teach 12 or more contact hours will be eligible for tuition remission for an unlimited amount of contact hours during that semester.

Regular part-time staff are eligible for tuition remission based upon the number of hours they work per week. The number of contact hours of tuition benefit allowed will be determined based on an estimated weekly average of hours worked in the previous calendar year. Please see the Part-Time Staff Employees chart below. If a part-time staff member has worked for less than one year, the average will be calculated using the time the employee has already worked.
### Regular Part-Time Staff Employees

<table>
<thead>
<tr>
<th>Est. Avg. # of hours worked per week</th>
<th># of contacts hours of tuition benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>11</td>
</tr>
<tr>
<td>25 - 28</td>
<td>10</td>
</tr>
<tr>
<td>20 - 24</td>
<td>8</td>
</tr>
<tr>
<td>15 - 19</td>
<td>6</td>
</tr>
<tr>
<td>10</td>
<td>4</td>
</tr>
</tbody>
</table>

**Pro-rating of Benefits:**

In the event an employee leaves SMC during a semester for which the benefit is being utilized either by themselves or a family member, the benefit will conclude at the end of the current academic semester.

When a son or daughter including natural or adopted children of either the employee or the spouse becomes married, the tuition remission benefit will conclude at the end of the current academic semester.

**Disability or Death:**

If an employee should become disabled and unable to work, or should die during a semester in which the Tuition Remission Benefit is being utilized, the following provisions apply:

*Employee*: If the benefit was being utilized by the employee, no charges will apply.

*Family Member*: If the employee has 10 years of service or more, the family member utilizing the benefit will be allowed to continue at the same tuition remission benefit rate for the upcoming academic year.

If the employee has less than 10 years of service, the family member utilizing the benefit will be allowed to finish the academic year at the same tuition remission benefit rate.

**Taxability:**

Tuition remission is intended to provide benefits that are, to the extent possible, excluded from taxation under the Internal Revenue Code and other applicable laws. Tuition remission is not taxable for dependents defined by IRS rules, but it is taxable if the dependent does not meet applicable federal tax law definitions. Employees should consult their tax advisors for information regarding potential tax liability relating to tuition remission.

**Application Process:**

- A Tuition Benefit Form must be completed for each semester (Fall, Spring, Summer) in which courses are taken.
- The form is available on the HR Forms section of SMC Wired.
- The employee must complete the form and submit to HR for approval.
- Once HR approves eligibility, applications are sent to Financial Aid for processing and final approval. You must allow 10 working days for processing of this benefit.
- Forms should be received by HR no later than two (2) weeks prior to the start of the semester.
- Registration for classes must be done through the regular class registration process for all courses and can be done before or after receiving HR approval.
- Those utilizing the tuition remission benefit are subject to the same payment requirement deadlines and drop/add limitations as all students.
**Additional Provisions:**
Southwestern Michigan College reserves the right to interpret the Tuition Remission Policy and to change the policy and/or applicable procedures at any time. Notice of any change will be provided.

Questions regarding this policy, or additional information, may be sought from the Human Resources Department.

**Wellness Program:**
The mission of Southwestern Michigan College’s Wellness Program is to promote and enhance organizational and individual wellness. Employees are encouraged to participate in educational and preventative activities that focus on physical health, nutritional health, mental wellness, financial wellness, and emotional wellness.

Programming includes, but is not limited to, health screening, onsite educational seminars, health screenings and self-directed programs, weight management, smoking cessation services and other activities.

**Enrollment**
Full-time employees enrolled in the College’s health insurance plan must elect or opt-out of participating in the Wellness Program during the College’s annual open enrollment period. Employees who elect participation into the program are eligible for a significant discount on the employee portion of their health insurance premium.

All new full-time employees, electing health insurance are eligible to enroll in the program.

**Participation in the program**
Employees, who elect the Wellness Program, must meet their annual commitment by participating in an on-campus health screening.

If an employee who is not enrolled in the College’s medical insurance wishes to participate in the on-campus health screening, they will be charged the fee for the screening.

All other employees are welcome to participate in the offered programs.

**What happens if employees don’t meet their commitments to the program?**
Employees who do not meet the commitments forfeit their eligibility to obtain the wellness-discount on their health insurance premiums.

**How do employees become eligible again?**
Employees may re-enroll in the wellness program during the college’s annual open enrollment period. After this election, they become eligible for the wellness discount on their health insurance premiums for the upcoming fiscal year.

**Membership to the Student Activity Center**
To assist in enhancing the wellness of Southwestern Michigan College employees, the College also offers free membership to the Student Activity Center for all employees. An employee's spouse who is covered by SMC’s health insurance is eligible for a membership to the Student Activity Center at no cost. For more information about membership eligibility, please visit: Student Activity Center Memberships page.

Please contact Human Resources for more information about the employee wellness program.
**Group Life Insurance**

Life insurance offers employees and their family’s important financial protection. Southwestern Michigan College provides a basic and supplemental life insurance plan for all eligible full-time employees. Eligible employees may participate in the basic or supplemental life insurance plan subject to all terms and conditions of the agreement between Southwestern Michigan College and the insurance carrier.

Details of the basic and supplemental life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Department of Human Resources for more information about life insurance benefits.

**Long and Short Term Disability Benefits**

Southwestern Michigan College provides full-time employees with long-term disability benefits and the option to purchase short-term disability benefits. In the event you become disabled from a non work-related injury or sickness, disability income benefits are provided as a source of income.

Contact the Department of Human Resources for more information about disability benefits.

**Retirement Programs**

Southwestern Michigan College has established qualified retirement programs to provide employees the potential for future financial security. Southwestern Michigan College participates in diversified programs with the Michigan Public School Employee Retirement System (MPSERS) and TIAA. Supplement retirement options such as a 403(b) or 457(b) are available through TIAA. Special exclusions and availability are specific for each plan. If you have questions about certain plan provisions, please refer to the appropriate plan documents or direct questions to the Department of Human Resources.

**Workers’ Compensation**

The purpose of this policy is to ensure that any employee injured in the course and scope of employment receives timely access to all the benefits as prescribed by workers' compensation laws.

All SMC employees are covered under the provisions of workers' compensation laws. Injured employees are entitled to only:

1. Certain benefits to make up for the loss of wages suffered by the injured worker (limited by annually adjusted caps)
2. The cost of medical treatment (subject to cost containment rules)
3. Vocational rehabilitation services (limited to 104 weeks). Vocational rehabilitation can include changing the worker’s job station or working with the employer and worker to aid in the person’s return to work at the same or similar job or working with an agency to help the worker find a job with another employer.

**Procedure**

1. If an employee is injured they should notify their supervisor before the end of the work day. Supervisors are responsible for reporting the incident to HR within 24 hours of the accident.
2. If the employee is experiencing a life-threatening emergency, call 911.
3. The employee completes the Worker’s Compensation Claim Incident Reporting Form located on Wired/HR tab/Forms.
4. The form is turned into Human Resources.
5. If non-emergent medical attention is required, the employee will be given an authorization form and sent to the College’s occupational medicine provider.
6. If the employee is unable to drive due to the injury, arrangements will be made through Human Resources to transport the employee to the occupational medicine provider.
7. If the employee has received medical attention for the injury or illness, a return to work notice (with or without restrictions) is required from the medical provider.
8. If the employee has work restrictions the College may provide an alternative work assignment on a temporary basis.

**Employee Assistance Program**

Southwestern Michigan College recognizes that a wide range of daily life issues and concerns can have an effect on an employee’s health, well-being and job performance. These issues can affect employees on any level and in any occupation. The College provides an Employee Assistance Program (EAP) to help employees with issues of daily living by providing confidential and professional assessment, short-term counseling and/or referral services, information and resources.

Employees are encouraged to voluntarily seek assistance on a confidential basis whenever needed by directly calling the EAP or visiting the EAP web site. There is no charge to the employee for an assessment or short-term counseling services provided by the EAP. If a referral for further assistance is made and accepted, the cost of such assistance is the employee’s responsibility, except as may be covered in a manner by the employee’s health care insurance program. This program is also available to certain family members of employees.

All EAP records and discussions will remain confidential between the employee and the EAP provider unless the employee authorizes disclosure or as otherwise required by law. EAP participants’ files belong to the EAP provider, and will not be included as part of the employee’s personnel or medical records.

**Image and Comment Release**

By this notice, any student, staff, faculty member, or visitor to any Southwestern Michigan College property hereby grants permission to Southwestern Michigan College to use his, her, or their likeness and/or voice in photograph(s), video, or audio recordings in any of its publications, on any of its online sites, online sites used by the college including social media, and in any or all other media without further consideration. Additionally, any student, staff, faculty member, or visitor also acknowledges that Southwestern Michigan College may choose not to use his, her, or their photo, or video likeness, comments, or audio recordings at this time, but may do so at its own discretion at a later date. Any student, staff, faculty, or visitor also grants permission to Southwestern Michigan College to interview him, her, or them, and use said comments in any of its publications, on any of its online sites, and in any or all other media without further consideration. The student, staff, faculty member, or visitor will make no monetary or other claim against Southwestern Michigan College for the use of the interview, photos, video, or audio.
All negatives, positives, and digital files, together with the prints shall remain Southwestern Michigan College’s property, solely and completely.

If a student, staff, faculty member, or visitor does not wish to have his, her, or their photo, likeness, and/or voice used, notice must be provided to SMC each academic year in which said person does not want his, her, or their image or quotes used. Notice shall be submitted in letter form prior to the start of a semester to:

Marketing Department  
Southwestern Michigan College  
58900 Cherry Grove Road  
Dowagiac, MI 49047

**Human Resource Policies**

You will find the Human Resource policies by going to:

- SMC Wired  
- Click on the Human Resources tab  
- Scroll until you see Human Resource Policies

**Adjunct Hire – Course Assignment Policy**
The purpose of this policy is to provide for the equitable and efficient hiring and course assignment(s) for all newly hired and returning adjuncts.

**Bloodborne Pathogens Exposure Control Plan Policy**
Southwestern Michigan College is committed to providing a safe and healthful work environment for our entire staff.

**Criminal Background Checks Policy**
The purpose of this policy is to protect Southwestern Michigan College’s employees, students and members of the public who have dealings with the College, from suffering physical, emotional, and financial harm.

**Document Retention and Disposal Policy**
Outlines the policy and procedures governing the retention and destruction of records on Southwestern Michigan College.

**Employee Tuition Remission Policy**
Provides guidelines for employee tuition remission.

**Employee of the Year Awards**
The purpose is to recognize those employees at SMC who have demonstrated excellence in contributing to the College’s goals of Attracting, Retaining, Developing and Graduating students.

**Employment Applications and Resumes**
All employment applications and/or resumes shall be forwarded to the Department of Human Resources in consideration for available positions. All available positions are managed through the Department of Human Resources.

**Faculty Payroll Policies**
It is the policy of Southwestern Michigan College that all adjunct faculty and full-time faculty receiving stipends or overload pay are paid in an equitable and timely manner.

**Hiring Employee Policy**
The purpose of these hiring procedures is to centralize the new hire process through the Human Resource Office.

**Hiring Students Policy**
Requirements and guidelines for student employment.

**Janet's Law**
Women’s Health and Cancer Rights Act of 1998

**Job Postings Policy**
Vacant positions are posted by Human Resources on the Human Resources web page on SMC Wired.

**Medicare Part D Creditable Coverage Notice**
This Notice affects individuals who are enrolled in or eligible to enroll in Medicare.

**Pandemic Influenza Preparedness Plan**
In order to prevent an outbreak of flu at Southwestern Michigan College, or in the event of an outbreak, to attempt to contain that outbreak Southwestern Michigan College has prepared and begun the implementation of this plan.

**Part-time Faculty Health Insurance Policy**
Part-time Faculty members who teach more than 12 contact hours in an academic semester will be eligible for health insurance coverage during that semester or until they no longer teach more than 12 contact hours.

**Progressive Discipline Policy**
To assist the employee to understand that a performance problem or opportunity for improvement exists.

**Retirement-Farewell Activities Policy**
The purpose is to provide a uniform procedure regarding employee retirement/farewell activities.

**Sexual Harassment Policy:**
Southwestern Michigan College believes in a zero tolerance policy for gender-based misconduct.

**Social Security Number Privacy Policy**
This policy provides for the confidentiality of social security numbers obtained by the College in the ordinary course of business.

**Solicitation Policy**
The purpose of this policy is to provide employees and students with guidelines for engaging in, or permitting solicitation activities on the campuses of Southwestern Michigan College.

**Student Internship Program Policy**
Southwestern Michigan College has formalized a student internship program to help aid potential recruitment possibilities and enhance the experience of current undergraduate and
graduate students with opportunities to work on projects and gain practical work experience.

**Tuition Reimbursement Program**
Southwestern Michigan College offers a Tuition Reimbursement Program that provides reimbursement of tuition for courses or certifications taken outside of Southwestern Michigan College.

**Volunteer Policy**
The purpose of the Volunteer policy is to provide guidance and direction to staff and volunteers.
Handbook and Human Resources Policies
Acknowledgement Form

Southwestern Michigan College

I hereby acknowledge and agree that I will read and familiarize myself with the contents of Southwestern Michigan College’s employee handbook and Human Resources policies, and how they apply to me, seeking clarification if necessary. I understand that anytime I have questions or concerns, I may contact my supervisor or Human Resources.

Further, I understand that the employee handbook is not a contract between employees and the college, and none of the statements found in the handbook or made by individuals alters current policies and procedures, or the interpretation of such policies and procedures. I acknowledge and understand that no one except the President and the Board of Trustees can alter or change, orally or otherwise, any of the provisions contained in this handbook and that any changes can only be made in writing, signed by the President or an authorized Trustee.

I understand that Southwestern Michigan College retains the right to revise these policies at any time with or without notice. The most current policies may be found through SMC Wired.

I further agree and consent to the publication of photographs and videos that the College may take of me while on College premises, including audio, in any College publication or promotional materials. I acknowledge that I have no reasonable expectation of privacy or confidentiality associated with photographs and videos of me taken by the College, and that the photographs and videos are the property of the College to do with as it will. I release the College, its Trustees, agents, employees, assigns or anyone authorized by the College from liability for any claims or causes of action by me that I may have or hereafter acquire, including, but not limited to, claims for libel, slander, invasion of privacy, copyright or trademark violation, right of publicity, or false light arising out of or in connection with the utilization by the College or another of the photographs or videos described herein.

Name (Print): ______________________________________________________
Signature: _____________________________________________Date: _______

Date Received in Human Resources:______________________________ Initialed:____