

# EMPLOYEE HANDBOOK

 Southwest Wisconsin  
TECHNICAL COLLEGE



**2025-  
2026**





## AN INTRODUCTION TO SOUTHWEST TECH

### College Mission

Southwest Wisconsin Technical College provides education and training opportunities responsive to students, employers, and communities.

### College Vision

Southwest Wisconsin Technical College will be a preferred provider of education, source of talent, and place of employment in the region. We at the College change lives by providing opportunities for success.

### College Values

**Inclusivity** - We provide a welcoming environment that promotes respect for all members of the college community. We commit to learning about our differences and commonalities to better appreciate the value of each person. We empower the college community to cultivate connections and defend the dignity and humanity of all. We expect all members of our college community to live our Charger Respect Pledge.

**Learning** – We work together to make high-quality, affordable education accessible to our diverse population. We help students develop the knowledge, skills, and attitudes needed to contribute to an inclusive workforce and community success. Through partnerships, we seek opportunities to improve lives.

**Integrity** - We promote a cohesive culture that is based on honesty, fairness, trust, kindness, and respect. We work collaboratively to maintain a healthy environment of clear communication, transparency, and dedication to the mission of Southwest Tech.

**Accountability** - We hold ourselves and our teams responsible for achieving academic and fiscal College goals as established by the District Board. We practice self-awareness and hold each other accountable to recognize and confront biases that impact our thinking, behavior, and performance to realize positive and equitable results.

**Continuous Improvement** - We leverage our rural perspective and progressive entrepreneurial spirit to attract people who strive for excellence in student success through innovation in technology, services, and strategies. We support and promote personal and professional development to exceed industry standards and produce competent and skilled graduates in high-quality, relevant programs essential to our sustainability as a college.

### Administrative Policies and Procedures

Many of Southwest Tech's policies and procedures are referenced throughout this handbook. All administrative policies and procedures are located on the College intranet The Charger Hub. It is each employee's responsibility to know and understand all policies and procedures that impacts them, including, but not limited to, those referenced in this document.



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## PURPOSE OF HANDBOOK

Southwest Tech (the College) is pleased to provide its employees with this Employee Handbook. This Handbook is intended to provide guidance regarding the College's policies and operating procedures, along with information pertaining to benefits offered to eligible employees. The College believes this Handbook will serve as a useful resource during employment.

No employee handbook is able to answer every question or anticipate every situation. For that reason, the College may interpret, change, supplement, or rescind any part of this Handbook or any of its other policies from time to time, as deemed appropriate. The Handbook and Administrative Policies can be found on the College's intranet (The Charger HUB) or you may contact [humanresources@swtc.edu](mailto:humanresources@swtc.edu) with questions.

## EMPLOYMENT

### Equal Employment Opportunity and Affirmative Action Policy

The College will provide equal employment opportunities in all of its employment practices in compliance with all federal, state, and local laws and in accordance with the College's policies and procedures. The College does not discriminate against employees or applicants for employment on the basis of sex, age, race, color, creed, religion, national origin, disability, ancestry, political affiliation, marital status, pregnancy, sexual orientation, parental status, arrest record, conviction record, genetic testing, and the use and non-use of lawful products off the premises during nonworking hours, and membership in National Guard, State Defense Force, or other military forces of the United States, or on any other basis that is prohibited by law. Equal Employment and Affirmative Action policy may be accessed through the Southwest Tech Web site at [www.swtc.edu](http://www.swtc.edu). This policy applies to all employment practices and personnel actions.

It is also the duty of every employee to help create a job environment that promotes equal opportunity. Any incident or situation that an employee believes violates this policy should be brought to the immediate attention of a supervisor or other individual in management.

Employees will endorse and practice ethical principles in recruitment, enrollment, and admission of students including accurate representation of the college and services provided in the admission process and making publicly available comprehensive, accurate, and current information regarding admissions, financial aid, scholarships, academic offerings, and housing policies. Employees will also provide information to the college community and public significant changes to institutional policies and procedures for extraordinary circumstances such as pandemics and severe weather. Employees will provide admission counseling in the best interest of students including educating students and families of their ethical responsibilities. Employees understand they will not be compensated by commissions, bonuses, or other incentive payments, based on the number of students referred, recruited, admitted or enrolled and will not offer or accept any reward or remuneration to influence an admission, housing, scholarship, financial aid, or enrollment decision.

### Employment Status

This handbook is not intended to create a contract of employment—expressed or implied—or evidence of a contract of employment between the College and any one or all of its employees. Only the Board has the authority to enter into such contracts. Any such agreements must be in writing and signed by an authorized representative of the Board and the employee.

Except as required by the laws of the state of Wisconsin, every non-contractual employee of the College serves as an at-will employee. As such, the College cannot guarantee continued employment for any definite period of time. Any non-contractual employee has the right to terminate their employment at any time, for any reason, or for no reason; and the College retains the right to terminate employment at any time, as applicable by law.



## Responsible Employees

All Southwest Tech employees are responsible employees under Title IX of the Education Amendments of 1972, Campus Sexual Violence Elimination Act (SAVE) of 2013 and Violence Against Women Reauthorization Act (VAWA). All employees have a duty to promptly respond to complaints of sexual misconduct in a way that limits its effects and prevents its recurrence. These regulations prohibit sex discrimination; require students and employees have access to educational programs and activities; and ensure that colleges and universities implement policies and programs to prevent sexual assault, dating violence, domestic violence, and stalking.

### Who is a Responsible Employee?

- All Southwest Tech Employees (not including the Mental Health Counselor)

### What are the expectations of a Responsible Employee?

- A. Authority to take action
- B. Duty of reporting incidents of sexual misconduct by students
- C. A student reasonably believes he/she has this authority or duty

### What should I report?

- Any observed, experienced or known sexual misconduct
- Does not matter if it occurred on-campus, off-campus, on spring break, last week or two years ago

### How to report?

- Complete a Complaint or Concerns Form on the Southwest Tech web site at [www.swtc.edu/student-resources/policies-procedures/complaints-process](http://www.swtc.edu/student-resources/policies-procedures/complaints-process).
- Report to a Title IX coordinator found at [www.swtc.edu/legal/ada](http://www.swtc.edu/legal/ada). Coordinators have to balance confidentiality with the safety of other members of the College community.

### Notice of Nondiscrimination under Title IX of the Education Amendments of 1972

As mandated by Title IX of the Education Amendments of 1972 and its implementing regulations in 34 C.F.R. Part 106 (collectively "Title IX") and all state, federal, and local laws, Southwest Wisconsin Technical College ("Southwest Tech" or "College") does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that the College operates, including in admission and employment. Title IX's prohibition against sex discrimination extends to students, employees, applicants for employment, applicants for admission, and other persons in all aspects of the College's programs, activities, and operations.

The College will promptly and effectively address any such discrimination of which it has knowledge or notice using the Title IX grievance procedures or other applicable resolution processes and procedures.

Inquiries about Title IX may be referred to the College's Title IX Coordinator (contact information below), to the U.S. Department of Education's Office for Civil Rights, or to both.

#### Title IX Coordinator:

Krista Weber, Chief Human Resources Officer  
[kweber@swtc.edu](mailto:kweber@swtc.edu)  
(608) 822-2315  
Building 300, Room 319

#### Deputy Title IX Coordinators:

Holly Clendenen, Chief Student Services Officer  
[hclendenen@swtc.edu](mailto:hclendenen@swtc.edu)  
608-822-2362  
Building 400, Room 480

Dan Imhoff, Executive Director of Facilities, Safety, & Security  
[dimhoff@swtc.edu](mailto:dimhoff@swtc.edu)  
608-822-2401  
Building 500, Room 514



The College's Title IX policy and grievance procedures, which provides for prompt and equitable resolution of complaints alleging any action that is prohibited by Title IX and/or its implementing regulations can be located at [Policies at Southwest Tech \(swtc.edu\)](#).

To report information about conduct that may constitute sex discrimination or to make a complaint of sex discrimination under Title IX, please refer to [Campus Safety \(swtc.edu\)](#).

All complaints of discrimination based on a protected class, other than complaints of sex discrimination under Title IX, will be processed in accordance with the Non-Discrimination Policy and Grievance Procedure below at [Non-Discrimination-and-Grievance-Procedures.pdf \(swtc.edu\)](#).

## Position Description

A position description lists the overall purpose, duties, responsibilities, essential functions, and qualifications required to perform the work of a position. Additional duties or projects may be assigned on an interim or on-going basis. All position descriptions are subject to review and modification, as deemed necessary by the supervisor. All position descriptions should be reviewed and updated as needed.

## Hiring Process

Southwest Tech recruits, hires, and promotes forward-thinking team members who support our efforts to maintain a service culture of professionalism, fairness, trust, and respect. The supervisor and Human Resources establish the position description and qualifications needed for open positions. All position descriptions will be reviewed and approved by the Executive Team, prior to moving forward with the recruiting process. Positions are approved based on budget resources, college needs, feasibility, and strategic priorities. The Executive Team determines the recruitment approach - internal only, transfer, promote, or to recruit externally. In an effort to be transparent, the following criteria is considered during the decision-making process: percentage of current position duties already being performed by an employee, other interested and qualified employees in that department, workload, regulation changes, and considerations listed above.

Positions which are internal only will be communicated to employees through our email system and will be shared with the college by the Human Resources team. Positions are posted externally via the College website, advertisements in appropriate media, and other appropriate means.

Internal applicants are encouraged to apply for positions posted both internally and externally. External applications will only be accepted for positions posted externally. There is no guarantee that any applicant, internal or external, will be granted an interview, offered the position, or hired to fill the vacancy. The interview selection team will make hiring recommendations to the President for final approval.

## Employment Applications

Applications can be completed on the careers page of the Southwest Tech website at [www.swtc.edu/about/job-opportunities](http://www.swtc.edu/about/job-opportunities).

The College relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the College's exclusion of the individual from further consideration for employment; or if the person has been hired, employment may be terminated.

Employees need to understand that, other than the President or designee, no one from Southwest Tech has the authority to enter into any agreement with anyone for employment for any specified period or to make any promises or commitments regarding employment. Any employment agreement entered into by the College is not enforceable unless it is in writing. All applicants must complete required paperwork and procedures with Human Resources prior to beginning employment at the college.



## Faculty Qualification Policy

Faculty qualification at Southwest Wisconsin Technical College (Southwest Tech) is grounded in the vision that “we change lives by providing opportunities for success”. Faculty qualification operating procedures have been established to ensure we hire qualified faculty who provide top-notch education and training to our stakeholders that include students, employers, and the communities we serve.

Southwest Tech’s policy and procedure on determining faculty qualification recognizes its basis of authority in the mission of the college, Wisconsin Administrative Code, Chapter 3 TCS, the accreditation requirements of the Higher Learning Commission, and specific program accreditations.

Faculty is defined as any full-time, part-time, limited term (LTE), adjunct, or dual credit instructor teaching credit bearing courses. Faculty qualifications are reviewed annually as part of a professional development plan review. Position qualification requirements are also reviewed if there is a position vacancy. Academic degrees must be earned from institutions accredited by a recognized regional accrediting agency. Specific faculty qualification requirements are documented in the Faculty Qualification Guide found in HR and on the Charger Hub.

## Harassment

The College expressly prohibits any form of harassment or discrimination prohibited by law based on race, color, religion, sex, national origin, age, disability, sexual orientation, gender identity or any other status protected by law. The Harassment Policy can be accessed through the Charger Hub or by request from Human Resources.

## Harassment Complaint Procedure

1. Any employee who believes he or she is being harassed in violation of the College’s harassment policy should immediately report any such incident to their supervisor, any member of the Administration, or the Chief Human Resources Officer.
2. The College treats all claims of harassment and discrimination seriously. All complaints will be promptly investigated, and information disclosed in the course of investigations will be shared on a “need-to-know basis.”
3. The College strictly prohibits any form of retaliation against any employee for filing a bona fide, good-faith complaint concerning prohibited harassment or discrimination or for assisting in a complaint investigation. Any employee who believes that he or she has been subjected to retaliation in violation of this policy should immediately report the retaliation to an Administrator or the Chief Human Resources Officer
4. Administrators and the Chief Human Resources Officer are responsible for ensuring that the Harassment Policy is enforced. This responsibility includes ensuring that each employee is aware of the College policies on discrimination and harassment and maintaining a work area free from conduct that causes, or reasonably could be considered to cause, an intimidating or offensive work environment.
5. Any employee who is found to have violated the Harassment Policy will be subject to appropriate action, up to and including termination.
6. If further information, interpretation, or advice is needed regarding prohibited harassment or discrimination or the complaint process, an employee should contact the Human Resources office.

## Disability Accommodation

The College is committed to complying fully with the Americans with Disabilities Act (ADA) and all other applicable federal, state, and local laws by ensuring equal opportunity in employment for qualified persons with disabilities. The College is also committed to not discriminate against any qualified applicant because they are related to or associated with a person with a disability. The College will follow any state or local law that provides individuals with disabilities with greater protection than the ADA.

The College also provides reasonable accommodation for qualified individuals with disabilities in accordance with Americans with Disabilities Act. Qualified individuals with disabilities may make a request for reasonable accommodation to their supervisors or managers or to the Human Resources office. Cooperation is expected if any employee is asked to assist in the accommodation afforded by another employee under this policy.



## Reporting Relationships–Employment of Relatives

The College allows the employment of qualified relatives as long as the employee is not directly involved in employment-related processes, supervision, or evaluation impacting a family member or domestic partner.

## Orientation

New employees will participate in an employee orientation program that is designed to provide them with the information, resources, and contacts needed to learn about their positions and College programs, processes, policies, and expectations. Orientation is an ongoing process, and employees are encouraged to take an active part in their orientation by reading informational materials, meeting with colleagues, and asking questions. Experienced employees are encouraged to participate in orientation as mentors and are expected to be helpful and supportive of newly hired colleagues.

## Employee-Student Relationship

The integrity of the employee-student relationship is at the heart of the College's educational mission. This relationship requires considerable trust in the employee, who, by virtue of their position, carries significant authority and accountability as an educator, evaluator, and mentor. The unequal power dynamic in this relationship requires the employee to maintain professional boundaries to avoid unprofessional or unethical behavior (or even the appearance of unprofessional or unethical behavior) and to limit the possibility for coercion. The relationship between employee and student must be free from influences or activities that can interfere with learning or the goals and principles of the College. Whenever an employee is responsible for academic or other supervision of a student, a personal relationship of a romantic or sexual nature, even if consensual, is entirely inappropriate and can lead to legal liability for the employee and the College. Other types of relationships, such as friendships or business partnerships that interfere with the objectivity of the employee, also threaten the integrity of the educational process.

## Performance Management & Coaching Sessions & Touchpoints

Supervisors and employees are required to discuss job performance and goals on an ongoing basis. A formal documented process to evaluate performance is conducted annually to provide both supervisors and employees with the opportunity to discuss job tasks; identify and correct weaknesses; encourage and recognize strengths; and discuss positive, purposeful approaches to meet college and individual goals.

The employee and supervisor will also meet for Coaching Sessions and Touchpoints during the fiscal/academic year to communicate and connect. This is also productive one-on-one time to discuss other interests and concerns.

## Reduction in Workforce

Conditions may arise that necessitate the reduction of the College's workforce and may require the termination of employment, involuntary demotion, reassignment, or reduction in work hours.

Implementation of a reduction in workforce will be at the discretion of the College and may be based on the eliminated funding levels; the nature of the duties to be consolidated; the skills, abilities, and past performance of individual employees or other factors related to the cause of the workforce reduction or the employment, qualifications, and past performance of the individual employees involved.

The needs of the College shall be the prime consideration used in the determination of which employees shall be laid off. The rehiring of employees who have been laid off shall be determined based on the needs of the College.

## Access to Personnel Files and Data Changes

Southwest Tech maintains personnel, confidential, and certification files on each employee. These files contain documentation regarding various aspects of employment; namely, the employee's job application, education documentation (e.g., transcripts), , beneficiary designation forms, disciplinary notices, and other employment records.

Personnel files are the property of Southwest Tech, and access to the information they contain is restricted. Generally, only supervisors, Human Resources personnel, and management of the College who have a legitimate reason to review information in a file are allowed to do so. Employees may request to inspect or request a copy of their personnel files at any time, as provided under state law, by contacting the Human Resources office. An employee shall have the right to comment on any material placed in the file and said comment shall be attached to the related material in the file. Altering, removing, or destroying any personnel records pertaining to any current or former employee is prohibited, unless otherwise directed or allowed by law.



## Reference Check Disclosure Policy

All requests for information on current or former employees must be referred to the Human Resources Department. Information given by phone will be limited to verification of employment dates, position title, and salary. In response to written requests (i.e., mortgage applications), information such as salary, dates of employment, and job position may be provided, only if an authorization signed by the employee is provided.

## Management Roles and Responsibilities

The Southwest Wisconsin Technical College Board of Trustees will govern the College in accordance with the Constitution and laws of the State of Wisconsin. The Board is committed to excellence and to the values which define the College's operational atmosphere. Specific details regarding the Board's responsibilities are outlined in their governance policies. The Board designates the President of the College to lead, manage, and operate the College in accordance with Board policy and delegates authority to the President to ensure Board Ends are achieved.

## Classifications of Employment

It is the intent of the College to clarify the definitions of employment classifications, so employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Although the College hopes the relationship with employees is long-term and mutually rewarding, the College and employees have the right to terminate or end the employment relationship at any time, unless prohibited by applicable law or Southwest Tech policy. Each employee is designated as either nonexempt or exempt from federal and state wage and hour laws.

Nonexempt employees (hourly) are employees who are required to be paid overtime at the rate of time and one half (i.e., one and one-half times) their regular rate of pay for all hours worked beyond 40 hours in a workweek, in accordance with applicable federal and state wage and law hours.

Exempt employees (salaried) are employees who are not required to be paid overtime, in accordance with applicable federal and state wage and hour laws, for work performed beyond 40 hours in a workweek.

In addition to the above classifications, each employee will belong to one other employment category that designates the employee as regular full-time annual, regular full-time fiscal/academic year, regular part-time, part-time (no benefits), limited term employment (LTE), temporary, or seasonal.

Regular full-time annual (including LTE) or fiscal/academic year employees are staff that includes hourly and salaried employees working either on a 190-day contract or throughout the calendar year. Employees are hired to work a 40-hour workweek. Regular full-time annual employees are eligible for benefits year-round provided by Southwest Tech. (*Annual Hours 2080 or 1520 for 190-day contract*). Managed Time Off will accrue according to the policy.

Regular part-time (including LTE) employees are employees who are hired to work on a 190-day contract or throughout the calendar year and have at least 20 hours or more but are less than 40 hours in a workweek. Employees who are hired for an indefinite period on a regular basis or for limited-term-employment. Regular part-time employees are eligible for pro-rated benefits at a pro-rated rate according to their scheduled allocation. Managed Time Off will accrue on a pro-rated basis based on the number of hours worked.

Part-time (no benefits) employees are employees who are hired to work less than twenty (20) hours per week during a fiscal/academic year or have a work assignment of less than 50 percent during the entire fiscal/academic calendar and who are hired for an indefinite period. Part-time employees are not eligible for benefits nor the College's Managed Time Off.

Temporary employees are employees hired to work full-time or part-time either on the College's payroll or through a temporary agency with the understanding their employment will be terminated no later than on completion of a specific assignment. Employees hired from temporary agencies for specific assignments are employees of the respective agency and not of the College. Temporary or seasonal employees are not eligible for benefits nor the College's Managed Time Off.



## **Benefit eligibility with employment status:**

Employees working full-time regular and part-time regular (including limited-term employees) will be offered benefits. Employees working less than full time at any time during the fiscal/academic year are offered benefits at a pro-rated rate according to their scheduled allocation. Employees who work full-time during a specified time (i.e. August to May) will be offered benefits at the regular rates.

Employees should contact Human Resources with questions regarding their exemption status or employment classification.

## **Compensation Grade and Equity Adjustments**

All posted regular positions will have a correlating job description that will identify the position title, classification (exempt or non-exempt), and band. The band determines the salary range for the position. See the Compensation Guidelines for Reclassification, Degree Attainment, Market Parity and Faculty Compensation Review procedures.

## **Work Hours**

The normal workweek for all regular full-time employees is 40 hours, with nonexempt (hourly) employees normally scheduled to work 8 ½ hours per day, including a ½-hour unpaid lunch. The supervisors have the sole discretion to schedule all work hours, breaks, and lunch periods. Unused breaks may not be accumulated or used to lengthen lunch breaks or to shorten a workday.

Other daily and weekly work schedules may be established, based on service needs, and may be changed from time to time (i.e., summer hours) at the discretion of the supervisor in order to meet the varying needs of the College. Changes in work schedules will be announced as far in advance as possible. Employees may request a schedule change as part of the Flexible Schedule policy.

As with other types of authorized work, all approved time spent by nonexempt (hourly) employees utilizing electronic communications for work purposes will be considered hours worked, compensable, and will count toward overtime eligibility. Employees are required to document all time worked in the time tracking system. In order to avoid incurring unnecessary expenses, electronic communications should not be used outside of regularly scheduled work hours unless approved by a supervisor.

## **Recording Work Hours Nonexempt (Hourly) Employees**

The College complies with applicable laws that require records to be maintained of the hours worked by nonexempt employees. To ensure that accurate records are kept of the hours actually worked (including overtime where applicable) and to ensure that nonexempt employees are paid in a timely manner, all nonexempt employees will be required to record their time worked and their absences according to the College's official time record system. Online time entry must be completed and signed electronically on a bi-weekly basis.

Altering, falsifying, or tampering with time records or recording time on another employee's time record is a breach of College policy and is grounds for disciplinary action, up to and including termination.

## **Recording Non-Working Hours – Exempt (Salaried) Employees**

The College complies with applicable laws that require timekeeping records to be maintained for exempt (salaried) employees. Exempt employees are required to use the College's official timekeeping system to record a schedule of days to be paid and absence reporting. Online time entry must be completed, signed electronically, and on a bi-weekly basis. Exempt employees receive the same amount of biweekly pay throughout the year. Absences are entered in the system and follow the Managed Time Off (MTO) Policy.

Employees are expected to have regular attendance. Salaried employees sometimes work additional hours to meet work demands and do not earn overtime nor accrue compensatory time for hours worked beyond forty in one week. Additional information on compensation can be found in the Compensation Guidelines or by contacting Human Resources.



## Managed Time Off (MTO)

### Scheduled Time Off

An employee may request to take scheduled time off using accrued MTO. Such requests must be submitted to the employee's supervisor or designee as far in advance as possible. Regular benefit eligible employees working at least twenty (20) hours or more per week will be able to participate in the MTO Plan on a pro-rated basis. Employee eligibility is based on an employee's classification of employment as outlined in the employee handbook.

Employees are responsible for verifying the accuracy of the accrual-balance reporting. Employees are encouraged to verify balances bi-weekly and immediately report any discrepancies in writing to Human Resources or Payroll.

### Accrual Policy

MTO accrual begins on an employee's initial date of hire. Employees working less than forty (40) hours, but more than twenty (20) hours per week will earn MTO on a pro-rated basis. MTO is earned based upon normally worked hours (not on overtime hours worked or compensatory time earned). MTO will not accrue when an employee is absent from work without pay.

The maximum annual MTO accrual is set forth in the Accrual Schedule below. If an employee moves up on the accrual schedule the change will take place on the employee's anniversary date. Staff will be allowed to carry over a maximum of 120 hours on 7/1. The remaining excess hours for staff will be transferred to the employees' FMLA Leave Bank in the subsequent pay period. If the employee's FMLA Leave Bank accrual balance is at the maximum of 480 hours, the excess MTO hours are forfeited. MTO hours transferred to an employee's FMLA Bank shall not be returned to the employee's MTO account.

### ACCRUAL SCHEDULE (EMPLOYEES WORKING 40 HOURS PER WEEK)

Accrual Periods	Annual Accrual TOTAL HOURS	Annual Accrual TOTAL DAYS	Accrual in Hours (PER PAY PERIOD)
0 – 1.99 years	136	17	5.23
2 – 5.99 years	152	19	5.85
6 – 10.99 years	176	22	6.77
11 – 15.99 years	216	27	8.31
16 years +	256	32	9.84
Exempt	256	32	9.84
Faculty MTO	16	2	
Faculty FMLA	80	10	3.07



## **Use of MTO**

Employees start to accrue MTO from the first day of employment. Use of MTO in combination with hours worked shall not exceed the number of hours an employee is scheduled to work for that day and not to exceed 40 hours in a week. Supervisors may approve or deny the use of MTO on a case by case basis due to business needs.

Except in certain, limited circumstances where use of MTO is approved by Human Resources or provided by law (e.g., FMLA), an employee's request to take unpaid leave will not be granted if the employee has accrued MTO available. Human Resources shall be notified when an employee's use of MTO exceeds three (3) consecutive days due to FMLA reasons.

In some circumstances it may be necessary for an employee to have a negative balance in their MTO bank. Negative balances must be pre-approved through an employee's supervisor and human resources. Staff may not accrue a negative balance of more than 24 hours. Faculty may not accrue a negative balance of more than 16 hours. Upon separation from Southwest Tech, employees will have the negative balance deducted from their final paycheck.

Employee's transitioning from part time (20-39 hours per week) to full time will receive .5 credit for each year towards their annual full-time accrual rate. Non-benefited employees are not eligible to earn years of service towards MTO.

## **Staff Use of MTO**

Non-exempt employees may use time in increments of no less than 15 minute increments. Exempt employees may use time in increments of four (4) or eight (8) hours.

## **Faculty Use of MTO**

Faculty have 16 hours of MTO for personal time off each fiscal year (non-sick time) available on 7/1 and expires at the end of each fiscal year. Faculty may use time in increments of no less than 4 or 8 hours.

Faculty accrues up to 80 hours of FMLA leave bank time per fiscal year and will not exceed a balance of 480 hours.

## **FMLA Leave Bank**

Staff MTO hours in excess of 120 hours as of 7/1 will be transferred into the FMLA Leave Bank. Faculty accrues up to 80 hours of FMLA leave bank time per fiscal year and will not exceed a balance of 480 hours. An employee may accumulate a maximum of 480 hours in the FMLA Leave Bank. Once an employee's balance reaches 480 hours, no additional time will be credited to the employee's Bank until the balance falls below the 480-hour maximum.

An employee may only use hours in the FMLA Leave Bank for the same events which would qualify them to use State or Federal Family and FMLA Leave (described in the Southwest Tech FMLA Policy), e.g., for a qualified illness, injury, and/or medical emergency of the employee or his/her covered family member, or military exigencies of the employee or his/her covered family member, subject to approval by Human Resources. The FMLA Leave Bank will be used for the three (3)-day waiting period to cover time lost due to a Worker's Compensation time loss event. MTO continues to accrue when using paid time in the employees FMLA Leave Bank.



## **Sick Leave Balances at Time of Adoption (not available for hires made after July 1, 2018)**

Employees hired before 7/1/2018 may have a sick leave balance; however, additional sick leave shall not be earned after the MTO Plan is implemented. The Sick Leave Bank refers to the sick leave benefit earned and accrued by qualified employees prior to the implementation of the MTO Plan. The Sick Leave Bank is not the same as the FMLA Leave Bank or MTO. The Sick Leave Bank can be used for illness or medical appointments for yourself, a child, spouse, parent or parent-in-law suffering from an illness. The Sick Leave Bank must be used prior to MTO for these reasons until it is exhausted. The Sick Leave Bank must also be used before the FMLA Leave Bank in the case of a qualified State or Federal FMLA leave until it is exhausted.

## **Time Off Without Pay**

If an employee's FMLA Leave Bank is exhausted, they must use the available MTO prior to requesting time off without pay. Time off without pay is not permitted, unless authorized by State or Federal FMLA, required by other laws (e.g., ADA), or when the employee has the prior written authorization by Human Resources. MTO is not earned in pay periods during which leave is unpaid. Pay received through short- or long-term disability policies or workers' compensation, for example, will not count toward MTO accrual.

## **Separation from Employment**

Staff and administration are paid for the MTO balance they have accrued upon separation from Southwest Tech and consistent with the terms of the Southwest Tech Separation Policy. Faculty will receive MTO paid out up to 16 hours for the current fiscal year. The hours of accrued MTO in an employee's account will be paid out at the employee's current wage rate (subject to withholdings). Upon an employee's separation from Southwest Tech, the employee will not be entitled to payment for unused time from their FMLA or Sick Leave Bank.

## **Position Change**

Employees who change from hourly to salary will be paid out for any compensatory time earned. Hourly or salary employees moving to faculty will be paid out their MTO balances and will start accruing the faculty FMLA schedule and faculty MTO days will be applied. Faculty changing to staff (hourly or salary) will transfer up to 16 MTO hours, and up to 40 hours of Faculty FMLA bank. The employee will begin to accrue at the new rate effective with the start date of their new position.

## **Donation of MTO**

Donation and receipt of MTO is open to both staff and faculty. The process is voluntary, and the donor will remain anonymous. Employees who are interested in donating MTO time should contact Human Resources.

If an employee has depleted to **24 hours of MTO** or will completely exhaust their MTO bank according to Southwest Tech's FMLA policy, another staff member may make a voluntary transfer of up to sixteen hours of accrued MTO leave each fiscal/academic year into a recipient's MTO Bank. The recipient may not receive donated MTO time greater than the amount that he or she was allotted in the fiscal/academic year nor can they receive more than they will use during their leave. If an employee does not meet the requirements set forth by the FMLA regulations the employee will not be eligible for a donation.



## Flexible Schedule

A flexible schedule is a work schedule with time of arrival and departure that differs from the standard weekly schedule. The college recognizes there may be situations where flexible work arrangements are appropriate. Flexible work arrangements offer alternative approaches to getting work done through non- traditional work hours. Employees and supervisors will make every effort to ensure schedules will not negatively impact other employees or the College's service level.

Flexible work arrangements are not appropriate for all employees or positions and are not intended to shorten an employee's work hours per week. The normal workweek for all regular full-time employees, exempt (administration and faculty) and nonexempt (hourly) is 40 hours. Employees working less than 40 hours a week must use accumulated paid leave time. Exempt and nonexempt employees may be required to work hours in addition to 40 hours regardless of their regularly scheduled time. Hours worked over 40 in a work week (Sunday to Saturday) will be paid as overtime per the overtime pay policy for nonexempt employees or a nonexempt employee can choose to have this as compensatory time.

An employee may request a flexible work schedule by contacting their supervisor. Supervisors will assess the employee's job responsibilities and suitability and will approve or deny a flexible schedule request on a case-by- case basis. The supervisor maintains the right to suspend or cancel the arrangement at any time.

## Telecommuting

Southwest Tech considers telecommuting to be a viable alternative work arrangement in cases where such an arrangement is possible. Telecommuting allows an employee to work at home, on the road, or in a satellite location for all or part of their regular workweek. Telecommuting is a voluntary work alternative that may not be appropriate for all employees or positions and it in no way changes the terms and conditions of employment with Southwest Tech. The expectation of hours worked per day or per week does not change due to telecommuting. Any telecommuting arrangement made will be on a trial basis, and may be discontinued, at will, at any time, at the request of either the employee or Southwest Tech.

Either an employee or a supervisor can suggest telecommuting as a possible work arrangement. Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or formal, as described below. Other informal, short-term arrangements may be made for employees on family or medical leave, with the consent of the employee's health care provider, and to the extent practical for the employee and the organization. All informal telecommuting arrangements are made on a case-by-case basis, focusing on the business needs of the organization first.

Formal telecommuting arrangements must be made using an approval form available on the Charger Hub under HR forms on the Human Resources page and will need approval from the employee's supervisor and HR. Requirements are further defined below.

1. Current employees requesting formal telecommuting arrangements must have been employed for a minimum of 3 months or have an established agreement upon hire. Employees must have exhibited above average performance.
2. Before entering into any telecommuting agreement, the employee and supervisor, with the assistance of the Human Resources department, will evaluate the suitability of such an arrangement paying particular attention to the following areas:
  - a. Employee Suitability – the employee and supervisor will assess the needs of work habits of the employee, compared to traits customarily recognized as necessary for successful telecommuters.
  - b. Job Responsibilities – the employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
  - c. Equipment needs, workspace design considerations and scheduling issues.
  - d. Responsibility for fulfilling all obligations for tax and other legal implications for use of the employee's home based on IRS, state and local government restriction rests solely with the employee.



3. An appropriate level of communication between the employee and supervisor will be agreed to as part of the process. There is value in periodic face-to-face meetings, and arrangements will be made for the employee to make regular office visits or teleconferences, as requested by Southwest Tech. The employee will be expected to participate in on-site activities (example: in-service), as required/requested by their supervisor or Southwest Tech.
4. The employee will establish an appropriate work environment within their home for work purposes. The employee is required to maintain the home office in a safe condition, free from hazards and other dangers to the employee and equipment. Southwest Tech will not be responsible for costs associated with initial setup of the employee's home office such as remodeling, furniture or lighting, repairs or modifications to the home office space. The employee's laptop supplied by Southwest Tech will be used to perform all work except when online employees are required to supply their own equipment (see Computer Lifecycle Management). Southwest Tech monitors and docking stations will not be removed from Southwest Tech's property. Employees must supply their own phone and internet. Equipment supplied by Southwest Tech will be maintained by Southwest Tech and brought to Southwest Tech for service. Employee-owned equipment will be maintained by the employee.
5. Telecommuting during Public Health and other Emergency Situations  
If the college declares a public health or other emergency situation employees may be allowed to take their monitors and docking stations to their residence for remote work. It will be the responsibility of the employee to remove issued hardware and reinstall at the employee's residence. When employees return to campus the employee will be responsible for subsequent hardware setup at their workspace. When telecommuting, employees are required to maintain a reliable high-speed internet connection and telephone service. ITS may be able to provide additional softphone options for communication.
6. While performing official duties, teleworkers are expected to have dependent care arrangements in place. Children of daycare age are required to be in a daycare setting or another person must be present and responsible for the child's care.
7. College Closure Procedure
  - a. Exempt (salaried) - Exempt employees with an approved Telecommuting Request should take their laptops home if the college closes for any reason. Supervisors can ask that virtual work be completed or that online meetings continue as planned. This may also include: responding to emails and being available for questions, working on projects or reports that have upcoming deadlines, and any other work that can be completed at home.
  - b. Non-exempt (hourly) – Non-exempt employees with an approved telecommuting requests may work from home but only at the direction of their supervisor.
8. During peak times telecommuting may not be allowed due to the needs of the organization. Employees should discuss telecommuting during peak times with their supervisor.
9. The employee agrees not to hold face-to-face meetings with third parties at their home office.
10. Injuries sustained by the employee while at their home work location and in conjunction with their regular work duties are normally covered by Southwest Tech's workers' compensation policy. All work-related accidents and injuries occurring at the home office are to be reported to HR and the employee's direct supervisor within 24 hours.
11. The availability of telecommuting as a work arrangement for employees can be discontinued at any time at the discretion of Southwest Tech. Every effort will be made to provide 30 days' notice of such a change to accommodate commuting, childcare and other problems that may arise from such a change. There may be instances, however, where no notice is possible due to Southwest Tech's business needs.
12. Upon termination of employment all Southwest Tech property will be returned to Southwest Tech and failure to return Southwest Tech's owned equipment within five (5) business days from their termination date will result in a deduction of the equipment's fair market value from their final paycheck.



## Overtime Pay

If a Flexible Schedule is not possible, then hourly employees will receive compensation for overtime work as follows:

1. Straight time (i.e., regular hourly rate of pay) for all hours worked through forty in any given workweek. Overtime must always be approved by a supervisor before it is performed. Working overtime without supervisory approval may result in disciplinary action up to and including dismissal. If a flexible schedule is not possible, then overtime is necessary and the employee will receive one and one-half times the regular hourly rate of pay for all hours worked beyond 40 hours in any given workweek.
2. When events or workload require working extra hours in a week, the employee must first discuss possible flexible schedule arrangements with his/her supervisor within the same week (Sunday to Saturday), working 40 total hours. The supervisor will approve or deny the request based on staffing needs, etc.
3. Only hours actually worked will be used to calculate overtime. Paid time off, managed time off, holidays, leaves of absence, or other reasons will not be considered "hours worked" for overtime pay calculation purposes.
4. Supervisors will attempt to provide employees with reasonable notice when the need for overtime work arises. Advance notice may not always be possible.
5. Payment for overtime will normally be received in the pay period in which it is earned when it has been properly prepared, approved by a supervisor, and forwarded to payroll for processing in a timely manner.

## Compensatory Time

Compensatory time off is paid time off from work that is earned at the same rate as overtime and may be provided to eligible employees in lieu of overtime pay. Only non-exempt (hourly) employees are eligible to earn compensatory time. Compensatory time accrues at the rate of one and one-half (1½) hours for every hour worked more than 40 hours per week. Employees need to request the use of compensatory "comp" time and will be allowed to earn compensatory time subject to the following conditions:

- Overtime needs to have prior authorization from the employee's manager. Unapproved overtime will be paid per the overtime policy but could lead to disciplinary action. Exceptions may be granted due to emergency situations (power outages, weather related, etc.).
- Compensatory time shall not be used without prior authorization of the employee's manager. Employees will identify compensatory time on the time sheet and managers shall verify on the time sheet if hours are earned as compensatory time off in lieu of overtime pay. The timesheets will track the compensatory time earned and taken accrual. Requests for compensatory time off will not be granted if the use of such time would unduly disrupt operations.
- Leave activity such as holidays, Managed Time Off (MTO), compensatory time off or jury duty will not be credited as time worked toward the normal workweek of 40 hours for overtime or compensatory time purposes.
- An employee can accumulate a maximum of 40 hours of compensatory time (26.67 hours of overtime). Once the employee's compensatory time bank contains 40 hours, any future overtime worked must be paid as overtime until some comp time is used. This is a rolling bank of time.
- Compensatory time can be used in 15-minute increments.
- Any employee who separates from the College will be paid for accrued, but unused, compensatory time as required by law.

The College may pay out accrued compensatory time at any time of the year, at its sole discretion, by providing the employee at least a thirty (30) day notice of the intent to pay out the accumulated compensatory time. Compensatory time paid out is subject to all legally required tax withholdings.

## Travel Time

Hourly employees will receive compensation for prior approved travel time when the amount of time exceeds their regular commute time. The employee and supervisor should discuss travel time in advance and may flex time during the same pay period.

## Holiday Pay

If non-exempt employees are requested or required to work on a holiday, they will receive the holiday pay plus pay for any additional hours actually worked. Exempt employees will not receive additional pay or time off.

If a holiday falls on a Saturday or Sunday, then the previous Friday or following Monday will usually be the observed holiday.



The College provides paid time off to all full-time regular and part-time (more than 20 hours per week) regular employees on the following holidays.

- Memorial Day\*
- Summer Break
  - Independence Day
  - Four (4) additional days
- Labor Day\*
- Thanksgiving Day\*
- Day after Thanksgiving
- Winter Break
  - Christmas Eve
  - Christmas Day\*
  - Three (3) additional days
  - New Year's Eve
  - New Year's Day\*
- Spring Holiday

Summer Break will be observed the week of Independence Day. Winter Break will be observed beginning Christmas Eve Day returning the day following New Year's Day. Christmas Eve Day, Christmas Day, New Year's Eve Day and New Year's Day are included during Winter Break. Whenever Christmas Eve or Christmas Day (or both) fall on a Saturday or Sunday, winter break will be six (6) holiday days instead of seven (7) and the other holiday day will be observed on the Monday immediately following the Spring Holiday.

Holidays falling on a Saturday are normally observed on the preceding Friday. Holidays falling on a Sunday are normally observed on the following Monday. Employees will be notified prior to the beginning of each calendar year of the actual dates on which these holidays are observed. Part-time employees are paid on a pro-rated basis (based on normal work schedule) and only for the holidays that fall during the normal work schedule.

Faculty observed holidays\* are listed in the Compensation Guidelines.

## Paydays

All employees (hourly and salaried) are paid on a fiscal/academic year, bi-weekly basis through direct deposit. Southwest Tech's established work week is Sunday to Saturday. For hourly employees, paychecks will include earnings for all work performed through the end of the established payroll period. For salaried employees, each paycheck will include the annual salary divided by 26 (number of payrolls per year). If a scheduled payday falls on a College-observed holiday, employees will usually be paid on the day preceding the weekend or holiday. For payroll purposes, a regular workweek begins on Sunday and ends on the following Saturday.

All required deductions, such as federal and state taxes, and all authorized deductions will be withheld automatically from employees' paychecks. Questions concerning why deductions were made from a paycheck or how they were calculated should be addressed to the Payroll Administrator in Human Resources.

## Payroll Deductions

The College makes every effort to ensure that paychecks are accurate. Normal deductions required by law or College policy or authorized by the employee will be taken from the gross amount of the payroll check. Employees should check their pay advice carefully to ensure it is accurate and all deductions are correct. Improper deductions are strictly prohibited. If a payroll error occurs that initiates an additional cost or fee to the employee, then the College will pay the fee or make the employee whole.

The College complies fully with both state and federal wage and hour laws and regulations. Any employee who believes that an improper deduction has been taken should contact the Payroll Administrator or Human Resources immediately. The Payroll Administrator will review the matter and inform the employee of the outcome of that review. If an improper deduction has occurred, the College will reimburse the employee on the next possible payroll date.

## No Impermissible Deductions

The College will not make deductions from the pay of exempt employees because of variations in the quality or quantity of their work, nor will the College make any other impermissible deductions from their pay under the federal or state wage and hour laws. An employee who believes that he or she has been subjected to an impermissible pay deduction **must promptly report** the pay deduction to their supervisor or to payroll. The College will promptly investigate the concern about the pay deduction. If the College determines that an impermissible deduction has been made from an exempt employee's pay, the College will reimburse that employee, in full, for the improper deduction, and the College will take all actions it deems necessary to ensure compliance with the salary basis test in the future.



## Campus Closure Policy

Campus closure may happen due to severe weather, emergency closing, security threat, or a major disaster. Campus closure notification procedures will be followed according to our Emergency Response Plan and the College Closing Administrative Policy; however, it is also the responsibility of each employee to find out whether or not the College is closed.

Employees are expected to make every reasonable effort to work when the College is open. If working on campus and unable to get to work or expect to be late, employees should contact their supervisors as soon as possible. Days or hours missed due to inclement weather or other disaster when the College is open are without pay; however, Managed Time Off (MTO) time may be used.

If the College officially closes, all employees scheduled to work are expected to work from home. If the College closes early for reasons listed above, employees will also be expected to work from home. Employees able to work remotely should take their laptops with them each night. Those employees who are unable to perform their work remotely and have a laptop should work with their supervisor to complete trainings and do research for college activities that can be done within their departments. All employees should work with their supervisor to have work related activities for the hours the college is closed. Examples of additional work that could be performed could include reviewing the website or other policies for updates or suggestions for improvements. If all avenues are exhausted the employee will receive college closure pay for their scheduled hours when the College is officially closed. Employees should speak with their supervisor to clarify expectations for performing their work on closure days.

In the case of a campus closure, if previously scheduled MTO was utilized as planned then MTO should be accounted for on your timesheet submission. If MTO was not able to be used as planned, then campus closure pay will apply and MTO does not need to be used.

In the case of a major disaster which requires the school to close for more than five days, employees will receive compensation for no more than five consecutive school days.

## Expense Reimbursement, Travel, Personal Protective Equipment, and Uniforms

All employees will be reimbursed for approved expenses incurred in conjunction with the performance of job-related responsibilities and authorized College business. To be eligible for reimbursement, expenses must be claimed in accordance with established procedures. All expenses shall be planned with the principles of fiscal austerity, employee productivity, and energy conservation in mind.

Employees who are required to wear safety shoes and/or safety glasses in designated areas will be eligible for a \$200 reimbursement per item on an annual basis.

In some work areas and departments (i.e. maintenance), uniforms will be provided by the College.

The Expense Reimbursement Policy, procedure, and forms can be accessed on the Charger Hub in the Fiscal Services section, Document Store or by requesting a copy from Human Resources.

## Employee Gifts and Gratuities

Employees may not solicit or accept monetary gifts, gifts-in-kind, or other items of significant value for personal gain. Gifts may be accepted on behalf of the college in the course of doing business (for example, promotional items, meals, or samples), if doing so advances the purposes of the College and there is no explicit or implied obligation by the College to the organization or individual giving the gift. Non-monetary gifts can be brought to the HR office. Monetary gifts or gifts-in-kind of significant value may be accepted by or on behalf of the Southwest Tech Foundation, if those gifts are accepted in compliance with the policies and processes of the Foundation. Please contact your supervisor if you are unsure of how to manage gifts significant in value.



## LEAVES OF ABSENCE AND OTHER TIME OFF BENEFITS

### Family and Medical Leave Policy

It is the policy of the College to comply with the requirements of the Federal and Wisconsin Family and Medical Leave Acts (FMLA). Federal and Wisconsin FMLA leave will run concurrently with any disability, major medical, personal, or sick leave granted for that purpose to the extent provided by law.

### Eligibility

To be eligible for federal FMLA leave, the employee must (1) have been employed by the College for at least 12 months, (2) have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the requested leave, and (3) be employed at a work site where 50 or more employees are employed by the College within a 75-mile radius. Human Resources shall be notified when an employee's use of MTO exceeds three (3) consecutive days due to FMLA reasons.

To be eligible for Wisconsin FMLA leave, the employee must have (1) been employed by the College for more than 52 consecutive weeks and (2) been compensated for 1,000 hours during the 52-week period immediately preceding the commencement of the leave.

The College will inform an employee who is requesting leave whether he or she meets the basic eligibility requirements for state and federal FMLA leave. At the same time, the Human Resources personnel will inform the employee of any additional information required to verify that the need for leave is for a FMLA-qualifying reason and of the employee's rights and responsibilities while taking FMLA leave. Employees should contact Human Resources to determine whether a request for leave qualifies under one of the above categories.

### Types of Leave and Amount of Leave Available

Generally, federal law allows eligible employees to take up to 12 weeks of unpaid leave in a calendar year for one or any combination of the following reasons:

1. The birth of an employee's child or because of the placement of a child with the employee for adoption or foster care; such leave must generally be completed within 12 months of the birth or placement.
2. To care for a child, spouse, or parent who is suffering from a serious health condition; a "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three 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.
3. To care for their own serious health condition, and
4. To address a qualifying exigency arising out of the active duty or call to active duty of an employee's spouse, child, or parent in support of a contingency operation. However, the federal FMLA does not provide for a full 12 weeks of leave for all types of qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative child care, addressing certain counseling sessions, and attending post-deployment reintegration briefings.

Furthermore, employees are entitled to take up to 26 weeks of unpaid leave to care for the employee's spouse, child, parent, or next of kin who is a covered service member who incurs a serious illness or injury while in the line of duty on active duty. A covered service member includes current members of the armed forces. This leave is available only during a single 12-month period and is available on a per-covered service member, per-injury basis. In certain instances, this leave may be combined with all other FMLA leaves, limiting the employee's FMLA leave entitlement for all purposes to no more than a total of 26 weeks of leave during the single 12-month period.

In a calendar year, Wisconsin law allows employees to take

1. Up to six weeks of family leave for the birth or adoption of a child; an employee must request family leave that commences no earlier than 16 weeks before the estimated birth or placement for adoption or foster care and no later than 16 weeks after the actual birth or placement.
2. Up to two weeks of family leave to care for a child, spouse, domestic partner, parent or parent-in-law (including a domestic partner's parent) suffering from a serious health condition.
3. Up to two weeks of medical leave for an employee to care for his/her own serious health condition.



## **Notifying the College of the Need for Family or Medical Leave Requesting Leave**

In all instances, the College will require an eligible employee to submit a completed Request for Family and Medical Leave Form to Human Resources. Forms are available in the College Human Resources office.

When asking for FMLA leave, an employee must provide sufficient information for the College to determine if the absence may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, a family member is unable to perform daily activities, or the employee or family member requires hospitalization or continuing treatment because of a serious health condition. Sufficient information may also include circumstances supporting the need for military family leave. The College may then collect other information from the employee to properly determine whether the absence will be treated as FMLA leave. If the employee is seeking leave for an FMLA-qualifying reason for which the College has previously provided FMLA-protected leave, the employee must specifically refer to the qualifying reason for leave or the need for FMLA leave that has been previously taken or certified. Failure to do so may result in the delay or denial of FMLA-approved leave.

### **Timing of Request for Leave**

Generally, if the need for FMLA is foreseeable, an employee's request for FMLA leave should be submitted as far in advance as possible, no later than 30 days before the leave is expected to commence. If the approximate timing of the need for leave is not foreseeable, employees should give notice of the need for leave as far in advance as possible. Notice of leave for a qualifying exigency must be provided as soon as practicable, regardless of how far in advance such leave is foreseeable.

If the employee is capable of complying with the College's normal call-in and reporting procedures or arranging for the College to receive timely notice of the employee's absence and fails to do so, the College may deny or delay the FMLA leave.

### **Certification of the FMLA-Qualifying Need for Leave**

The College requires employees to submit a completed certification form, verifying the need for FMLA leave. The specific form required will depend upon the reason for the leave request; however, it will be one of the following forms, all of which are available in Human Resources.

- Certification of Health Care Provider for Employee's Serious Health Condition Form
- Certification of Health Care Provider for Family Member's Serious Health Condition Form
- Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave Form
- Certification of Qualifying Exigency for Military Family Leave Form
- Affidavit of Domestic Partner Status and required documentation

The applicable certification form must be completed by the appropriate individual: the treating health care provider for a serious health condition, an authorized health care provider in the case of a serious illness or injury of a service member, or the employee for a qualifying exigency.

Employees must return the certification form to Human Resources within 15 calendar days after the date of the College's request. If an employee cannot comply with this deadline, the employee must contact the Human Resources Director and request an extension prior to the date that the form is due. Failure to return the form and/or request an extension in a timely manner may result in the denial of the employee's FMLA leave request.



## **Additional Certifications of Serious Health Conditions**

If the College has a reason to question the validity of a medical certification of a serious health condition of the employee or the employee's family member, an employee may be required to provide a second certification from a health care provider who is selected and paid for by the College. If the second opinion differs from the first, a third opinion may be required. The health care provider for the third opinion must be mutually chosen by the employee and the College and paid by the College. The third opinion, by law, is binding on all parties. Periodic recertification and annual certifications to verify that the serious health condition of an employee or employee's family member is ongoing may be required, as provided by the law. Failure to provide this certification within 15 days of a request will result in the delay or denial of the leave.

## **Designation of FMLA Leave**

The College will provide employees with a Designation Notice informing them of whether the leave will be designated as FMLA protected.

## **Use of Paid and Unpaid Leave**

Under Wisconsin's FMLA, an employee entitled to family or medical leave may substitute (use), for any leave requested under the Act, any other paid or unpaid leave which has accrued to the employee. The College will require substitution when an employee is taking leave under Wisconsin's FMLA.

Under federal law, the College requires that the employee substitute accrued Managed Time Off (MTO) disability, personal, or other College-provided paid leave during periods of federal FMLA leave. However, the College may prohibit the substitution of any accrued paid leave where the employee does not otherwise meet the conditions for use of such leave. The order of paid leave usage is: Sick Leave Bank, then FMLA Bank, then MTO. Unpaid leave may only be used after all paid leave is exhausted and with HR approval. Employees are expected to use available MTO before requesting unpaid. Employees are required to deplete their MTO down to 24 hours.

When paid benefits are substituted for the otherwise unpaid time, the employee is using the benefits concurrently with the FMLA leave, and those benefits will not be available to the employee later. Similarly, substitution or use of paid leave does not extend the amount of FMLA leave available to an employee; it only provides for pay.

As appropriate, an employee on medical leave (for the employee's own serious health condition) may simultaneously be eligible for and receive Disability or Workers' Compensation benefits. In such cases, Disability and Workers' Compensation leaves of absence will run concurrently with this family and medical leave.

## **Intermittent and Reduced Schedule Leave**

Intermittent leave or reduced-schedule leave will be permitted when it is medically necessary and in the case of qualified exigencies. If an employee wants to take family leave for the birth or placement of a child for adoption or foster care on an intermittent basis (as opposed to taking leave on a continuous basis), the employee must first discuss this with Human Resources. Such a request may not be granted in all instances.

Intermittent leave and reduced-schedule leave for planned medical treatment should be scheduled with minimal disruption to the College's operations. As practicable, medical appointments and treatment related to a serious health condition or a covered service member's serious illness or injury must be scheduled outside of working hours or at such times as allow for a minimal amount of time away from work.

If leave is taken on an intermittent or reduced-schedule basis, the employee may be temporarily transferred to another job with no reduction in pay and benefits if the new position will better accommodate recurring periods of leave than the employee's regular position.



## Benefit Continuation During Leave

Employees may elect to continue group health insurance coverage while on leave as if they had continued working. Employees will be required to continue to pay their portion of the premium as if they had continued working. Other employment benefits, such as group life insurance, will also be continued during the leave, as long as the employee continues to pay any required contribution. If an employee has pay substituted for otherwise unpaid FMLA leave or has appropriate pay available, the employee contribution toward the insurance premium will be deducted as part of a normal payroll deduction to the extent permitted by law. To the extent that a payroll deduction is not available to fully cover the employee contribution, the employee must make the appropriate premium payment no later than the payday to which coverage relates. If an employee does not make the appropriate employee contribution to the cost of group health plan coverage within thirty (30) days of the due date, the employee's group term health benefits will cease.

Use of FMLA leave will not result in the loss of any employment benefit that accrued to an employee prior to the start of an employee's FMLA leave.

## Rights upon Return from Leave

An employee who takes leave under FMLA will be reinstated to the same position or an equivalent position upon completion of the leave. However, the law provides that an employee has no greater rights upon a return from leave than the individual would have had if he or she had continued to work. Therefore, an employee may be affected by a layoff or other job change if the action would have occurred had the employee remained actively at work.

## Fitness for Duty- Return to Work Notice

If leave has been taken due to the employee's own health condition, the employee must provide a return to work note (or medical release) from their providing physician to Human Resources before returning to work. Failure to provide a release may result in the delay or denial of job restoration.

## Periodic Reports and Intent to Return to Work

While on leave, an employee is requested to report periodically to the College regarding their status and intent to return to work. Any changes in status that would affect the employee's estimated return-to-work date should be reported immediately to Human Resources and affected supervisors.

## Extensions of Leave

An employee is expected to return to work upon expiration of an approved leave. An employee needing an extension of an approved leave must notify Human Resources and the employee's supervisor promptly after learning of the need for the extension. Extensions may be granted under other College policies and/or laws. If an employee fails to report to work promptly upon expiration of approved FMLA leave, any additional absences will be considered unexcused.

A request for an extension must be in writing and accompanied by any required forms prior to the expiration of the original leave. The College does not guarantee an extension will be granted; and the continuation of benefits, substitution of other paid leave, and employment status may change if an extension is granted.

## Miscellaneous - FMLA

The Wage and Hour Division of the U.S. Department of Labor is the federal agency that regulates the federal FMLA. Federal law makes it unlawful for a college to interfere with, restrain, or deny the exercise of any right provided under the FMLA or to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for the involvement in any proceeding under or relating to the FMLA. Nothing in the FMLA affects any federal or state law prohibiting discrimination or supersedes any state or local law or collective bargaining agreement which provides greater family and medical leave rights. Employees have the right to file a complaint with the U.S. Department of Labor (DOL) or bring a private lawsuit if they feel the College has violated their rights under the FMLA. For more information, employees may contact the DOL at (866) 487-9243 or [www.wagehour.dol.gov](http://www.wagehour.dol.gov). However, it is the preference of the College that employees first bring any questions or concerns to the attention of the Human Resources office.



## **Bereavement Leave**

If a death occurs in the family of a full-time regular or part-time regular employee, that employee will be compensated for time lost from their regular work schedule in order to make arrangements for, travel to, and attend the funeral in accordance with the following guidelines:

1. The employee will be granted up to five days off from work with pay in the event of the death of a spouse, designated domestic partner, parent, child, grandchild, or sibling. Relationships include step, adopted, and foster status.
2. The employee will be granted up to three days off from work with pay in the event of the death of grandparents, an aunt or uncle, mother- or father-in-law, son- or daughter-in-law, brother- or sister-in-law, or a niece or nephew.

The statements above are guidelines, and it is understood that there may be extenuating circumstances that will warrant approval. All requests and scheduling of Bereavement Leave should be made with the employee's immediate supervisor.

The College may request appropriate documentation before paying for the Bereavement Leave.

## **Jury and Witness Duty Leave**

Jury duty leave provides paid time off to employees who fulfill their civic responsibility when summoned for jury duty. If jury duty is cancelled or is adjourned in the morning, the employee is expected to return to work on the same day.

An employee on jury duty will receive a reimbursement from the court to cover extra expenses that may be incurred. The employee is not required to forward this reimbursement to the College.

To qualify for jury or witness duty leave and to allow for scheduling in the affected department, an employee must submit a copy of the summons to serve to their supervisor as soon as practicable after it is received. In addition, proof of service must be submitted to the supervisor when the period of jury or witness duty is completed.

Employees who are summoned to appear in court for personal reasons will be required to use managed time off.

## **Pay in Lieu of Managed Time Off**

Employees are encouraged to take their earned Managed Time Off (MTO). No payments will be made in lieu of taking MTO, except for the payout of any accrued, unused MTO that exists at the time of termination.

## **Managed Time Off (MTO) Pay for Terminating Employees**

If employment is terminated for any reason, the employee is entitled to payment for all accrued, unused MTO time. Any MTO used above the accrued amount available will be deducted from the employee's last paycheck.

## **Community Fire and Rescue Squad Leave**

Employees will be allowed to participate without loss of pay for fulfilling voluntary service to the Fennimore Fire Department and Rescue Squad. Due to special demands and responsibilities of an employee's job, there may be times when the employee cannot be excused to respond to an emergency call. Therefore, employees should discuss their service and under what circumstances they may or may not respond to an emergency call with their supervisor in advance. Employees serving as volunteers in communities outside of Fennimore may also participate; however, they must work out a make-up schedule with their supervisor, use Managed Time Off, or take the time off without pay. The difference in policy for volunteers in Fennimore vs. other communities is because Southwest Tech's campus is a part of the Fennimore community and receives service from the Fennimore Fire Department and Rescue Squads.



## GROUP HEALTH AND RELATED BENEFITS

### Employee Benefits

The College has established a variety of benefits and services that are designed to assist employees and their eligible dependents to meet the financial burdens that can result from illness, disability, and death, as well as help them plan for retirement and deal with job-related or personal issues. Qualifying employees are eligible for benefits; however, eligibility and cost varies by employee classification. These benefits are designed to enhance the welfare and well-being of each individual and, in some cases, extend coverage to include the employees' families.

These benefits are subject to change from time to time at the sole discretion of the College, with or without notice. Complete details of the benefits are set forth in the actual plan documents. In the event of a conflict between the description of the benefits in this Handbook and the actual plan documents, the plan documents will prevail. At present, the College provides the following benefits:

### Health Insurance

All full-time regular (or LTE) and part-time regular (or LTE) employees and their eligible dependents are eligible to participate in the College's health insurance plan. Coverage for eligible employees is effective on the first day of the month following employment. Any portion of the premium not covered by the College must be paid by the employee electing the insurance coverage.

Benefits under this plan terminate at midnight on the last day of the month in which employment with the College terminates. Interested employees should review the College's policy in this Handbook regarding continuing group health insurance benefits after termination of employment (Benefits Continuation [COBRA]).

Instructional staff members who complete their academic year and then retire will be allowed to remain on the College's medical insurance until the end of the same fiscal/academic year.

For further details regarding the medical coverage plan, employees should consult the Summary Plan Description booklet or contact the Human Resources office.

### Dental Insurance

All full-time regular (or LTE) and part-time regular (or LTE) employees and their eligible dependents are eligible to participate in the College's group dental insurance program. Coverage for eligible employees is effective on the first day of the month following employment. Any portion of the premium not covered by the College must be paid by the employee electing the insurance coverage.

Benefits under this plan terminate at midnight on the last day of the month of the date in which employment with the College terminates. Interested employees should review the College's policy in this Handbook regarding continuing group health insurance benefits after termination of employment (Benefits Continuation [COBRA]).

Instructional staff members who complete their academic year and then retire will be allowed to remain on the College's dental insurance until the end of the same fiscal/academic year.

Employees who are interested in obtaining further details regarding dental coverage should consult the Summary Plan Description booklet or contact the Human Resources office.

### Vision Insurance

The College offers vision insurance benefits to eligible employees. Employees may participate in the vision program at their own expense and are subject to the provisions of the plan and enrollment requirements.

Benefits under this plan terminate at midnight on the last day of the month in which employment with the College terminates.



## Basic Group Life Insurance

All full-time regular and part-time regular employees are provided with a basic group life insurance policy by the College. Coverage under this program is available for employees only and is effective on the first of the month following employment. Employees may purchase additional life insurance through payroll deductions.

The amount of basic group life insurance coverage is based on the employee's base wages and is rounded to the next highest \$1000. Additional coverage for the same amount is provided in the event of accidental death or dismemberment.

Life insurance benefits terminate on the date on which employment with the College terminates.

For further details regarding life insurance benefits, employees should consult the Summary Plan Description booklet or contact the Human Resources office.

## Long-term Disability Insurance

The College provides all full-time regular and part-time regular employees with long-term disability insurance benefits. Coverage for eligible employees is effective on the first of the month following employment.

Under this program, employees who are disabled for more than 90 days because of injury or sickness (in accordance with the definition of *disability* specified in the Summary Plan Description booklet) are eligible to receive a benefit equivalent to  $66\frac{2}{3}$  percent of their basic monthly earnings, up to a maximum benefit of \$10,000 per month (less other income benefits). Benefits continue for as long as the qualifying disability continues in accordance with the maximum benefits periods specified in the Summary Plan Description booklet.

Coverage under this plan normally terminates on the date employment with the College terminates. Employees receiving long-term disability benefits at the end of their employment with the college will continue for as long as the qualifying disability continues.

For further details regarding long-term disability coverage, employees should consult the Summary Plan Description booklet or contact the Human Resources office

## Worker's Compensation Insurance

The College provides a comprehensive Worker's Compensation Insurance program. This program covers injuries or illnesses sustained in the course of employment that require medical, surgical, or hospital treatment. Subject to applicable legal requirements, worker's compensation insurance generally provides benefits after a short waiting period and will run concurrent (at the same time) with sick leave for all time or days away from work

Employees who sustain work-related injuries or illnesses must inform their supervisors or the Human Resources office immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an employee to qualify for coverage as quickly as possible.

Questions regarding worker's compensation should be directed to the Human Resources office.



## **COBRA**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualifying beneficiaries the opportunity to continue health insurance coverage under the College's health plan when a "qualifying event" would normally result in the loss of benefit eligibility. Some common qualifying events include resignation, termination of employment, death of an employee, a reduction in an employee's hours, a leave of absence, an employee's divorce or legal separation, and a dependent child who no longer meets eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the College's group rates plus an administration fee. COBRA benefits are available to the employee or beneficiary for a specified amount of time. The College provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the College's health insurance plans. The notice contains important information about the employee's rights and obligations.

## **Wisconsin Retirement System of Department of Employee Trust Funds**

The College contributes to the Wisconsin Retirement System (WRS) to assist employees in their postemployment years. Employees are encouraged to begin planning for retirement early in their careers so that the WRS benefits, benefits from the federal government's social security program, and income from personal investments can grow together to provide future financial security.

The retirement plan, which is funded both by College and employee contributions, is designed to provide employees with monthly benefits when they retire. Each employee contributes one-half of the actuarially determined contribution to WRS. The amount of benefits that an employee receives when he or she retires depends on, among other things, years of credited service with the Wisconsin Retirement System and income.

## **Other Deferred Compensation Plans**

The College has established 403(b) and 457 plans that are available to all eligible employees. The purpose of these plans is to encourage eligible employees to save on a pre- and post-tax basis and to build a financial reserve for retirement.

Eligible employees may join, leave, or change contributions to their plan at any time and are subject to all terms and conditions of the plan.

These savings plans allow employees to elect how much salary they want to contribute and to direct the investment of the plan account to the identified vendors so that the employees can tailor their own retirement packages to meet their individual needs. Because contributions are automatically deducted from pay before federal and state tax withholdings are calculated, employees save tax dollars now by having their current taxable amount reduced. Employees may also make contributions post-tax, which means that they avoid paying the taxes on the contributions that they make after they retire.

Complete details of the savings plans are described in the Summary Plan Description provided to eligible employees. Interested employees should contact the College Human Resources office for more information about the 403(b) and 457 plans.

## **Flexible Spending and Health Savings Accounts (HSAs)**

The College offers all eligible employees the opportunity to participate in an IRS Section 125 Flexible Spending Plan (FSA) or Health Savings Account (HSA). You must be enrolled in the College's health insurance plan to qualify for an HSA and if an employee opens a HSA, the college will make payroll contributions to employee HSA accounts. Employees contribute pre-tax dollars from their pay that can be used toward qualifying medical and/or dependent-care expenses.



## **Tuition Reimbursement**

The College, Southwest Tech (SWTC) will offer tuition reimbursement to all full-time and part-time (more than 20 hours per week on a pro-rated basis – excluding limited term positions) regular employees who have provided at least 1 year of service to the College excluding limited term positions. Supervisor pre-approval is required for all doctoral, graduate, undergraduate, associate degree, technical diploma, certificate, or course taken for credit through a nationally recognized and regionally accredited college or university. Request should be made during the budgeting process to ensure funds are available in your department's budget. All employees will complete the tuition request form and have their Supervisor and HR's approval to qualify for tuition reimbursement.

Courses must be approved by the employee's supervisor along with HR and be part of a job-related degree program, support an individual's current work focus, align with the College's strategic direction, or be directly connected to preparation for another career opportunity within the College for which the college supports. An individual may be reimbursed 50% of the actual cost of the course up to a maximum of \$3,000 limit per calendar year.

Any courses taken for an approved degree through Southwest Wisconsin Technical College will be reimbursed at 100% (assuming successful completion of the course) to the employee and does not apply to the \$3,000 limit per calendar year. All applicable laws will apply, and dollar amounts over the IRS limit are subject to applicable taxes. Southwest Tech courses include student activity fees, technology fees, material fees and program completion fees. Employees will be charged for the course and then reimbursed through the College's reimbursement procedure. SWTC professional development courses such as Business and Industry Services (BIS) and CPR that require registration on the CE Portal along with payment will be paid for by the employee and the expense reimbursement procedure followed. These courses are normally one to two days. Courses taken outside of SWTC and that are not for credit will be paid for out of the SWTC professional development from the department.

Reimbursements will only be made upon successful completion of each course. Fees directly charged by the institution for course enrollment are allowed to be submitted for reimbursement; however, fees not directly related to course enrollment will not be allowed for reimbursement. Some examples of fees not allowed for reimbursement are: book fees, late fees, payment deferral fees, add/drop or other fees. Human Resources will determine if the fee is or is not directly related to course enrollment. Please allow processing time as reimbursements are allocated to the year they are paid. Instructions for completing the reimbursement form can be found on the Charger Hub under Finance. Reimbursements must be requested within 60 days of the end of the course. Employees must receive a grade of C or higher and provide proof of the course grade and an invoice/payment. If the coursework is identified and pre-approved by the Executive Team as part of an employee's formal succession plan, the employee may be eligible for an alternative reimbursement plan.

If an employee is laid off while taking a course, the employee will be reimbursed 50% of the amount of the current course. If an employee voluntarily leaves the College, the employee will be required to reimburse the College for the total reimbursement received in the prior 3 months.

## **Employee Assistance Program**

The Employee Assistance Program (EAP) is a service available to employees and their immediate families, offering confidential, professional help for issues such as grief, stress, personal help, drug addiction, and other life-changing events. The EAP provider for Southwest Tech employees is Life Matters. The telephone number is 1-800-634-6433 and the Web address is [www.mylifematters.com](http://www.mylifematters.com). The password is SWTC1



## Additional Benefits

### Child Care Facility

The childcare facility is licensed through the State of Wisconsin, and the curriculum is based on the latest research in early childhood education. All employees are eligible to access the services of the childcare facility. Payments can be made through payroll deduction.

### Fitness Center/Aerobics Room

Students, faculty, retirees, staff, and immediate family members of staff or faculty have free access to the fitness center and aerobics room.

### Wellness

The College offers a variety of programs that concentrate on preventative health measures. Focusing on employee health not only helps employees improve or maintain their quality of life but also helps contain rising health care costs. Programs offered are intended to be holistic with our 4 primary categories of: Physical, Emotional, Financial, and Social wellbeing. At times, the College will offer various activities such as: health assessments, physical activity challenges, on-site fitness classes, blood pressure screenings, flu shot clinics, and a variety of educational programs.

The College also has an active Wellness Workgroup that encourages employees to participate in activities that improve physical, emotional, financial, and social wellbeing.

### The Knox Learning Center

Southwest Tech's Knox Learning Center has a sizeable collection of materials and resources and is open to all students, faculty, staff, and residents of the Southwest Tech District.

### Vehicle Repairs

Students and staff may have their vehicles serviced onsite by the College's Automotive Technician students, provided that the requested service or repair is within the program's current curriculum. A fee is assessed for these services.

### Salon

Students and staff may visit the Creative Elements Salon for a full range of cosmetology services. A fee is assessed for these services.



## EMPLOYEE CONDUCT

### Personal Appearance and Demeanor

During hours of operation or College programs and activities, the College expects employees to present a clean and neat appearance and professional dress according to the requirements of their positions. In addition, employees who are provided a uniform by the College will be required to report to work in the appropriate uniform.

The College will designate optional casual dress days throughout the year. Pre-designated casual dress days are on Fridays (on Thursdays during Summer Hours). Southwest Tech's definition of casual dress is Southwest Tech logo top and nice jeans with no holes.

When working either on or off-campus, employees are strongly encouraged to wear their name badges. This indicator helps students and the public know whom they might ask for assistance. Employees who appear for work inappropriately dressed will be counseled by their supervisors and, if needed, will be sent home and directed to return to work in proper attire.

Employees who have questions should consult their supervisor(s) or the Human Resources office about what constitutes appropriate attire.

### Absenteeism and Tardiness

To maintain a safe and productive work environment, the College expects all of its employees to be reliable and punctual about reporting for scheduled work. Employees who are unable to work should follow department guidelines for notification of those who need to know. Employees must notify their supervisors or department-designated person at least one hour before starting time on each day of absence, unless granted an authorized medical leave, in which case different notification procedures apply. (See the Family and Medical Leave policy section.)

Absenteeism or tardiness that is unexcused or excessive in the judgment of the employee's supervisor may result in discipline and may jeopardize the employee's employment with the College.

### Guidelines for Appropriate Conduct

As an integral member of the College team, each employee is expected to accept certain responsibilities, to adhere to acceptable business principles in matters of personal conduct, and to exhibit a high degree of personal integrity. Whether on or off duty, employee conduct reflects on the College. Employees are encouraged to observe the highest standards of professionalism and ethics.

Types of behavior and conduct that the College considers inappropriate include but are not limited to the following:

1. Acting dishonestly in any way, including falsifying a job application or other records
2. Violating the College's harassment and Nondiscrimination Policy
3. Being absent or tardy excessively or leaving work early without permission
4. Reporting to work under the influence of non-prescribed drugs or alcohol
5. Manufacturing, possessing, using, selling, distributing, or transporting drugs illegally
6. Possessing or using alcoholic beverages on or off College property while engaged in College business, except where authorized
7. Fighting or using obscene, abusive, or threatening language or gestures. Note: The College recognizes that some programs will be required to use inappropriate language for training purposes, and such language will not be considered inappropriate in that setting.
8. Stealing from the College or from coworkers, customers, or students.
9. Engaging in excessive, unnecessary, or unauthorized use of the College's equipment or supplies, particularly for personal purposes.
10. Having unauthorized firearms on the College premises or while on College business.
11. Disregarding safety or security regulations.
12. Failure to comply with social distancing, personal hygiene and sanitation guidelines related to public health emergencies
13. Using a camera or other photographic, video graphic, or tape-recording equipment inappropriately.
14. Loitering or sleeping during work hours.
15. Responding to supervisors with insubordination.
16. Failing to adhere to FERPA regulations and maintaining the confidentiality of the College, customer, or client information.
17. Destroying, defacing, or using College property or the property of others improperly or without authorization.



18. Acting in a way that is intentionally negligent or careless so as to endanger the employee's safety and the safety of others, damage property, or harm the College.
19. Gambling or other illegal activities at work.
20. Failing to report accidents or injuries in a timely manner.
21. Performing poorly.
22. Failing to cooperate in legitimate College investigations.
23. Violating or encouraging/assigning another employee to violate any policy set forth in this Handbook.
24. Violating confidential or proprietary information.
25. Communicating in an inappropriate, disparaging manner in any form with regard to the College, coworkers, customers, or students

If an employee's performance, work habits, overall attitude, conduct, or demeanor becomes unsatisfactory in the judgment of the College, based on violations either of the above or of any other College policies, rules, or regulations, he or she will be subject to disciplinary action, up to and including termination of employment. The severity of the discipline shall be determined by the College, in its sole discretion and in accordance with its disciplinary procedures.

## **Ethics, Conflicts of Interest, and Outside Employment**

Employees are expected to uphold the highest standards of ethical and professional behavior. Employees have an obligation to conduct business within guidelines that prohibit actual, potential, or perceived conflicts of interest. Outside employment is permissible if it does not interfere, compete, or conflict with College interests and does not hinder the employee's ability to meet the responsibilities and demands of their College-related work. To ensure that there is no conflict of interest, employees should consult with their supervisors and, if applicable, complete a non-disclosure/non-solicitation agreement.

## **Ethics in Recruitment, Enrollment, and Admissions of Students**

Employees endorse and practice ethical principles in recruitment, enrollment, and admission of students including accurate representation of the college and services provided in the admission process and making publicly available comprehensive, accurate, and current information regarding admissions, financial aid, scholarships, academic offerings, housing policies. Employees will also provide significant changes to institutional policies and procedures for extraordinary circumstances such as pandemics and severe weather. Employees will provide admission counseling in the best interest of students including educating students and families of their ethical responsibilities. Employees understand they will not be compensated by commissions, bonuses, or other incentive payments, based on the number of students referred, recruited, admitted or enrolled and will not offer or accept any reward or remuneration to influence an admission, housing, scholarship, financial aid, or enrollment decision.

Compliance with this policy is the responsibility of every College employee. Disregarding or failing to comply with this standard of ethics and conduct could lead to disciplinary action, up to and including termination.

## **Reference Check Disclosure Policy**

All requests for information on current or former employees must be referred to the Human Resources Department. Information given by phone will be limited to verification of employment dates, position title, and salary. In response to written requests (i.e., mortgage applications), information such as salary, dates of employment, and job position may be provided, only if an authorization signed by the employee is provided.

## **Workplace Searches and Investigations**

To safeguard the property of employees, students, and the College and to help prevent the possession of unauthorized weapons and the possession, sale, and use of illegal drugs on the College premises, the College reserves the right to search, with reason, any College phone; computer or equipment or any employee's office, desk, files, locker, vehicles; or any other area or article on the College premises. The College may utilize surveillance systems including cameras, throughout various locations to conduct internal investigations. Employees who refuse to cooperate in an investigation, as well as employees who are found to be in possession of stolen property, unauthorized weapons, or illegal drugs may be subject to disciplinary action.

## **Social Media**

The College respects the free speech rights of its employees. However, employees may be seen by others as representing official College views when participating in social media (blogs, chat rooms, and online social networks



such as Facebook, LinkedIn, Twitter, etc.). As with all Internet and e-mail-related activity, it is the College's right to lawfully monitor employees' use of social media to protect the College's legitimate business interests. Employees have no expectation of privacy in any activity in which they engage on social media.

Employees are expected to use good judgment and discretion when using social media. Conduct that would not be acceptable in the workplace is not acceptable online. The same College policies and practices that apply to employee activities in general apply to employee online activities.

The College has an established means to communicate with employees, students, customers, vendors, and the media, including social media. Only individuals officially designated by the College have the authorization to speak on behalf of the College to these audiences.

## **E-mail and Internet**

There should be no expectation of privacy in anything stored, sent, or received on the College e-mail system or while using the Internet. The College may monitor e-mail and Internet activity without prior notice; however, the College is not obligated to monitor these activities.

## **Solicitations, Distribution of Literature and Political Activity**

The College prohibits the distribution of literature or the solicitation or sale of products or services for personal gain or profit on or in any premises owned, leased, rented, or occupied by the College, unless such solicitation or sale is authorized in writing by the Vice President of Administrative Services or their designee. This includes nonprofit organizations and community groups.

No employee shall engage in political activity upon any premises owned, leased, rented, or occupied by the College. The following activities and any other similar activities are specifically prohibited on college property and time: posting of political circulars or petitions, distributing of political circulars or petitions, collecting of and/or solicitation for campaign funds, and soliciting for campaign workers.

## **Communication**

To maintain an effective avenue for communicating with employees, the College maintains information outside of their offices including State and Federal employment posters. Human Resources along with other departments post important information on the Charger Hub.

## **Tobacco (all forms) and E-Cigarette Policy**

The College has established a policy that limits tobacco (in all forms) and e-cigarette use to designated areas on all College property. Locations assigned as "designated smoking areas" are clearly marked and have cigarette receptacles available. Tobacco, in all forms, and e-cigarette use is prohibited in or near buildings, while walking across campus, and in parking lots. Employees are expected to remind staff, students, or visitors who are using these products in non-designated areas and inform them of the location of the areas in which they are permitted.



## Drug and Alcohol Use

Employees are required to report to work in appropriate mental and physical condition and perform their jobs in a satisfactory manner. If an employee is suspected of being under the influence of alcohol or an illegal drug, he or she may be requested to immediately submit to a drug and/or alcohol test. If the result of the test is positive, the employee may be subject to disciplinary action, up to and including termination.

The legal use of drugs currently prescribed for an employee is permitted on the job only if it does not impair the employee's ability to perform the essential functions of the job effectively and in a safe manner. Violations of this policy may lead to disciplinary action, up to and including termination and possible and have legal consequences.

Employees with drug or alcohol problems may seek assistance through the employee assistance program (EAP) or the College's health insurance benefit coverage or any other services offered and available.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should contact their supervisors or the Human Resources office.

## Safety and Health

The College is committed to providing a safe and healthy work environment. The College makes every effort to comply with relevant federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies, and programs conducive to such an environment.

The College's policy is aimed at minimizing the exposure of students, employees, customers, and visitors to health or safety risks. To accomplish this objective, all employees are expected to work diligently to maintain safe and healthful working conditions and to adhere to proper operating practices and procedures that are designed to prevent injuries and illnesses.

Each employee of the College holds the following responsibilities in regard to safety:

1. Exercise maximum care and good judgment at all times to prevent accidents and injuries.
2. Report the incident on the College Incident/Accident Report form on the college website and seek first aid for all injuries immediately, regardless of how minor.
3. Report unsafe conditions, equipment, or practices.
4. Use safety equipment provided by the College.
5. Observe conscientiously all safety rules and regulations.
6. Help students understand their responsibilities in maintaining a safe and healthful work environment.
7. Prepare and help students prepare for fire, tornado, crises, and other natural and unnatural disasters.

Employees may file a complaint or concern related to safety and health at any time by following the College's complaint procedure found at the end of this Handbook.

## Weapons

No person shall violate the College's Weapons Policy or any federal or state legal sanctions. Persons who have lost the legal right to possess a dangerous weapon by federal, state, or local statutes or federal, state, or local court order may not possess a dangerous weapon within the premises of any College-owned, leased, or operated location.

## Visitors in College Facilities and on College Property

The College's facilities are authorized for public use in designated areas, according to the College Facilities Usage Policy.



## Workplace Violence and Bullying

The College expressly prohibits any acts or threats of violence by any person in or about the College facilities or elsewhere at any time. The College also will not condone any acts or threats of violence against the students, employees, customers, or visitors who are on the College premises at any time or while they are working, either on or off the College premises.

In keeping with the spirit and intent of this policy and to ensure that the objectives of the College in this regard are attained, the College is committed to the following:

1. Provide a safe and healthy work environment in accordance with the College's Values.
2. Take prompt action, up to and including termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.
3. Take appropriate action when dealing with any individual who engages in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
4. Prohibit students, employees, former employees, customers, and visitors from bringing unauthorized firearms or other weapons onto the College premises.
5. Establish viable security measures to ensure the College facilities are safe and secure to the maximum extent possible and to properly handle access to College facilities by the public, off-duty employees, and former employees.

Employees have a duty to warn their supervisors, campus administrators, security personnel, or human resource representatives of any suspicious workplace activity or situations or incidents they observe or they are aware of, whether they involve other employees, former employees, vendors, or visitors. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, and bullying.

The College defines bullying as "inappropriate behavior," either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the College's Core Values, which convey that all individuals will be treated with dignity and respect.

Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The College will not condone any form of retaliation against any employee for making a report or participating in an investigation under this policy.

## Employee Discipline

Discipline may take the form of a verbal warning, written warning, suspension (with or without pay), disciplinary demotion, or termination, depending upon the circumstances. The severity of the discipline shall be determined by the College in its sole discretion and in accordance with its Disciplinary Procedures.

The supervisor, in consultation with Human Resources, may place an employee on a performance improvement plan (PIP). The employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements as specified in the PIP and failure to do so could result in disciplinary action up to and including termination.

When warranted, an employee may be suspended (with or without pay), during an investigation of an alleged violation.

## Verbal Warning

A verbal warning will involve a supervisor holding a conference with an employee. During the conference, the supervisor will verbally discuss concerns and what changes in job performance or behavior are necessary. The supervisor will document the concerns and expectations and inform the employee that future violations could lead to further discipline. The employee and supervisor will be asked to sign and date a document, indicating that its contents have been discussed. The employee may write a rebuttal, within 60 days of the issuance of the verbal warning, which will be attached to the document. A copy of the document(s) will be provided to the employee and filed in the employee's personnel file.



## Written Warning

Following an investigation, an employee may receive a written warning. A supervisor will hold a conference with the employee and present a written warning to the employee that specifies the violations, what changes in job performance or behavior are necessary, and the consequences for failure to improve. The employee and supervisor will be asked to sign and date the document, indicating the written warning has been received. The employee may write a rebuttal within 60 days of the issuance of the written warning, which will be attached to the document. A copy of the document(s) will be provided to the employee and filed in the employee's personnel file.

## Suspension

During or following an investigation, an employee may be suspended with or without pay. Employee rights of appeal are outlined in the Addendum to this Handbook.

## Disciplinary Demotion

Following an investigation, an employee may receive a disciplinary demotion. Disciplinary demotion is the movement to a different position, which may result in a lower salary. Employee rights of appeal are outlined in the Addendum to this Handbook.

## Termination

Following an investigation, employment may be terminated. Termination is an involuntary separation of employment. The employee will receive written notice of termination. Whenever possible, a conference will be scheduled with the employee to inform him or her of the termination. A copy of the termination notice will be placed in the employee's personnel file. Employee rights of appeal are outlined in the addendum to this Handbook.

## Complaint and Appeal Procedure for Discipline and Workplace Safety

An employee who receives a suspension without pay or a disciplinary demotion or who is terminated has the right to file a complaint and request an appeal. (See Addendum.)

## Appeal Process for Discipline Not Covered by the Employee Complaint and Appeal Procedure for Discipline and Workplace Safety Issues

**Step 1:** The employee may submit a written request for review of the disciplinary action to the Vice President or designee within three (3) business days.

**Step 2:** The Vice President or designee shall meet with the employee within seven (7) business days of receipt of the request for review. The Vice President or designee shall provide a final and binding written decision within five (5) business days after the meeting.

Copies of all relevant documents shall be submitted to Human Resources to be placed in the employee's personnel file. The foregoing timeline may be extended by the College because of extenuating circumstances.

## Separation of Employment

The College hopes that its relationships with employees are long-term and mutually rewarding; however, the College reserves the right to terminate the employment relationship at any time, unless prohibited by applicable law or College policy.

Exit interviews with the College Human Resources office are normally scheduled for outgoing employees after a supervisor receives notice of resignation or intent to retire. The purpose of these interviews is to review eligibility for benefit continuation and conversion, ensure that all necessary forms are completed, collect all the College property that may be in the possession of the employee, and provide the departing employees with an opportunity to discuss their job-related experiences.



## HANDBOOK RECEIPT AND ACKNOWLEDGEMENT

I have received a copy of the Handbook dated \_\_\_\_\_ (Date on cover page of this Handbook)

I understand the information in the Southwest Tech Employee Handbook represents guidelines only and does not supersede policies established by the Board. Unless otherwise provided by a collective bargaining agreement applicable to me, the College reserves the right to modify this Handbook or to amend or terminate any policies, procedures, or employee benefit programs (whether or not described in this Handbook at any time), or to require and/or to increase contributions toward those benefit programs. I understand that I am responsible for reading the Handbook and familiarizing myself with its contents.

I acknowledge that I understand that the College prohibits all forms of harassment and discrimination based on race, sex, age, religion, disability, marital status, national origin, and any other basis prohibited by law. I also understand that if I feel that I am being harassed or discriminated against, I have the right and responsibility to report this immediately as set forth in the College's Anti-harassment and Nondiscrimination Policy.

I acknowledge that this guide supersedes any previous contracts, manuals, policies, procedures, or unwritten practices and may not be modified except by authorized College officials.

I acknowledge that nothing in this Handbook creates or is intended to create a promise or representation of continued employment and employment at the College is "at will" to the extent allowed by applicable law. This means the College cannot guarantee me or any employee continued employment for any definite period of time. I understand I have the right to terminate my employment at any time, for any reason or no reason, to the extent allowed by applicable law; and the College retains the same right to terminate my employment at any time, as allowed by applicable law, unless I have a written agreement signed by me and an authorized representative of the College's Board stating otherwise.

\_\_\_\_\_  
*Name of Employee*  
*(Please print)*

\_\_\_\_\_  
*Signature of Employee*

\_\_\_\_\_  
*Today's Date*



## EMPLOYEE COMPLAINT AND APPEAL PROCEDURE FOR DISCIPLINE AND WORKPLACE SAFETY ISSUES

Pursuant to Wis. Stats. Sec. 66.0509

### Purpose

The purpose of this addendum is to establish an administrative complaint and appeal procedure with respect to discipline and workplace safety consistent with Sec. 66.0509 (1m) of the Wisconsin Statutes. This document applies when an employee (*complainant* as defined below) believes that he or she has been subjected to unfair or illegal discipline and/or unsafe working conditions (as defined below), provided that the alleged wrongful behavior had a significant connection to the employment of the complainant and the activities of the College.

To the extent that the provisions of Sec. 118.22, Wis. Stats are applicable, those statutory procedures shall be followed as required by law.

### Definition

**Discipline** for the purposes of this procedure is defined as **disciplinary demotion, suspension without pay, or disciplinary termination.**

**Workplace safety** is defined as conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, and training.

**Complainant** is defined as any College employee, not to include student employees, on the payroll of Southwest Wisconsin Technical College who has a personal complaint as defined in this procedure.

**Complaint** is defined as any written allegation of impropriety regarding discipline or workplace safety as defined in this procedure. The written signed complaint shall include a clear and concise statement of the facts upon which the complaint is based, the specific policies alleged to have been violated (if any), and the relief sought. If mutually agreed upon by both parties, written complaints with the same or sufficiently similar underlying facts and policy issues may be combined at any time.

**Days** are defined as Monday through Friday when the College is open for business. Weekends, holidays, and days when the College is closed are excluded.



## Procedure

**Step 1:** If an issue related to employee termination, employee discipline, or workplace safety, as defined in this procedure, has not been resolved informally with the complainant's immediate supervisor, the complainant has the right to present a formal written complaint to the immediate supervisor within ten (10) days after the facts upon which the complaint is based first occurred. The supervisor will meet with the complainant within seven (7) days and provide their written response within ten (10) days of the meeting.

**Step 2:** The complainant may, within seven (7) days after receipt of the written response of the immediate supervisor, request a review of the decision of their supervisor in writing to their Vice President or designee.

### Review of Complaint.

The Vice President or designee, within ten (10) days of receipt of the request for review, shall review the complaint to determine whether the complaint is valid and notify the complainant. Validity is not a determination of whether the actions that gave rise to the complaint occurred, but whether the action underlying the complaint is within the scope of the complaint procedure. The Vice President or designee shall establish validity upon determining all of the following:

- That the complaint involves discipline or workplace safety as defined in this procedure.
- That the alleged conduct occurred on College-owned, College-leased, or College-controlled property or had a significant connection to the employment of the individual complainant and activities of the College.
- That the complainant is a College employee, as defined in this procedure.
- That the complainant was the party harmed by the activity or action set forth in the complaint.
- If the Vice President or designee concludes that the complaint lacks validity, he or she shall dismiss the complaint.

### In-Person Meeting Regarding Merits.

If the Vice President or designee concludes the complaint is valid, he or she shall meet with the complainant within seven (7) days of the receipt of the request for review to evaluate the merits. The Vice President or designee shall provide a written decision on the merits of the complaint within seven (7) days after the meeting.

The written complaint may not be amended following this decision; however, the remedy requested may be modified at any time without prejudice to the complainant's position in the appeal.

**Step 3:** The complainant may submit a written request for a hearing on the Vice President's or designee's decision with regard to merit within seven (7) days of the written response from the Vice President or designee. The written request for a hearing shall state the specific basis for disagreement and shall be submitted to the Director of Human Resources. Upon receipt of the request, the College shall retain the services of an Impartial Hearing Officer (IHO), and a hearing shall be scheduled within thirty (30) days after receipt of the request for hearing.

A record of the hearing shall be made. The complainant shall have the burden of proof that the complaint is meritorious, which must be shown by evidence that is clear, satisfactory, and convincing. In their written decision, the IHO shall make relevant findings of fact, shall decide for or against the complainant, and state their reasons. The decision of the IHO shall be limited to the issues raised in the request for hearing. The IHO shall have no authority to add to, modify, or delete from the policies of the College. If the IHO rules in favor of the complainant, the IHO will determine the appropriate remedy. The IHO's decision will be provided in writing to the parties within thirty (30) days of the hearing.



**Step 4:** Within seven (7) days after receipt of the written decision of the IHO, either party may appeal the decision of the IHO to the Southwest Wisconsin Technical College Board of Trustees by filing a written appeal, specifically stating the basis for contesting the findings and/or decision of the IHO. The appeal shall be filed with the Executive Administrative Assistant to the President. Upon receipt of a request for an appeal, the College will provide a record of the IHO hearing for use by the Board. Upon receiving the record, the Board shall schedule the appeal within thirty (30) days. The deliberations will be conducted according to procedures established by the Board. The Board shall overturn the decision of the IHO if the decision was unreasonable, arbitrary, or capricious.

The Board shall issue its written decision within fifteen (15) days following the conclusion of the Board's deliberations. The decision shall be by simple majority vote and shall be limited to holding for or against the appealing party. The decision shall be limited to the precise issue raised in the appeal and shall be final and binding.

## **Timeline Requirements**

If the College fails to give a written answer at Steps 1 or 2 within the designated time frame, the complainant may immediately proceed to the next step. Failure by the complainant to meet applicable deadlines may be the basis for dismissal of any complaint. If it is impossible to comply with the time limits specified because of extenuating circumstances, these time limits may be extended by mutual consent in writing by the complainant and the President or designee of the College.

## **Representation**

Either party may utilize a designated representative at their own expense.

## **Confidentiality**

All participants in all proceedings under this procedure shall observe confidentiality to the extent reasonably possible.



## **SOUTHWEST WISCONSIN TECHNICAL COLLEGE COMPLAINT AND APPEAL PROCEDURES FOR THE DISTRICT BOARD**

Per the Southwest Wisconsin Technical College Employee Complaint and Appeal Procedure for Discipline and Workplace Safety Issues Pursuant to Wis. Stats. Sec. 66.0509, within seven (7) days after receipt of the written decision of the Impartial Hearing Officer (IHO), either party may appeal the decision of the IHO to the Southwest Wisconsin Technical College District Board by filing a written appeal, specifically stating the basis for contesting the findings and/or decision of the IHO. The appeal shall be filed with the Executive Administrative Assistant to the President. This appeal procedure relates only to a complaint submitted under the above Board Policy. Neither party in the appeal may engage in communication with any Board member(s) on any substantive issues. Board members must not discuss the complaint with any person prior to the meeting.

The Board may designate a person to handle all procedural issues and communications associated with this appeal. The procedures below may be modified at the option of the Board, as long as they are consistent with the Board Policy that is outlined above.

### **Procedures**

1. Upon receipt of a written request for an appeal of the decision of the IHO to the Board, the College will provide a record of the IHO hearing for use by the Board. Copies of all documents and the records from the proceedings before the IHO will be made available to the Board members at least ten (10) days prior to the meeting.
2. Upon receipt of the record, the Board Chair shall schedule the appeal within thirty (30) days. Board deliberations on the appeal will be conducted in closed session. Only Board members and the Board's legal counsel shall be present.
3. The Board must consider only evidence submitted during the hearing before the IHO.
4. At its sole discretion, the Board may request clarification of the IHO record in writing from either party prior to the scheduled deliberations.
5. The Board shall overturn the decision of the IHO if the decision was unreasonable, arbitrary, or capricious.
6. The decision shall be by simple majority vote of the Board and shall be limited to holding for or against the appealing party. The decision shall be limited to the precise issue raised in the appeal and shall be final and binding.
7. The Board shall issue a written decision within fifteen (15) days following the conclusion of the Board's deliberation.