



# 2023-2024 Employee Handbook

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Location: Rundell Hall, Room 201

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# Introduction

The purpose of this handbook is to provide information to the employees of Lee College that will help with questions and pave the way for a successful year. Not all college policies and procedures are included in this handbook. The policies and procedures that are included in this handbook have been summarized.

Suggestions for additions and improvements to this handbook are welcome and may be sent to Human Resources at [hr@lee.edu](mailto:hr@lee.edu) or (281) 425-6875.

This handbook is neither a contract nor a substitute for the official college policy manual. Nor is this handbook intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of college policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate college office. College policies can be accessed online at <https://pol.tasb.org/PolicyOnline?key=579>.

# College Information

## Description of the College

*Policies AA, AB, AC Series*

Voted as one of the top 150 community colleges in the nation, Lee College offers associate degrees and certificate programs, as well as non-credit workforce and community education courses, that prepare its diverse student body for advanced higher education; successful entry into the workforce; and a variety of in-demand careers. With the main campus and McNair Center located in Baytown, Texas, and a satellite education center in nearby South Liberty County, the college serves a geographic area of more than 220,000 residents that includes 15 school systems.

## Mission Statement, Vision, Statement of Caring Community, and Strategic Plan

*Policy AD*

### Our Mission

Lee College is a caring community of teachers and learners focused on creating the ideal student experience, which includes using an equity lens to ensure that students have what they need to be successful; innovating to build holistic pathways that support student success; providing the highest quality instruction for transfer courses and workforce programs; and supporting the greater community and generations of Lee College graduates with professional development and community education opportunities.

### Our Vision

New students will immediately feel that they belong at Lee College regardless of their background. They will feel fully supported as they transition into being a college student. Current students will feel that they can be their true selves, can be a full member of the college community, and can access all the opportunities Lee College has to offer. Students who recently completed a degree or certificate will feel fully supported in their transition into a career or a four-year college or university, and they will experience success because of the excellent instruction and life experiences that Lee College provided. Employees of the college will be recognized for their contributions, valued as people, and given opportunities for professional growth and career advancement. Employers will seek Lee College graduates because of the high quality of their education and training. Lee College will have close, mutually beneficial agreements with partner institutions to create efficient educational pathways that lead to rewarding careers with family sustaining wages, and the college's success will be clearly communicated with data and narratives. Stakeholders will support the college's mission because they understand the powerfully positive impact Lee College has on our service area.

### Statement of Caring Community

We share a common purpose: **We are all educators.** All Lee College employees share the responsibility to be educators. Everyone has opportunities to share knowledge and promote the growth of others. The Quality Service Standards provide a decision-making framework empowering all employees to uphold the shared purpose of being an educator in all circumstances. We build a caring community to achieve this purpose by following these standards:

- **Safety:** Our first concern is safety. When we become aware of an unsafe situation, we will immediately apply procedures and training to take action to resolve the situation.

- **Courtesy:** Safety and Courtesy are prerequisites to engaging with each other as members of a caring community. Therefore, at every touch-point, we will demonstrate respect, make others feel welcome, and guide others to appropriate resources.
- **Well-Being:** We care about each other as people, so we are empathetic to everyone's needs and purposes by reading their social cues, being an active listener, and responding in an appropriate manner to help them when they are in need.
- **Growth:** As a community of educators, we are both teachers and learners. We help each other grow intellectually, professionally and personally by breaking barriers and equipping them with the necessary tools.
- **Efficiency:** As responsible stewards of public tax dollars, private donations, and the tuition paid by our students, we seek to develop and implement policies and procedures that maximize productivity and make the best use of available resources.

### Strategic Plan

The College's Strategic Plan may be access online at <https://www.lee.edu/lc-main/assets/pdf/strategic-plan-na.pdf>.

## Board of Regents

### *Policies BA and BB Series*

Consistent with Texas law and Southern Association of Colleges and Schools Commission on College (SACSCOC) standards, the Board of Regents has the power to govern and oversee the management of the college. The board is the policy-making body for the college and has overall responsibility for the curriculum, taxes, annual budget, facilities, and appointment of the president or other chief executive, dean, faculty, and other employees. The board has complete and final control over college matters within limits established by state and federal laws and regulations.

The Board of Regents are elected by the citizens of the college district to represent the community's commitment to a strong educational program for students. Board members are elected every two (2) years and serve six (6) year terms. Board members serve without compensation, must be qualified voters, and must reside in the college district.

Current board members include:

- Daryl Fontenot, Chairman
- Susan Moore-Fontenot, Vice Chairman
- Mark Himsel, Secretary
- Mark Hall, Assistance Secretary
- Weston Cotten
- Gina Guillory
- Judy Jirrels
- Gilbert Santana
- Pam Warford



## **Board Meetings**

### *Policy BD Series*

The board usually meets the fourth Thursday of the month at 6:00 p.m. Special and emergency meetings may be called when necessary. A written notice of regular and special meetings will be posted on the college website and the Rundell Hall Bulletin Board at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held or addition to the board agenda made with a two (2) hour notice.

The board meeting schedule, agendas, notices, and minutes are posted on the college website ([www.lee.edu](http://www.lee.edu)) and the college Boardbook link (<https://meetings.boardbook.org/Public/Organization/747>).

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

## **Administration**

### *Policies BF and BG Series*

The President's Cabinet is the executive leadership team for Lee College. The Cabinet works with the President to set strategic direction for the College, to oversee and implement planning for major initiatives, and to make policy recommendations to the Board of Regents.

Current members of the President's Cabinet include:

- President
- Chief of Staff/Vice President, Strategic Initiatives
- Provost/Vice President, Academic & Student Affairs
- Vice President, Finance & Administration
- Associate Vice President, Academic Affairs
- Associate Vice President, Healthcare Professions
- Associate Vice President, Huntsville Center
- Associate Vice President, Student Services
- Associate Vice President, Student Success/Chief Belonging Officer
- Chief Information Officer
- Executive Director, Foundation
- Executive Director, Human Resources
- Executive Director, Marketing and Public Affairs

## **Accreditation Statement**

Lee College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award the following degrees: Associate of Arts, Associate of Science, and Associate of Applied Science. In addition, the College must adhere to the Texas Higher Education Coordinating Board (THECB) rules

because THECB authorizes all programs and courses for degree-granting institutions in Texas. Nursing and allied health programs may be subject to additional requirements from state and/or national accreditation agencies.

### **Southern Association of Colleges Commission on Colleges (SACSCOC)**

1866 Southern Lane  
Decatur, Georgia 30033  
Phone: (404) 679-4500  
Fax: (404) 679-4558

### **Texas Higher Education Coordinating Board (THECB)**

P.O. Box 12788  
Austin, TX 78711  
Phone: (512) 427-6101  
Fax: (512) 427-6127

## **College Calendar**

The academic calendar is available on the Lee College website (<http://www.lee.edu/calendar>).

## **Organizational Chart**

The organizational chart is available on the Human Resources website (<https://www.lee.edu/hr/org-chart/>).

## **Lee College Locations**

The college has four (4) campuses/locations. However, classes are also offered at various locations within the college's service area, including several high school sites and participating Texas Department of Criminal Justice (TDCJ) correctional facilities.

### **Main Campus**

Physical Address: 200 Lee Drive, Baytown TX 77520  
Mailing Address: P.O. Box 818, Baytown, TX 77522-0818  
Phone: (281) 427-5611 or (800) 621-8724

### **McNair Center**

Physical Address: 3411 Interstate 10 Frontage Road, Baytown, TX 77521  
Phone: (281) 427-5611 or (800) 621-8724

### **Huntsville Center**

Physical Address: 168-C Colonel Etheredge Blvd., Huntsville, TX 77340  
Phone: (936) 291-0452

### **Lee College Education Center - South Liberty County**

Physical Address: 1715 Hwy. 146 Bypass, Liberty, TX 77575-4741  
Phone: (832) 556-5660 or (936) 334-8169

## **Campus Map**

A campus map is available on the Lee College website (<https://www.lee.edu/maps/>).

## **Helpful Contacts**

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed in the online college directory (<http://www.lee.edu/directory>).

## **Employee Directory**

The employee directory lists telephone numbers, email addresses, and room locations for full-time employees, as well as contact information for college departments/offices. The directory is available on the Lee College website (<http://www.lee.edu/directory>).

# Employment

## Equal Employment Opportunity

*Policies DAA Series, DIAA, DIAB*

In its efforts to promote nondiscrimination and as required by law, Lee College does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the college does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

In accordance with Title IX and 34 C.F.R. part 106, the college does not discriminate on the basis of sex and is prohibited from discriminating on the basis of sex in its educational programs or activities. The prohibition against discrimination extends to employment. Inquiries about the application of Title IX may be referred to the college's Title IX coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The college designates and authorizes the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination based on sex, including sexual harassment. Jose Martinez, Title IX Coordinator, (281) 425-6546, Rundell Hall room 112, [TitleIXSupport@lee.edu](mailto:TitleIXSupport@lee.edu) or [josmartinez@lee.edu](mailto:josmartinez@lee.edu).

The college designates and authorizes the following employee as the ADA/Section 504 Coordinator to address concerns regarding discrimination on the basis of a disability: Rosemary Coffman, Executive Director of Student Success and Wellbeing, (281) 425-6387, Rundell Hall room 112, [rcoffman@lee.edu](mailto:rcoffman@lee.edu).

All other questions or concerns relating to discrimination, retaliation, or harassment should be directed to the College President or Human Resources. Reports of discrimination may be made as described in the Discrimination, Harassment, and Retaliation topics.

## Confidentiality of the Hiring Process

To the extent permitted by law, the Search Committee and the Human Resources Office will maintain strict confidentiality regarding applicant candidacy throughout and after the employment selection process.

## Conflict of Interest

*Policies CAA, DBD, DBF*

Employees are required to disclose in writing to the college any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of the college.

This includes the following:

- A personal financial interest
- A business interest
- Any other obligation or relationship
- Outside employment

Employees may find the affidavits for disclosing a potential conflict of interest to a supervisor in Board Policy DBD (Exhibit).

Employees should contact their supervisor, or Human Resources, for additional information.

## **Contract and Noncontract Employment**

*Policies DCA, DCC*

College employees are either issued a contract or are considered employed at-will.

**Term Contracts:** Select employees, including faculty and administrators, will be employed by contract for a one-year term. Administrative contracts issued before September 1, 2018 and faculty contracts issued prior to August, 2019 will conclude at the end of the specified contract term. The terms and conditions of employment are detailed in the contract and employment policies. All contract employees will receive a copy of their contract.

**At-Will Employment:** Employees not issued a contract are considered to be employed at-will. Employment is not for any specified term and may be terminated at any time by the employee or the college. Employees such as grant-funded positions and non-exempt classified staff are considered at-will.

Contact the Human Resources Office if you have questions about the status of your employment.

## **Criminal Background Checks and Valid Texas Driver's License**

*Policy DC*

All Lee College positions are security sensitive as defined by Board Policy DC (Legal). Accordingly, the college will conduct a criminal background check on all prospective full-time and part-time employees. If a criminal background investigation identifies a conviction, Human Resources will review the information with the President to determine if the offer of employment is affected by the report.

The college will also verify that any employee driving a college vehicle has a valid Texas Driver's License. If a driver of a college vehicle commits an offense that jeopardizes the status of his/her Texas Driver's License, the employee is to notify his/her supervisor immediately and cease driving any college vehicle until such time that the license is restored to an approved status.

The college reserves the right to conduct periodic criminal background and Texas Driver's License checks throughout the scope of employment, consistent with state or federal requirements.

Employees may be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the college with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

**Employees Required to Have a Commercial Driver's License:** Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Faculty, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists and at random. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty. Testing may be conducted following accidents.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the relevant policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Human Resources Office.

## **Dual Employment (Second Position)**

To the extent an employee wishes to accept a second position at the college, the employee must notify his/her primary supervisor(s) before accepting the position. If an employee accepts a second position at the college, the employee is expected to continue fulfilling the duties and responsibilities of the primary position for which the employee was hired. The employee may not have a dual assignment that overlaps or conflicts with the primary work assignment and/or work schedule.

**Classified Staff (Non-Exempt Employee):** A classified staff (non-exempt employee) may not teach classes at Lee College.

## **Employment After Retirement**

### *Policy DC*

An individual receiving retirement benefits from the Teacher Retirement System (TRS) may be employed by the college if the President determines that the employment is in the best interests of the college and the person has been retired for at least one (1) full calendar month before the effective date of employment. Failure to follow TRS rules may result in a reduction or loss of annuity.

An individual who retired under the Texas Optional Retirement Program (ORP) also may be rehired and is not subject to a waiting period.

## **Employment Eligibility (I-9 Form)**

### *Policy DC*

At the time of hire, all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization.

**Recertification of Employment Authorization:** Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Human Resources Office if you have any questions regarding reverification of employment authorization. Failure to verify employment authorization may result in termination.

## **Job Vacancy Announcements**

### *Policy DC*

Announcements of job vacancies by position and location are posted on a regular basis to the college website (<https://www.schooljobs.com/careers/lee/>). Current employees may apply for vacancies for which they have appropriate qualifications.

Generally, the College does not advertise part-time job vacancies when a sufficient applicant pool is present. However, on some occasions, the College may advertise the positions locally. Part-time employees, who apply for full-time positions at the College, will be considered among all other candidates.

## **Licenses and Certifications**

Failure to maintain sufficient license or certification may result in unpaid suspension or termination as determined by the President or designee.

**Security Officers:** All Security Officers must possess a current and active Level II and/or Level III security license to maintain compliance with DPS regulations. Commissioned Security Officers are required to maintain a current/active Level III security license, and Non-Commissioned Security Officers must have a current/active Level II security license.

If an employee's security license expires, the employee will be immediately suspended without pay for up to two (2) weeks. If the employee renews the license within this time period, he/she can return to work after providing appropriate documentation (e.g., receipt of payment) to the Security Chief. If the license is not renewed after two (2) weeks, the employee's employment with Lee College will be terminated.

## **Nepotism (Employment of Relatives)**

### *Policy DBE*

Relatives of personnel employed at the college may be hired provided they meet the standards for the position and are the best qualified applicant. However, no college employee may approve, recommend, or otherwise

take action with regard to the appointment, reappointment, promotion, salary, or supervision of a close relative as defined by this policy.

No person shall be employed in the college who is related within the third degree by consanguinity or second degree by affinity to an employee who has authority to make decisions relating to employment practices for the position in question, including employment and approval of pay.

After March 15, 1990, when a person in a supervisory position marries a person whom he or she supervises, the supervised spouse shall be transferred to another position for which he or she is qualified if such position is available within the college. In the event such position is not available within the college, the supervised spouse shall be deemed to have resigned his or her employment with the college effective as of the date of the marriage.

This policy shall not apply to persons employed in either full-time or part-time positions prior to March 15, 1990.

The illustrations below depict the relationships that violate the nepotism law:

**CONSANGUITY (Related by Blood)**

<b>First Degree</b>	Father	Mother	Spouse	Child
<b>Second Degree</b>	Grandparent	Grandchild	Sister	Brother
<b>Third Degree</b>	Great-Grandparent	Great-Grandchild	Aunt/Uncle	Niece/Nephew

**AFFINTY (Related by Marriage)**

<b>First Degree</b>	Spouse’s Father	Spouse’s Mother	Spouse’s Child
<b>Second Degree</b>	Spouse’s Grandparent	Spouse’s Grandchild	Spouse’s Sister/Brother

**Outside Employment**

*Policies DBD, DBF*

Full-time employees are required to disclose any outside employment in writing to their immediate supervisor(s) prior to engaging in non-school employment. Outside employment must not interfere with Lee College employment.

Examples of outside employment that would be considered as interfering with College District employment include, but are not limited to, situations that:

- Result in an employee’s absence from work;
- Interfere with an employee’s duties during regular work hours;
- Interfere with an employee’s satisfactory performance of assigned duties and responsibilities;
- Compete with the College District’s programs and services;
- Adversely affect an employee’s physical or mental well-being;



- Use College District resources including, but not limited to:
  - Computers;
  - Copiers;
  - Materials;
  - Equipment;
  - Facilities; or
  - College District Personnel;
- Present a conflict of interest;
- Violate any of the principles established in the employee standards of conduct;
- Reflect badly upon the College District or the employee involved; and
- Violate applicable laws and regulations.

Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, refusal to work overtime, or refusal to work different hours. If outside work activity causes or contributes to job-related problems, it must be discontinued and, if necessary, normal disciplinary procedures will be followed to deal with the specific problem.

Employees disclose outside employment by completing and submitting the Outside Employment Form to their supervisors. The appropriate form can be obtained from Human Resources. Once all the signatures are obtained, an employee must forward the form to Human Resources to be placed in the employee’s personnel file.

Disclosure is required at the beginning of the academic year or at any time during the year that the employee begins another job.

## **Re-Employment of Former Employees**

Any former employee rehired by the college after a break in service will be treated as a new employee. Employees discharged for cause will not be re-employed except with the written approval of the President.

## **Transcripts**

All faculty and administrators teaching credit courses are required by the college’s accrediting agency, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), to have official transcripts on file in the Human Resources Office. Applicants for positions requiring certifications and degrees must submit official transcripts of all college credits and degrees conferred.

It is the employee’s responsibility, not the issuing agency, to ensure the college receives the official transcripts. Photocopies of official transcripts or copies stamped “Issued to Student” will not be accepted.

Employees that received their degree(s) outside of the United States are required to have their transcript(s) evaluated by an educational evaluation service at the employee’s own expense prior to being considered for employment by the College. The transcript evaluation record must be submitted to the Human Resources Office.

## Work Load and Work Schedules

*Policies DEA, DJ*

All employees are subject to assignment and reassignment by the President at any time.

**Work Week:** The work week for college employees begins at 12:00 a.m. Saturday and ends at 11:59 p.m. the following Friday.

**Work Hours:** The work assignment for full-time employees is 40 hours on-campus per week. Part-time employees may work up to 19.5 hours per week.

**Work Schedule:** The standard office hours for the college are Monday – Thursday 7:30 a.m. – 5:15 p.m. and Friday 7:30 a.m. – 12:30 p.m. Some campus locations and departments may have extended hours. Work schedules will be determined by the supervisor(s). Irregular work shifts may be scheduled in order to accomplish assigned duties. The supervisor may require overtime work of employees in order to accomplish assigned duties. Overtime and changes to an employee's assigned work schedule must be approved by the appropriate supervisors, including the Cabinet member.

**Exempt Employees:** Full-time faculty and administrators are exempt from overtime pay and are employed according to the work schedules set by the college.

**Non-Exempt Employees:** Full and part-time classified staff, adjuncts, and part-time administrative personnel are considered non-exempt workers. These employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See *Overtime Compensation* for additional information.

# Termination of Employment

## Resignations

### *Policy DMD*

**General Requirements:** All resignations must be submitted in writing to the appropriate supervisor(s), Human Resources Office, or the College President. Employees must give reasonable notice and include the reason(s) for resigning in the letter of resignation.

**Contract Employees:** An employee serving under a term contract may resign his/her position and leave the employment of the college at the end of the contract term provided the employee submits a letter of resignation according to the terms mentioned above.

A contract employee wishing to resign prior to the end of the contract term must also submit a resignation letter according to the terms mentioned above and shall include the reasons for the resignation within the letter. The consent of the President is required for resignations effective prior to the end of a contract term.

Once submitted and accepted, the resignation of an employee serving under a term contract may not be withdrawn without consent of the Board or the College President.

**Noncontract Employees (At-Will):** Noncontract (at-will) employees may resign their position at any time by submitting a letter of resignation according to the terms mentioned above.

## Dismissal or Nonrenewal of Contract Employees

### *Policies DM Series*

Employees on a term contract can be dismissed during the academic year for good cause or nonrenewed at the end of the contract term for any reason according to the procedures outlined in college policies.

A contract employee that is dismissed or nonrenewed has the right to grieve the termination following the college process outlined in this handbook when pursuing the grievance. (See Complaints and Grievances).

Alternatively, a faculty member may first present a grievance under Texas Education Code §51.960 to the Executive Director of Human Resources. The faculty member must file a request to present the grievance to Human Resources within 10 business days after receiving notice of the proposed decision.

## Dismissal of Noncontract/At-Will Employees

### *Policy DM*

Noncontract employees are employed at will and may be dismissed without written notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the college to dismiss any employee for reasons of race, color, religion, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights.

Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the college process outlined in Board Policy DGBA (Local) when pursuing the grievance. (See *Complaints and Grievances*.)

## **Suspension**

*Policy DLB*

### **At-Will Employees:**

An at-will employee may be suspended by the College President or designee during an investigation of alleged misconduct by the employee or at any time the College District determines that the College District's best interest will be served by the suspension.

An at-will employee shall not be paid while serving a suspension unless required by law.

### **Term Contract Employees:**

**Suspension With Pay** - A term contract employee may be suspended with pay and placed on administrative leave by the College President during an investigation of alleged misconduct by the employee or at any time the College President determines that the College District's best interest will be served by the suspension.

**Suspension Without Pay** - A term contract employee may be suspended without pay for good cause as determined by the Board following a hearing held for that purpose in accordance with the procedures applicable to the mid-contract termination of an employee [see DMAA (LEGAL)].

## **Offboarding Procedures**

*Policy DM*

Human Resources will provide offboarding information to all employees who leave the college. Information on the continuation of benefits, last check, and procedures for turning in college-issued equipment will be provided at this time. Separating employees are asked to provide the college with a forwarding address and phone number and complete a questionnaire that provides the college with feedback on his or her employment experience. All college keys, employee badge, parking tag, property, including intellectual property, and equipment must be returned upon separation from employment.

## **Payment for Accumulated Leave Upon Separation**

*Policy DEC*

Employees shall not be paid for accrued vacation time except upon termination from College District employment. If the terminating employee has had at least 12 months of continuous employment in a vacation-eligible position, he or she will be paid for accrued vacation time at his or her then existing regular base pay rate, not to exceed the maximum allowed accumulation stated above.

Sick leave, family emergency and personal day accruals are not paid upon termination from the College District employment.

In the event that an employee leaves the College District and has used annual sick leave that has not accrued, a deduction for unearned sick leave shall be made in the employee's final pay check.

## **Reports Concerning Court-Ordered Withholding**

The college is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance to the court and the individual receiving the support. Notice of the following must be sent to the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

- Termination of employment not later than the seventh (7<sup>th</sup>) day after the date of termination;
- Employee's last known address; and
- Name and address of the employee's new employer, if known.

## **Unemployment Compensation Insurance**

*Policy CKF*

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year, including the summer break, if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Texas Workforce Commission (<http://www.twc.state.tx.us/>) and/or the Human Resources Office.

# Compensation and Payroll

## Compensation

*Policies DE, DEA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The college's pay plans are reviewed by the administration each year and adjusted as needed.

All college positions are classified as exempt or non-exempt according to federal law.

**Exempt Employees:** Full-time faculty and administrators are exempt from overtime pay and are paid annual salaries.

**Non-Exempt Employees:** Full and part-time classified staff, adjuncts, and part-time administrative personnel are considered non-exempt workers. These employees are paid an hourly wage and must be compensated for overtime. See *Overtime Compensation* for additional information.

**Faculty Overload Pay:** Full-time faculty who teach courses in addition to a regular course load receive overload pay.

Employees should contact the Human Resources Office for more information about the college's pay schedules or their own pay.

## Employee Types (Faculty, Administrative, and Classified Staff)

**Faculty:** Nine (9) Month Teaching Faculty are faculty members employed for 180 working days (fall and spring). Twelve (12) Month Teaching Faculty are faculty members employed for 240 working days (fall, spring and summer).

Administrative Regulation DJ-R outlines the Faculty Load Policy (<https://www.lee.edu/hr/administrative-regulations/>).

Twelve (12) Month Non-Teaching Faculty (e.g., librarians, counselors, lab coordinators) do not have the same work schedule as teaching faculty. Instead, they work the same days as Administrative/Administrative Support employees - forty (40) hour work week during a consecutive, seven (7) day period (beginning at 12:01 a.m. on Saturday and ending at midnight on Friday). They are exempt from the provisions of the Fair Labor Standards Act (FLSA) and are therefore not eligible for overtime pay or compensatory time off.

**Administrative/Administrative Support:** Administrative/Administrative Support personnel must work a forty (40) hour work week during a consecutive, seven (7) day period (beginning at 12:01 a.m. on Saturday and ending at midnight on Friday). They are exempt from the provisions of the Fair Labor Standards Act (FLSA) and are therefore not eligible for overtime pay or compensatory time off.

**Classified Staff:** Classified Staff work forty (40) hours per week during a consecutive, seven (7) day period (beginning at 12:01 a.m. on Saturday and ending at midnight on Friday). Computations for payroll purposes

are made on the basis of 2,080 working hours per year. Classified Staff positions are considered non-exempt under the Fair Labor Standards Act (FLSA) and are therefore eligible for overtime pay or compensatory time off for hours physically worked over forty (40) in one (1) week.

The Board of Regents may make exceptions to the minimum length of the work week and the maximum length of the work day in order to achieve and maintain operational efficiency at the College or any of its offices, departments, or divisions.

## Part-Time Employment

A part-time employee is hired for an indefinite period to work up to 19.5 hours per week.

Part-time employees are not eligible for longevity increases; a part-time employee may be moved from the initial pay rate in only two (2) circumstances:

- Revisions to the salary structure made by the Lee College Board of Regents or
- Market adjustments necessary to address the difficulties hiring part-time employees in a particular position or specialized field. Any such adjustment will be made after Human Resources conducts a market review and the College President approves the adjustment.

**Adjuncts:** Part-time faculty (adjuncts) will be assigned less than half of a regular load, based on the discipline, during fall and spring terms. The Provost and appropriate Associate Vice President must approve additional hours. Lecture and lab hours are paid at their respective rates.

Adjuncts must meet the same credential requirements as full-time faculty and are supervised by the Division Chair in their subject area, the appropriate Associate Vice President, and the Provost.

## Substitute Instructor

Full-time faculty members are expected to volunteer to substitute for up to three (3) hours of instruction as a courtesy to their colleagues; thereafter, they will be paid \$15.00 per hour/per class for the first week of substitute instructions and \$48.96 per hour for lecture for every following week of substitute instruction, and \$32.63 per hour for labs.

## Salary Scales

Salary Scales are developed each year for the beginning of the new fiscal year and are based on the compensation program approved by the Board of Regents and implemented by the College administration. Separate salary scales are developed for full-time faculty, administrative/administrative support personnel, classified staff, and part-time employees. Copies of the salary scales are provided on the Human Resources website (<http://www.lee.edu/hr/salary-scales>).

## **Annual Salary Increases**

### *Policies DEA and DEC*

Salary increases are considered annually based on the needs of the institution, the availability of funds, and the approval of the Board of Regents. If granted, the increase affects eligible full and/or part-time employees uniformly.

Any salary increases awarded to an employee will be effective September 1. In order for an employee to be eligible for a salary increase on September 1, he or she must be on the payroll or under contract by April 1 of the same year.

Employees who are on extended sick leave or leave without pay at the beginning of the fiscal year shall not be eligible for any salary step increase until their return to duty.

## **Promotion**

For compensation purposes, a promotion occurs when an employee is selected to fill a position in a classification/salary range that is higher than the employee's present status. Any salary increase for a non-faculty employee moving to a position in a higher classification/pay range must be approved and is at the discretion of the College President. Salary increases are not guaranteed.

## **Voluntary Acceptance of Position in a Lower Pay Grade**

Employees who voluntarily move to a position in a lower pay range/classification will be placed on the appropriate salary in the new pay range.

## **Involuntary Transfer to Position in a Lower Pay Grade**

When an employee is given an involuntary transfer to a new position with a salary range that is less than the range of the employee's current classification (e.g., the elimination of a position and the consequent reassignment of a position with a lower classification), no immediate salary reduction should occur. This policy does not apply if the involuntary transfer results from a demotion.

## **Lateral Transfer**

A lateral transfer occurs when an employee accepts or is transferred/reassigned to a position within the same classification/pay range. In these circumstances, he or she may not receive an adjustment in pay.

## **Compensation for Temporarily Performing Work in a Higher Pay Classification**

In situations where the assignment or scheduling of work requires a non-faculty employee to perform work in a higher-level classification, a temporary stipend may be established for the period of that assignment or work schedule. An employee may qualify for the temporary stipend if he or she is working in the higher



classification at least 50% of the time for a minimum of four (4) weeks. All stipends must be approved by the President.

## **Stipends**

### *Policy DEA*

The President will recommend a stipend pay schedule for eligible employees as part of the annual compensation plan for the college.

As needed, a stipend may be requested to compensate personnel exempt from the Fair Labor Standards Act (FLSA) for services performed in addition to his/her regular responsibilities. To request a stipend, the Cabinet member must submit the completed Stipend Request Form to the President. The appropriate form can be obtained from Human Resources. All stipends must be approved by the President.

## **Paychecks**

With the exception of adjunct faculty, employees are paid semi-monthly on the 15<sup>th</sup> and the last day of the month (or the last working day prior to the 15<sup>th</sup>, or the last working day prior to the last day of the month). Adjunct faculty are paid over seven (7) pay periods during the fall and spring semesters.

Paychecks will not be released to any person other than the college employee named on the check.

An employee's payroll statement (payroll advice) contains detailed information including deductions, withholding information, and year to date totals. Employees can access their payroll information and statements by logging into their MyLC account.

The schedule of pay dates is available on the Human Resources website (<https://www.lee.edu/hr/forms/>).

## **Automatic Payroll Deposit**

Employees can have their paychecks electronically deposited into a designated account. Contact the Payroll Office at (281) 425-6319 for more information about the automatic payroll deposit service.

## **Payroll Deductions**

### *Policy CDDA*

The college is required to make the following automatic payroll deductions for eligible employees:

- Retirement (Teacher Retirement System of Texas (TRS), Optional Retirement Plan (ORP) or Money Purchase Plan)
- Social Security employee contributions for all full-time employees
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

- IRS garnishments

Other payroll deductions employees may elect include deductions for the employee's share of insurance premiums, annuities, tuition assistance, parking fees, badge and key replacements, and other miscellaneous deductions. Employees also may request payroll deduction for payment of club or recreational fees, eligible state employee organization membership fees, payments to credit union, and certain charitable contributions approved by the board. Salary deductions are automatically made for unauthorized or unpaid leave.

**Overpayments:** Employees are not entitled to any funds the college overpays. An agreement between an employee and the college must be in place in order to deduct any overpayment from one or more paychecks if an overpayment(s) occur.

## **Overtime Compensation**

*Policies DEAB, DEC*

The college compensates overtime for non-exempt employees in accordance with federal wage and hour laws. Only non-exempt employees or hourly employees are entitled to overtime compensation. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A non-exempt employee who works overtime without prior approval will be subject to disciplinary action up to and including termination.

Overtime is legally defined as all hours physically worked in excess of forty (40) hours in a workweek and is not measured by the day or by the employee's regular work schedule. Non-exempt employees that are paid on a salary basis are paid for a forty (40) hour workweek and do not earn additional pay unless they work more than forty (40) hours. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. Saturday and ends at 11:59 p.m. Friday. Additional hours worked in a week in which a holiday or school closure occurs are paid at the straight time rate, up to 40 hours worked and overtime for hours worked over 40.

Employees may be compensated for overtime (i.e., hours physically worked beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to sixty (60) hours of comp time. Once the limit has been reached, the employee shall be required to use comp time or receive overtime pay for additional hours.
- Any hours earned at the straight time rate cannot be converted to comp time.
- Comp time must be used in the duty year that it is earned. Comp time earned, but not used by the end of the fiscal year, will be paid.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- The College may require employees to use comp time when in the best interest of the College District.
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

## Social Security

All full-time, benefit eligible employees of the College are covered by Social Security. Part-time employees do not contribute to Social Security.

## Attendance

*Policy DEC*

Regular attendance and punctuality contribute to the effective operations of the college. All employees are expected to work their assigned schedules/shifts and arrive to work on time each day. Each employee has a job to perform and unexpected absences and tardiness disrupt the operation of the office, department, and/or college. Prompt reporting of an absence or tardiness permits supervisors to plan accordingly, thus reducing problems. Repeated tardiness and/or unauthorized absences are considered unacceptable conduct and good cause for disciplinary action, up to and including termination of employment. Uniform enforcement of a reasonable absence-control rule is not retaliatory discharge.

**Absences:** All absences must be approved by an employee's supervisor. When possible, absences must be approved in advance (e.g., scheduled appointments, vacation days, travel, etc.). If an employee is not able to attend work due to an unforeseen emergency or unexpected illness/injury, an employee must follow his/her department's procedures for notifying the supervisor immediately. An unexcused absence occurs when an employee fails to notify his/her supervisor of the absence and may be Leave Without Pay. Excessive absences and failure to follow the department's procedures for notifying the supervisor may result in disciplinary action.

**Tardiness:** Tardiness occurs when an employee is late arriving to work. If an employee is unable to arrive on time (e.g., overslept, traffic, etc.), he/she must follow his/her department's procedures for notifying the supervisor immediately. Excessive tardiness and failure to report to work or follow the department's procedures for notifying the supervisor may result in disciplinary action.

**Job Abandonment:** Failure to report to work and not contacting the supervisor (i.e., no call, no show) for three (3) consecutive, scheduled workdays is considered job abandonment and the employee may face disciplinary consequences up to and including termination.

## Breaks/Rest Period and Meals

**Breaks/Rest Periods:** Breaks/rest periods are provided at the discretion of the supervisor. An employee may be allowed to receive a paid fifteen (15) minute break/rest period for each four consecutive (4) hours worked in a day. The supervisor is responsible for scheduling breaks/rest periods.

Breaks/rest periods may not be used to come to work late, to leave work early, or to extend lunch time. In addition, breaks/rest periods cannot be combined to provide a thirty (30) minute break once a day, nor may they be accumulated for vacation, compensatory time, or other time off. Breaks/rest periods are not cumulative and, if not taken, are forfeited.

Breaks/rest periods are not guaranteed, are subject to the departmental work load, may be denied if they adversely impact work flow, and must be approved by the supervisor.

**Meals:** Lunch times are also at the discretion of the supervisor. Work schedules typically allow a full-time employee to take a one (1) hour lunch break. The immediate supervisor is responsible for scheduling lunch times. Exceptions to the regular time assigned for lunch requires prior approval by the immediate supervisor.

Meals are unpaid leave. They are not cumulative and, if not taken, are forfeited. Meals cannot be used to cover late arrival to work or early departure.

Part-time employees and full-time classified staff must clock in and out for lunch.

## **Breaks for Expression of Breast Milk**

### *Policies DG*

The college supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For non-exempt employees, these breaks are unpaid and are not counted as hours worked. Non-exempt employees must clock in and out for these breaks. Employees should meet with their supervisor to discuss their needs and arrange break times.

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the college if they believe the college is out of compliance in providing breaks for a nursing mother. The employee must give the college 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact the Executive Director of Human Resources.

## **Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact the Coordinator of Benefits and Leave in the Human Resources Office to begin the interactive process.

## **Reporting Time Worked and Recording Time Off**

All non-exempt employees are required to punch in/out using the college's time and attendance system. Employees should monitor their timesheets for any errors or edits as needed and report them to their immediate supervisor.

All employees are required to report and/or record all absences. Employees should monitor their accruals for errors and report them to their immediate supervisor.

All grant-funded positions, exempt and non-exempt positions, require time-and-effort reports documenting all grant-related activities.

Accurate and timely reporting of an employee's time and attendance is the direct responsibility of the supervisor and the employee. Supervisors are responsible for the following:

- Work with the Human Resources and Payroll Offices to ensure all required documents are completed accurately, including budget and account numbers, before a new employee's start date.
- Audit and approve employee time reports by deadlines established by the Payroll Office.
- Verify accruals (i.e., vacation, sick, family emergency, personal day, jury duty, or school business) entered for employees to ensure the information is accurate and the appropriate accruals were used.
- Ensure full-time classified staff work 40 hours per week.
- Adhere to college policies regarding Work Study and Student Assistants, including restrictions pertaining to hours allowed to work per week.

## Travel Expense Reimbursement

*Policy DEE*

**Prior Approval Required:** Before any travel expenses are incurred by an employee, the employee's supervisor(s) and Purchasing must give approval. For approved travel, an employee will be reimbursed for reasonable and allowable expenses incurred in carrying out College District business in accordance with administrative regulations.

**Documentation Required:** For any allowable expense incurred, the employee shall submit a statement, with receipts, documenting actual expenses.

**Exception:** Expenses for meals associated with authorized travel not related to a state or federal grant will be paid on a per diem basis. No receipts are required for expenses paid on a per diem basis.

For additional information about travel and reimbursement, employees should contact their supervisor(s). Employees can also contact the Purchasing Department at (281) 425-6464 or [lcpurchasing@lee.edu](mailto:lcpurchasing@lee.edu).

## W2

W2s are processed and distributed in accordance with federal law. W2s are mailed each year by January 31<sup>st</sup> following the end of the calendar year. W2s are also available online through MyLCCampus.

# Insurance and Supplemental Benefits for Full-Time Employees

## Health and Basic Life Insurance

*Policy CKD*

Group health insurance coverage is provided to eligible full-time employees through the Employee Retirement System (ERS), Texas Employee Group Benefits Program (GBP). Full and part-time employees are defined according to ERS rules.

**Full-Time Employees:** For full-time employees, the college contributes 100% to the employee's health insurance premium and 50% to the health insurance premium of the employee's eligible dependents. Tobacco users are subject to additional premiums that are not covered by the college.

The GBP includes medical, dental, term and accidental life, and long-term disability insurance, as well as one routine eye exam. The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, birth, divorce). Employees should contact the Human Resources Office for more information.

**Eligibility of Employees Performing Services/Work Outside Texas:** If 75–100 percent of an employee's services/work is performed outside Texas, then the employee, if otherwise eligible, may participate in the Texas Employees Group Benefits Program in accordance with College District regulations.

**Outside Texas:** An employee's services are performed outside Texas if they are performed while the employee is located outside Texas and do not include instruction to a College District student who is located in-state.

**Part-Time Employees:** Part-time employees can opt to receive free coverage through Timely Care. Contact Human Resources to learn more.

## Supplemental Insurance Benefits

At their own expense, employees may enroll in supplemental insurance programs for dental, vision, optional life, accidental death and dismemberment, long-term disability, cancer, and pre-paid legal. Premiums for these programs can be paid by payroll deduction. Employees should contact the Human Resources Office for more information.

Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, birth, divorce).

## Workers' Compensation Insurance

### *Policy CKE*

The college, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The college has workers' compensation coverage from Texas Association of School Boards (TASB), effective 9/1/2008.

Benefits help pay for medical treatment and make up part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to your supervisor and Human Resources. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits* for information on use of paid leave for such absences.

## Tuition Benefits

### *Policy DEB*

**In-District Tuition and Fees for Employees, Spouses, and Dependents:** The college may pay the tuition and fees for an eligible, full-time employee, the employee's spouse, and/or dependent children who enroll for credit courses at the college. In addition, the college may pay tuition costs for an eligible, full-time employee to take continuing education classes related to his/her job at the college. An employee, spouse, and/or dependent may audit a credit course without charge for no credit. Such audit enrollees shall not be considered among registrants to ensure class formation. The employee, spouse, or dependent must obtain approval from the appropriate administrator prior to enrolling in or auditing a course.

An employee that has questions about his/her eligibility to utilize this benefit should contact the Human Resources Office or the Financial Aid Office. For purposes of this policy, dependents are defined as those individuals who meet the dependent requirements stated in the federal student aid guidelines. Participants are required to complete the regular registration procedures to enroll in classes. Employees are prohibited from enrolling in courses that meet during the employee's scheduled work time.

Tuition and fees will not be paid for credit courses that have been attempted two times previously by the eligible individual. Tuition and fees assistance shall be subject to budgeted funds available for this program and any individual or family assistance caps established by the Board or administration.

**Out-of-District Educational Assistance:** The Board recognizes that continuing education is essential to the growth and well-being of the College District's full-time employees. Although there is a recognized contribution to the employee in assisting with his or her continuing education, the primary purpose of the educational assistance shall be to provide a higher quality of future service to the College District.

**General Provision:** The College President or designee shall develop administrative regulations for out-of-district educational assistance and ensure the procedures are used to implement the provisions of this policy.

Any full-time employee shall be eligible to apply for educational assistance for reimbursement of specified costs approved in advance by the College District for completion of courses at any regionally accredited college or university that offers programs leading to a bachelor's or higher degree.

In accordance with this policy and administrative regulations, the College District shall reimburse full-time employees up to 50 percent of the actual costs of tuition, registration, other instructional fees, and textbooks after deducting the amount of any other financial assistance toward these costs that the individual is entitled to under federal, state, or local law or from other institutional resources.

The College District shall pay for no more than one degree program above the degree held by the employee at the time of his or her initial application for assistance. Subject to continued approval, an eligible individual shall receive educational assistance until all coursework for the degree being sought is completed. An employee shall be required to demonstrate a diligent effort to maintain continuous enrollment in the fall and spring semesters for the approved degree program. Summer term breaks shall be permitted. Failure to maintain continuous enrollment during the fall and spring semesters shall result in disqualification for future educational assistance, as determined by the College President or designee.

Funds available for reimbursement shall be limited to the subject budget allocation approved by the Board. Annual individual limits on reimbursements shall be established and approved by the Board. The College President or designee shall be authorized to impose additional individual reimbursement limits as needed to align with the Board-approved budget.

To be eligible for assistance, an employee must have 24 consecutive months of full-time employment prior to the first day of class for the subject course(s). Any employee who has not yet earned an associate's degree or higher must complete an associate's degree at the College District prior to applying for educational assistance.

Classes are to be taken outside normal duty hours. Program participants must earn a grade of "C" or better for undergraduate courses and a grade of "B" or better for graduate level courses to be eligible for reimbursement, provided that program participants eligible for reimbursement receive a "pass," "in progress," or other similar indicator.

The College District shall require an employee to remain employed with the College District for one year after receipt of any assistance under this policy, or to repay the College District 100% of the cost of all reimbursements received within the twelve months prior to separation from the College. If the employee resigns or is terminated before the obligation is completed, the employee shall have the balance owed deducted from his or her final paycheck as authorized by the signed application form. If repayment of reimbursements has not been completed upon termination of employment, a payment voucher will be created and sent to the employee. The employee shall not be eligible for rehire until repayment is complete.

**Application Process:** An employee shall be required to annually file an application for educational assistance with the Human Resources Department in compliance with any deadlines or other requirements established by the College President or designee. The application must include a degree plan approved by the appropriate administrator. Approval of the application shall be based on criteria determined by the administration, which shall, without limitation, include a determination that the proposed academic course or program will assist the employee in current or future work at the College District.

**Reimbursement:** Reimbursement shall be made upon successful completion of courses of study. Proof of completion must be filed with the Human Resources Office by the deadline established by the



administration. Failure to timely file the required proof may result in reimbursement being denied by the College District.

## Wellness Center/Wellness Benefit

Full and part-time employees (excluding Student Assistants and Federal Work Study students) may use the Wellness Center at no cost. In addition, employees have access to the College's indoor walking concourse and swimming pool, free-weight room, gymnasium, racquetball courts, and tennis courts. Spouses of full-time employees may also use the facilities for free.

**Wellness Benefit:** Full-time, benefit eligible employees who exercise at the Wellness Center 1.5 hours a week on their own time, may have up to 1.5 hours of work release time for exercising; employees must obtain prior approval from their supervisor. The Wellness Center will generate an attendance report at the request of the employee and/or the supervisor.

For more information regarding the Wellness Center, please contact the Wellness Coordinator at (281) 425-6439 or visit <http://www.lee.edu/wellness>.

## Employee Assistance Plan (EAP)

Lee College, in conjunction with the University of Texas Houston Health Science Center, has implemented an Employee Assistance Plan (EAP). An EAP is a professional assessment, short-term counseling, referral, and case management service offered as a benefit to employees. The primary goal is to help employees with personal problems so that these problems do not interfere with work performance.

Confidential, professional assessment and referral services are provided to employees to address a variety of personal problems, such as family, marital, legal, financial, alcohol, or other drug related issues.

The EAP case managers can help the employee identify the problem, offer guidance, and if necessary, refer the employee to an affordable, competent resource for appropriate care. EAP services are available to employees and their immediate family members.

Free, confidential counseling may be arranged by contacting:

### **University of Texas Health Science Center at Houston – Employee Assistance Program (EAP)**

7000 Fannin, Suite 1670, Houston, TX 77030

Phone: (713) 500-3327 or Toll-Free (800) 346-3549

Web Address: <https://www.uth.edu/uteap/employees/>

## Employee Discounts

**Lee College Athletic Events:** Employees can attend College athletic events for free. Employees must present an active Lee College badge to receive free admission to the event. Contact the Athletic Department at (281) 425-6487 for more information or visit the Athletics website at <http://www.lee.edu/athletics> for a schedule of events.

**Lee College Facility Rentals:** Full-time employees renting a college facility for personal use may be eligible to receive a discount. Contact the Information Service Specialist at (832) 556-4031 or visit <http://www.lee.edu/facilities/> for more information.

**Lee College Performing Arts Center:** Employees may be eligible to receive a discounted rate on performances hosted by the college. For additional information, please contact the Box Office Specialist at (281) 428-6255 or visit the Performing Arts Center online at <http://www.lee.edu/pac/index.asp>.

## **Employee Recognition and Appreciation**

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the college. Employees are recognized at board meetings, in the college newsletter, and through special events and activities.

**Service Awards:** Recognition and appreciation activities also include service awards. Full-time college employees are recognized for consecutive 5, 10, 15, 20, 25, 30, 35, 40, 45, and 50 years of service. The Human Resources Office is responsible for service awards.

# Leave Policies

*Policies CKD, DEC series, DED*

The college offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period should call the Human Resources Office for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the college.

Employees must follow college and department procedures to report or request any leave of absence and complete the appropriate form or certification. Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction from the employee's pay.

**Medical Certification:** Any employee, who is absent five days because of a personal or family illness, must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, appropriate medical facts about the illness, and—in the case of personal illness—the employee's fitness to return to work.

The college may require medical certification due to an employee's questionable pattern of absences or when deemed necessary by the supervisor. The college may also request medical certification when an employee requests leave under the Family Medical Leave Act (FMLA) for the employee's serious health condition, a serious health condition of the employee's spouse, parent, child, or for military caregiver leave.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. *Genetic information*, as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member, or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

**Continuation of Health Insurance:** Health insurance benefits for employees on paid leave and leave designated under the FMLA will be paid or supplemented by the college as they were prior to the leave.

Employees on an approved, unpaid leave of absence, other than family and medical leave, may continue their insurance benefits at their own expense. Otherwise, the college does not pay any portion of insurance premiums for employees who are on unpaid leave. This includes absences due to a work-related injury or illness.

## Definitions:

### Family

The term "immediate family" is defined as:

1. Spouse

2. Son or daughter, including biological, adopted or foster child, a son- or daughter-in-law, a stepchild, a legal ward or a child for whom the employee stands in loco parentis.
3. Parent, stepparent, parent-in-law or other individual who stands in loco parentis to the employee.
4. Sibling, stepsibling and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter and the next of kin are found in DECA (Legal).

### **Family Emergency**

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

### **Leave Day**

A "leave day" for purposes of earning, use or recording of leave shall mean the number of hours per day equivalent to the employee's usual assignment.

### **Catastrophic Illness or Injury**

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the College District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

### **Earning Leave**

Employees who are on any type of sick leave, including extended sick leave, or unpaid leave shall not earn accruals until they return to work on a regular, full-time basis.

### **Deductions**

#### **Leave Without Pay**

The College District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.

#### **Leave Proration**

**Employed for Less Than Full Year:** If an employee separates from employment with the College District before his or her last scheduled workday, or begins employment after the first scheduled workday, paid leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last scheduled workday of the academic year, the employee's final paycheck shall be reduced for paid leave the employee used, but had not earned, as of the date of separation.

**Employed for Full Year:** If an employee uses more paid leave than he or she earned and remains employed with the College District through his or her last scheduled workday, the College District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.

### **Recording**

Leave shall be recorded as follows:

1. Leave shall be recorded in increments of  $\frac{1}{4}$  hour for all employees.
2. If the employee chooses to offset leave against worker's compensation benefits, leave shall be recorded in the amount used.

### **Concurrent Use of Paid Leave:**

When an absent employee is eligible for FML, the College District shall designate the absence as FMLA leave.

The College District shall require the employee to use paid leave, including compensatory time, concurrently with FMLA leave.

An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness shall be designated as FMLA leave.

**Order of Use:** Use of extended sick leave or sick leave bank shall be permitted only after all available local leave has been exhausted.

## **Vacation**

### *Policy DEC*

All full-time employees other than 9- and 12- month teaching faculty shall be entitled to a vacation with pay as outlined below.

An eligible employee shall be entitled to a vacation each year based on continuous active service with the College District. Vacation credit will be granted each month, or part thereof, of employment as follows:

- Years 1 through 7 – 9 hours per month
- Years 8 through 14 – 12 hours per month
- Years 15 through 25 – 16 hours per month
- Years 26 and after – 18 hours per month

**Scheduling and Accrual:** An employee shall be eligible to schedule a vacation, to the extent of the employee's accrued vacation time, at any time in a vacation-eligible position. Vacations shall be scheduled and approved well in advance by the appropriate supervisor. Vacation time shall be taken so as not to interfere with the operation of the College District.

Eligible employees who are on any type of sick or unpaid leave shall not earn vacation leave until they return to work on a regular, full-time basis.

Employees may accumulate annual vacation leave in accordance with their years of service as follows:

- Years 1 through 7 – 148 hours
- Years 8 through 14 – 184 hours
- Years 15 and after – 232 hours

Administrators classified as E81 or above shall be placed at Level 2. If such administrators have 15 or more years of full-time professional service in higher education setting, they shall be eligible for Level 3.

College District personnel moving from faculty to administrative positions shall retain their accumulated years of experience as a part of the formula for calculating vacation days.

Employees shall not be paid for accrued vacation time except upon termination from College District employment. If the terminating employee has had at least 12 months of continuous employment in a vacation-eligible position, he or she will be paid for accrued vacation time at his or her then existing regular base pay rate, not to exceed the maximum allowed accumulation stated above.

## **Holidays**

### *Policy DED*

All regular, full-time employees, except for persons designated as faculty, shall be entitled to the following holidays and days off at regular base pay rates. When the holiday falls on a Saturday or Sunday, the holiday shall be taken on the preceding Friday or the following Monday. Days off are to be scheduled by the College District.

Holidays are as follows:

- Labor Day (one day)
- Thanksgiving (three days)
- Christmas (one day)
- New Year's Day (one day)
- Martin Luther King Jr. Day (one day)
- Good Friday (one day)
- Memorial Day (one day)
- Juneteenth (one day)
- Independence Day (one day)

Days off are as follows:

- Winter Break (eight days)
- Spring Break (five days)

## **Sick Leave**

### *Policy DEC*

All regular, full-time employees shall be eligible for sick leave. Sick leave entitlement shall be earned at the rate of nine (9) hours for each month of employment and shall accumulate with the unused amount of such leave carried forward each month. Nine hundred sixty (960) hours maximum cumulative sick leave may accrue for eligible employees. No sick leave accrues for part-time employment, including summer teaching. Employees using more than five (5) consecutive days of their accumulated sick leave are required to present a medical doctor's certification of illness.

In the event that an employee leaves the College District and has used annual sick leave that has not accrued, a deduction for unearned sick leave shall be made in the employee's final pay check. The College does not pay for accrued, but unused, sick leave when an employee leaves the College.

In the event that a new employee does not report the first day of the college term, his or her salary and benefits shall not begin until he or she reports for duty. Regular sick leave policies shall apply to other employees who are absent the first day of a term.

Eligible employees who are on any type of sick or unpaid leave shall not earn regular sick leave until they return to work on a regular, full-time basis.

## **Extended Sick Leave**

### *Policy DEC*

After using his or her accumulated paid leave including accrued vacation, a regular, full-time employee shall receive sixty percent (60%) of his or her regular base pay for a period not to exceed six (6) months (1,040 hours) inclusive of any holidays, at which time his or her pay shall cease until his or her return to work on a full-time basis. An employee who has used six (6) months (1,040 hours) of extended sick leave must return to work on a full-time basis for a minimum of six (6) consecutive months before again being eligible for extended sick leave benefits. Employees utilizing sick leave under this extended sick leave program shall be required to present a medical doctor's certification of illness. Before returning to work, the employee must present a medical doctor's certificate indicating his or her fitness to resume his or her normal assigned duties.

Employees who are on extended sick leave or unpaid leave at the beginning of the fiscal year shall not be eligible for any salary step increase until their return to duty.

## **Personal Leave**

### *Policy DEC*

All regular, full-time employees of the College District are eligible for one (1) personal leave day annually to be taken by the anniversary of the date of full-time employment. All personal leave days shall have the prior approval of the supervisor and shall not interfere with the ongoing work of the unit. A personal leave day shall be charged for any personal leave day, or portion thereof, taken. Personal leave days shall not be carried forward into subsequent years. The College does not pay for accrued, but unused, personal leave when an employee leaves the College.

Eligible employees who are on any type of sick or unpaid leave shall not earn personal leave until they return to work on a regular, full-time basis.

## **Family Emergency Leave**

### *Policy DEC*

All full-time, regular employees shall be granted emergency leave annually with full pay for a period not to exceed 64 working hours for a family emergency due to illness/bereavement, to be taken by the anniversary of the date of employment. This entitlement shall not be carried forward into subsequent years.

Eligible employees who are on any type of sick or unpaid leave shall not earn family emergency/bereavement leave until they return to work on a regular, full-time basis.

Relatives who qualify as family under terms of this policy shall consist of the employee's spouse, son, daughter, parent, grandparent, brother, sister, aunt/uncle, grandchild, niece or nephew (or the spouse of any of them) of the employee or his or her spouse, and shall include other related persons living as family members in the employee's household.

The employee requesting a paid leave for family emergency due to illness/bereavement shall be responsible for providing a satisfactory explanation to support the request for leave within three workdays of commencement of the leave (the term "emergency," by definition, means the situation may possibly not be known in advance). This does not, however, relieve the employee of the responsibility to notify his or her supervisor of the absence. Paid leaves under the terms of this policy must be approved by the appropriate supervisor(s).

## **Catastrophic Sick Leave**

The Catastrophic Sick Leave is a pool of hours available to any approved, full-time, benefit eligible employee who suffers a catastrophic illness or injury and has used all of his/her paid leave. You may apply to the catastrophic leave if you suffer a catastrophic illness or injury and have exhausted all accrued leave. The amount of leave granted cannot exceed 720 hours or one-third (1/3) of the hours in the pool, whichever is less. For more information or for the application process, please contact the Human Resources Office at (832) 556-4581 or [hr@lee.edu](mailto:hr@lee.edu).

Any full-time, benefit eligible employee may contribute between eight (8) – ninety-six (96) hours (8 hour increments only) each fiscal year. However, an employee must maintain a balance of at least forty (40) hours of paid leave after the contribution. Terminating employees may contribute up to ninety-six (96) hours in addition to any hours contributed in the current fiscal year.

## **Family and Medical Leave (FML) – General Provisions**

The following is text from the federal notice, *Your Employee Rights Under the Family and Medical Leave Act* (<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf>). Specific information that the District has adopted to implement the FMLA follows this general notice.



### **What is FMLA leave?**

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees of covered employers with unpaid, job-protected leave for specified family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees may take up to 12 workweeks of FMLA leave in a 12-month period for:

- The birth, adoption, or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child, or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child, or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

### **Am I eligible for FMLA?**

You are an eligible employee if all of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 20 employees within 75 miles of your work location.

### **How do I request FMLA leave?**

Generally, to request FMLA leave you must:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave.

Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

### **What does my employer need to do?**

If you are eligible for FMLA leave, your employer must:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

### **Where can I find more information?**

Call 1-866-487-9243 or visit [dol.gov/fmla](https://dol.gov/fmla) to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint process.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR



## **Local Provisions for Implementing Family and Medical Leave (FML) Provisions**

**Twelve-Month Period:** For purposes of an employee’s entitlement to FMLA leave, the College uses a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave. Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured backward from the date an employee uses FML.

**Combined Leave for Spouses:** If both spouses are employed by the College District, the College District shall not limit FMLA leave for the birth, adoption or placement of a child, or to care for a parent with a serious

health condition, to a combined total of 12 weeks, nor shall the College District limit military caregiver leave to a combined total of 26 weeks. See DECA (Legal).

**Intermittent or Reduced Schedule Leave:** When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. "Intermittent leave" is FMLA leave taken in separate blocks of time due to a single qualifying reason. A "reduced leave schedule" is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday or a change in an employee's schedule for a period of time, normally full-time to part-time.

For leave taken because of the employee's own serious health condition, to care for a spouse, parent, son, or daughter with a serious health condition, or military caregiver leave, there must be a medical need for leave and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule.

When leave is taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the employer agrees. The employer's agreement is not required, however, for leave during which the expectant mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition.

See DECA (Legal) for use of intermittent or reduced schedule leave due to a medical necessity.

**Certification of Leave:** If an employee requests leave, the employee must provide a certification from a health care provider to verify the need for leave.

**Fitness-For-Duty Certification:** An employee that takes FMLA due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from a health care provider. When leave is taken for the employee's own serious health condition, the certification must address the employee's ability to perform essential job functions. The College shall provide a list of essential job functions (e.g., job description) to the employee with the FMLA designation notice to share with the health care provider. Fitness for duty is not required when an employee returns to work following leave to care for a family member with a serious health condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

**Reinstatement:** On return from FMLA, an employee is entitled to be returned to the same position the employee held when leave began, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to reinstatement even if the employee has been replaced or his or her position has been restructured to accommodate the employee's absence. However, an employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

**Failure to Return:** If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the College District may require reimbursement of the College's share of insurance premiums paid by the District when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from the college, the college may not require the employee to reimburse the college's share of premiums paid. See DECA (Legal), Recovery of Benefit Cost.

**For more information:** Employees that require FML or have questions should contact the Coordinator of Benefits and Leave in the Human Resources Office for details on eligibility, requirements, and limitations ([hr@lee.edu](mailto:hr@lee.edu) or 281-425-6875).

## **Workers' Compensation Benefits**

*Policy DEC*

An employee, absent from duty because of a job-related illness or injury, may be eligible for workers' compensation weekly income benefits if the absence exceeds seven (7) calendar days.

An employee shall use his or her available local sick leave for absences due to injuries covered by workers' compensation until he or she is eligible for workers' compensation pay benefits.

When an employee receives workers' compensation pay benefits, the College District shall pay the difference between the weekly income benefit and the employee's regular weekly compensation up to six (6) calendar months.

If after the 180-day elimination period an employee is still receiving workers' compensation benefits, the employee shall be placed on the College District's long-term disability insurance program.

## **Jury Duty**

*Policy DEC*

The college provides paid leave to employees who are summoned to jury duty, including grand jury service. An employee's pay or leave balances will not be impacted. Employees may keep any compensation the court provides.

An employee should report a summons for jury duty to the supervisor as soon as it is received and are required to provide the college a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The college may consider the travel time required and the nature of the individual's position when determining the need to report to work.

## **Compliance with a Subpoena**

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Employees are required to submit documentation of their need for leave for court appearances to their supervisor and the Human Resources Office.

## **Truancy Court Appearances**

An employee, who is a parent or guardian of a child and any court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing, may use vacation and/or personal day leave or

compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

## Religious Observance

An employee may request to be absent for a religious holiday or observance. Reasonable accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the college. The employee may use any accumulated vacation and/or personal leave or comp time for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

**Faculty Members:** At the beginning of each semester, faculty members are required to provide written notice of a list of religious holy days to be observed during the semester to the chairperson of the department. The notice may be delivered personally or by certified mail return receipt requested. Faculty are also required to provide advance notice to all students whose class would be canceled.

## Development Leave of Absence (Sabbatical)

*Policy DEC*

Any faculty, administrator, librarian, or counselor who has served the College District in a full-time capacity for five (5) consecutive years and will be employed under a regular contract for the period of the leave may apply for a development leave.

A review committee shall be responsible for accepting and evaluating applications and making recommendations to the College President. The review committee shall be comprised of members elected by the full-time faculty and full-time administrators. No one can serve on the committee who is also applying for a development leave.

The College President shall recommend his/her development leave recommendations to the Board for their consideration and approval. Awarding of development leave is dependent upon funding availability.

A recipient shall receive full pay for a one-semester leave or one-half pay for a two-semester leave. An employee on a development leave shall continue to receive all institutional benefits. Persons may not engage in employment during the development leave unless such paid employment is a condition of the development leave project for insurance or other reasons. Such employment must be approved by the Board and the pay from such employment shall be deducted from the salary component of the leave.

The recipient of a development leave must agree in writing to return the entire leave stipend including benefits to the College District if they do not remain employed as a full-time employee for the College District for two (2) years after completion of the leave. An employee who is unable to remain employed full-time due to circumstances beyond their control, such as a worsening medical condition, can apply to the President for a waiver of this obligation, but the approval of a waiver is not guaranteed. Employees must return to full-time employment for five years before being eligible to apply for another development leave.

Administrative Regulation DEC-R outlines the Developmental Leave procedure and requirements ([Policy DEC-R: Compensation and Benefits - Leaves and Absences - Developmental Leave \(lee.edu\)](#)).

## **Military Leave**

### *Policy DECB*

**Paid Leave for Military Service:** Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave when engaged in authorized training or duty orders by proper authority. Paid military leave is limited to 15 days each fiscal year. An additional seven days of leave per fiscal year are available if called to state active duty in response to a disaster. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after Military Leave:** Employees who leave the college to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the college will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact their supervisor and the Human Resources Office within the period of time specified by law. In most cases, the length of federal military service cannot exceed five (5) years.

**Continuation of Health Insurance:** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Human Resources Office for details on eligibility, requirements, and limitations.

## **Leave with Pay**

### *Policy DEC*

Upon specific need of the College District as determined by the Board, leave with pay may be granted to an employee.

## **Quarantine Leave for Peace Officers**

### *Policy DEC*

A College District peace officer or commissioned security officer as defined in Article 2.12 of the Texas Code of Criminal Procedure shall be granted quarantine leave when ordered by the local health authority or the College District designee to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The College President shall develop regulations regarding quarantine leave that address the following:

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and
3. Other procedures deemed necessary for administering this provision.

# Retirement

## *Policy DF*

Employees who plan to retire should notify the Human Resources Office as soon as possible.

## **Teacher Retirement System (TRS)**

All full-time, classified staff and administrative employees who are classified on the C41 – C43 salary ranges are required to be members of TRS. In broad terms, the Teacher Retirement System (TRS) is a state system similar to defined benefit plans in other states. Effective September 1, 1999, the TRS Omnibus Bill allowed the TRS Board to adopt reciprocal agreements with other states for establishing service credit and transferring contributions.

The philosophy underlying the Teacher Retirement System (TRS) is that of a retirement plan designed for career employees in the State of Texas. It does not purport to be a savings account competitive with other types of savings plans for the relatively short-term employee. The member's contributions are deposited each month into a personal account. Whether the member remains employed by the institution or transfers to any other institution of public education in Texas, the account remains unaffected by the payroll source from which it is drawn. On August 31st of each year, the end of the state fiscal year, interest is added to the member's account for the previous fiscal year.

Credit for each year of service is the foundation of benefit formulas and there are no service retirement benefits payable under current law, unless five years of credible TRS service is established.

Currently a TRS member contributes 7.7% of their salary to his/her TRS account. The State of Texas contributes 7.5%.

When a member terminates employment and withdraws funds in his/her personal account before their fifth year of service, the member not only loses credit for years of service already established, but also forfeits the amount contributed by the state in his/her behalf. These funds remain with TRS for the benefit of those who qualify for benefits in the future. The member also loses the opportunity to continue the employee portion of health insurance benefits through The Employees Retirement System of Texas (ERS) after retirement.

Specific questions relating to retirement should be directed to the Human Resources Office. Alternatively, employees may contact the Teacher Retirement System directly:

### **Teacher Retirement System of Texas**

1000 Red River Street

Austin, Texas 78701-2698

Phone: (800) 223-8778

Web Address: <http://www.trs.state.tx.us>

## **Optional Retirement Plan (ORP)**

All full-time faculty and administrators who are classified as C51 and above may be eligible for an Optional Retirement Plan (ORP) in lieu of the Teacher Retirement System (TRS). The ORP is a personal retirement plan purchased by the qualified employee to which the state contributes its share. It functions through the purchase of an annuity or other type of investment plan through companies authorized by Lee College. Premium contributions of both the employee and the state are sent to the appropriate carrier for deposit to the participant's account.

Since this is a personal policy selected and purchased by the ORP participant at his/her own risk, it is the individual's responsibility to select the plan that best fits his/her individual needs.

Employees currently contribute 6.65% to ORP and the state contributes 6.6%. Employees hired before September 1, 1995 may also be eligible to receive a supplement to the state contribution equal to 2.5%.

Specific questions relating to retirement should be directed to the Human Resources Office.

## **Money Purchase Plan (MPP)**

Since part-time employees at the college do not participate in social security, the college was required by the Omnibus Revenue Reconciliation Act of 1990 (OBRA) to enroll all part-time employees in a qualified retirement plan effective January 1, 1992. To comply with the law, the college implemented the Money Purchase Plan (MPP).

Employees are exempt from contributing to the MPP if they are:

- Currently contributing to either the Teacher Retirement System (TRS) or Optional Retirement Program (ORP) through the college or another higher education institution,
- Retired or receiving retirement benefits from either TRS or ORP,
- Currently employed at the college as a part-time Student Assistant or Federal Work Study Student, or
- Currently employed at an ISD and contributing to Teacher Retirement System (TRS).

If you are in another retirement program with a private company or retired from the State of Texas (ERS), you are still required to be in the MPP.

When you permanently terminate employment with the college, you may complete a Distribution Form to request a refund. Submit the completed form to the Human Resources Office. You will receive your contributions (7.5%), along with any investment gain or loss, when you request a distribution. This is a taxable event in the year of withdrawal and may be subject to a 10% tax penalty if you are under the age of 59 ½.

If you have less than \$5,000 and make no contributions to your account for eighteen (18) months, you are required to take a distribution of your account. If you do not request a distribution or rollover to another eligible retirement plan such as an IRA, your account will be automatically distributed as follows:

- Below \$1,000 – Taxable Lump Sum is mailed to your last known address.
- Above \$1,000, but below \$5,000 – A direct rollover to an IRA.



- Above \$5,000 – No involuntary distribution. You can leave your funds in the plan until you request a distribution, annuity, or rollover at a later date or retirement.

Please note: If an account is suspended because you cannot be located and no contributions are made after two (2) years, the account will cease earning interest. A 10% penalty upon withdrawal will apply to some or all of your distributions if you are under the age of 59 ½. To avoid an IRS penalty, you may rollover your account to an IRA or eligible retirement plan. Any distribution will have a taxable implication for the applicable tax year. You will receive a 1099R form which details the taxable portion of your refund.

The MPP is administered by Merkley, Newman & McLaws, Inc. If you have questions, their contact information is:

**Merkley, Newman & McLaws, Inc.**

P.O. Box 5028

Mesa, AZ 85211

Phone: (800) 580-2176, extension 1

Fax: (480) 813-7791

Email: [merkley@mnmpensions.com](mailto:merkley@mnmpensions.com)

Website: <http://www.mnmpensions.com/>

## **Supplemental Retirement Savings – 403(b) and 457**

The Lee College Tax Sheltered Annuity (TSA) Plan is a voluntary program that allows full-time, benefit eligible employees to save toward retirement by investing pre-tax contributions in tax-deferred investments (approved annuities or mutual funds).

All employees are eligible to participate and can enroll at any time by completing a Salary Reduction Agreement Form in Human Resources. Effective September 1, 1999, employees may enroll in a maximum of one (1) active TSA Plan.

Participation in the TSA Plan is voluntary. Employees make the entire contribution; there is no employer match. In addition, employees must use one of the approved authorized investment companies. Contact the Human Resources Office for additional information.

# Employee Conduct and Welfare

## Standards of Conduct

### *Policy DH*

All employees are expected to work together in a cooperative spirit to serve the best interests of the college and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to their assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action, up to and including termination of employment.
- Know and comply with department and college policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use college time, funds, and property for authorized college business and activities only.

All employees should perform their duties in accordance with state and federal law, college policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines including intentionally making a false claim, offering false statements, or refusing to cooperate with a college investigation may result in disciplinary action, including termination. The college holds all employees to the ethical standards expressed in the *Texas Community College Teachers Association Code of Professional Ethics*, which is reprinted below:

### **Texas Community College Teachers Association Code of Professional Ethics (Revised February 20, 1997)**

Professional Educators affirm the inherent worth and dignity of all persons and the right of all persons to learn. Learning best occurs in an environment devoted to the pursuit of truth, excellence, and liberty. These flourish where both freedom and responsibility are esteemed.

In order to express more adequately the affirmation of our professional responsibilities, we, the members of the Texas Community College Teachers Association, do adopt, and hold ourselves and each other subject to, the following Code of Professional Ethics:

- The Professional Educator shall treat all persons with respect, dignity, and justice, discriminating against no one on any arbitrary basis such as ethnicity, creed, gender, disability, or age.
- The Professional Educator shall strive to help each student realize his or her full potential as a learner and as a human being.
- The Professional Educator shall by example and action encourage and defend the unfettered pursuit of truth by both colleagues\* and students, supporting the free exchange of ideas, observing the highest standards of academic honesty and integrity, and seeking always an attitude of scholarly objectivity and tolerance of other viewpoints.
- The Professional Educator shall work to enhance cooperation and collegiality among students, faculty, administrators, and other personnel.
- The Professional Educator shall recognize and preserve the confidential nature of professional relationships, neither disclosing nor encouraging the disclosure of information or rumor which might damage or embarrass or violate the privacy of any other person.
- The Professional Educator shall maintain competence through continued professional development, shall demonstrate that competence through consistently adequate preparation and performance, and shall seek to enhance that competence by accepting and appropriating constructive criticism and evaluation.
- The Professional Educator shall make the most judicious and effective use of the college's time and resources
- The Professional Educator shall fulfill the employment agreement both in spirit and in fact, shall give reasonable notice upon resignation, and shall neither accept tasks for which he or she is not qualified nor assign tasks to unqualified persons.
- The Professional Educator shall support the goals and ideals of the college and shall act in public and private affairs in such a manner as to bring credit to the college.
- The Professional Educator shall not engage in sexual harassment of students or colleagues and shall adhere to the college's policy on sexual conduct.
- The Professional Educator shall observe the stated policies and procedures of the college, reserving the right to seek revision in a judicious and appropriate manner.
- The Professional Educator shall participate in the governance of the college by accepting a fair share of committee and institutional responsibilities.
- The Professional Educator shall support the right of all colleagues to academic freedom and due process and defend and assist a professional colleague accused of wrongdoing, incompetence, or other serious offense so long as the colleague's innocence may reasonably be maintained.
- The Professional Educator shall not support a colleague whose persistently unethical conduct or professional incompetence has been demonstrated through due process.
- The Professional Educator shall accept all rights and responsibilities of citizenship, always avoiding use of the privileges of his or her public position for private or partisan advantage.

*\*In this code, the term "colleague" refers to all persons employed by colleges in the educational enterprise.*

## **Employee Arrests and Convictions**

### *Policy DH*

An employee must notify his or her immediate supervisor within three (3) calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony or offense involving moral turpitude. Moral turpitude includes, but is not limited to the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Crimes involving any felony possession, transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance
- Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period
- Acts constituting abuse or neglect under the Texas Family Code §261.001

## **Sex Offenders**

### *Policy DH*

An employee who is required to register under Chapter 62, Code of Criminal Procedure, shall provide the Chief of Security all the information required under Code of Criminal Procedure Section 62.02(b) no later than the 7<sup>th</sup> day after the date on which he/she begins working at Lee College or the first date the applicable authority by policy allows the person to register. In addition, the employee will notify the Chief of Security no later than the 7<sup>th</sup> day after the date the employee terminates employment with the College. Failure to follow this procedure will result in immediate termination of employment.

The Chief of Security must promptly forward to the administrative office of the institution any information received from the person under Code of Criminal Procedure 62.153 and any information received from the Texas Department of Public Safety under Code of Criminal Procedure 62.005.

## **Alcohol- and Drug-Abuse Prevention**

### *Policies DH, DI*

Lee College is committed to maintaining an alcohol- and drug-free environment and will not tolerate the manufacture, possession, distribution, dispensation, transmission, sale, being under the influence, or use of alcohol and illegal drugs while conducting college business or while on college property, in college vehicles, or at college-related activities, whether during or outside of usual working hours. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be subject to disciplinary action, up to and including termination.

A link to the college's policy regarding employee drug use is provided below:

DH (Local) Employee Standards of Conduct -

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=DH#localTabContent>

DI (Local) Employee Welfare -

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=DI#localTabContent>

## **Tobacco Products and E-Cigarette Use**

*Policies DH, GDA*

The college prohibits the use and sale of tobacco products and e-cigarettes on all college-owned property, in college vehicles, and at college-related activities. This includes all buildings, parking facilities, and facilities used for athletics and other activities. Employees may not give or sell tobacco products or e-cigarettes to a person in violation of law.

Tobacco use includes smoking, chewing, dipping, or any other use of tobacco products. Smoking refers to inhaling, exhaling, burning, or carrying of any lighted or heated tobacco product, as well as non-tobacco smoking substances and smoking instruments. E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described above. The term does not include a prescription medical device unrelated to the cessation of smoking but does include a component, part, or accessory for the device.

The following actions occur when individuals violate this policy:

- First Offense – Information will be provided to the individual on cessation resources in our community.
- Second Offense – Completion of a mandatory web-based module providing information on negative impacts of tobacco products while encouraging cessation.
- Third Offense – Employees will be referred to their supervisors for disciplinary action.

## **Searches and Alcohol and Drug Testing**

*Policies CR, DHA*

Non-investigatory searches in the workplace including accessing an employee's desk, file cabinets, work area, or college-owned technology to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the college reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if there is reasonable suspicion that an employee is under the influence of alcohol or drugs in violation of college district policy. The college may search the employee, the employee's personal items, and work areas including college-owned technology resources, lockers, and private vehicles parked on college premises or work sites or used in college business. Disciplinary action, up to and including termination, may result if an employee refuses to submit to testing or is found to violate college policy.

**Employees Required to Have a Commercial Driver's License:** Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Faculty, coaches or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists and at random. Return-to-duty and follow-up testing will be conducted if an employee has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty. Testing may be conducted following accidents.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the relevant policy the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Human Resources.

## **Fraud and Financial Impropriety**

### *Policy CDE*

All employees should act with integrity and diligence in duties involving the college's financial resources. The college prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the college
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other college assets including employee time
- Impropriety in the handling of money or reporting of college financial transactions
- Profiteering as a result of insider knowledge of college information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the college
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the college, except as otherwise permitted by law or college policy
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state, or local entities
- Failure to disclose conflicts of interest as required by law or college policy
- Any other dishonest act regarding the finances of the college
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

## **Gifts and Favors**

### *Policies CAA, DBD*

Employees may not solicit or accept gifts, favors, services, or other benefits that could influence, or be construed to influence, the employee's discharge of assigned duties. In addition, acceptance of any single item with a value at or above \$50 or items from a single contractor or subcontractor that have an aggregate value exceeding \$100 in a 12-month period is prohibited.

Employees may not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the employee during non-school hours, unless the product, material, or service is recommended, endorsed, or required for a course the employee teaches and is reasonably related to the subject matter of the course and the course syllabus.

Employees cannot require students to purchase a specific brand of supplies if other brands are equal and suitable for the intended instructional purpose.

Employees cannot use their position with the College to attempt to sell products or services, unless the products or services are recommended, endorsed, or required for a course the employee teaches and are reasonably related to the subject matter of the course and the course syllabus.

## Intellectual Property

### *Policy CT*

All copyrights, trademarks, and other intellectual property rights belonging to the college shall remain with the college at all times. Except as provided by law, college policy, or written authorization from the college president or designee, use of college intellectual property shall be limited to college-related purposes.

**Copyrighted Materials:** Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

The performance and display of copyrighted material, including motion pictures, dramatic works, musical performances, or other audio and visual works, may only occur for education purposes, and as a regular part of instruction and directly related to the curriculum, during face-to-face teaching activities, when viewed in a classroom or designated place of instruction, and with a lawfully made copy or via an authorized account.

**Trademarked Materials:** Symbols such as professional team's mascot, colors, slogans, sounds, and like items, are typically protected by federal and state trademark law. Employees are expected to comply with the provisions of the law.

**Patents:** Federal law protects the invention or discovery of a process, machine, manufacture, or improvement. Only the patent holder may use, make, or sell the invention or discovery or a material component of that invention or discovery.

**Work Product:** As an agent of the college, an employee, including a student employee, does not have rights to the work he or she creates on college time or using college technology resources. The college will own any work or work product created by a college employee in the course and scope of his or her employment, including the right to obtain copyrights.

If the employee obtains a patent for such work, the employee is required to grant a non-exclusive, non-transferable, perpetual, royalty-free, college-wide license to the college for use of the patented work. A college employee shall own any work or work product produced on his or her own time, away from his or her job and with personal equipment and materials, including the right to obtain patents or copyrights.

A college employee may apply to the college president or designee to use college materials and equipment in his or her creative projects, provided the employee agrees either to grant to the college a non-exclusive, non-transferable, perpetual, royalty-free, college-wide license to use the work, or permits the college to be listed as co-author or co-inventor if the college contribution to the work is substantial.

## **Associations and Political Activities**

### *Policy DGA*

The college will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Use of college resources including work time for political activities is prohibited.

The college encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence. Employees will be required to provide proof they voted.

## **Possession of Firearms and Weapons**

### *Policy CHF*

For ease of reference, a link to the college's policy concerning the possession of firearms and weapons is provided below:

Board Policy CHF (Legal and Local):

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=CHF#localTabContent>

## **Discrimination, Harassment, and Retaliation on the Basis of Sex**

### *Policies DAA, DH, DHB, DIAA, FA, FFDA*

Employees shall not engage in discrimination, harassment, or retaliation on the basis of sex, including sexual harassment, sexual assault and other sexual violence, dating violence, domestic violence, or stalking against other employees, prospective employees, former employees, unpaid interns, or students. Employees also may not engage in discrimination, harassment, or retaliation against other persons including board members, vendors, contractors, volunteers, or parents. A substantiated charge will result in disciplinary action. Processes for reporting prohibited conduct are described below.

Other forms of prohibited discrimination, harassment, and retaliation are addressed below in the Discrimination, Harassment, and Retaliation on the Basis of Other Protected Characteristics section.



**Employees Who Witness Sex Discrimination, Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking:** All employees who witness or receive information reasonably believed to constitute prohibited discrimination on the basis of sex, including sexual harassment, sexual assault or other sexual violence, dating violence, domestic violence, or stalking against or by another employee or student, regardless of where or when the incident occurred, must promptly report such the incidents to the college's Title IX Coordinator: Jose Martinez, [josmartinez@lee.edu](mailto:josmartinez@lee.edu), 281-425-6546. An employee may also report to the College President. An employee may report such incidents electronically through the college district's website at [https://cm.maxient.com/reportingform.php?LeeCollege&layout\\_id=1](https://cm.maxient.com/reportingform.php?LeeCollege&layout_id=1).

In addition to the report to the Title IX Coordinator, any report against the College President must also be made directly to the Board of Regents.

An employee who knows of or has reasonable cause to believe that child abuse occurred or may occur must also report the employee's knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, below, for additional information.

**Exceptions to the Reporting Requirement:** An employee is not required to report information they received as a result of a disclosure made at a college sponsored public awareness event unless the person has the authority to institute corrective measures on behalf of the college.

Absent the victim's consent, or unless required by law, a confidential employee, described below, may only disclose the type of incident reported and may not disclose information that would violate a victim's expectation of privacy.

An employee is not required to report an incident the employee learned of during the course of the college's review or processing of an incident report or that has been confirmed to have been previously reported.

**Victims of Sex Discrimination, Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking:** An employee who is the victim of discrimination on the basis of sex, including sexual harassment, sexual assault or other sexual violence, dating violence, domestic violence, or stalking has the right to report the incident to the college and to receive a prompt and equitable resolution of the report.

Allegations may be reported to the employee's immediate supervisor, to the Title IX Coordinator: Jose Martinez ([josmartinez@lee.edu](mailto:josmartinez@lee.edu), 281-425-6546, Rundell Hall room 112) or the College President. The employee may also report electronically through the college's website at [https://cm.maxient.com/reportingform.php?LeeCollege&layout\\_id=1](https://cm.maxient.com/reportingform.php?LeeCollege&layout_id=1). An electronic report may be submitted anonymously in this situation.

Alternatively, the employee may report the incident to a designated confidential employee. A confidential employee is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or who is designated as a confidential employee.

An employee is not required to report the incident to the person alleged to have committed the sex discrimination or harassment.

An employee who is the victim of a crime has the right to choose whether to report the crime to law enforcement, to be assisted by the college in reporting the crime to law enforcement, or to decline to report the crime to law enforcement.

It is important that a victim of prohibited discrimination on the basis of sex, including sexual harassment, sexual assault or other sexual violence, dating violence, domestic violence, or stalking, go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

**Retaliation:** The college prohibits retaliation against an employee for the purpose of interfering with a right or privilege under policies DIAA and FFDA; who, in good faith, makes a report or a complaint, serves as a witness, or otherwise participates or refuses to participate in an investigation, proceeding, or hearing regarding an allegation of discrimination on the basis of sex, including sexual harassment, sexual assault or other sexual violence, dating violence, domestic violence, or stalking. This prohibition does not apply to the discipline of an employee who committed, or assists in the commission, of the misconduct.

**False Report of Failure to Report:** An employee commits an offense if the employee makes a false report or knowingly fails to report such incidents with the intent to harm, deceive, or conceal the incidents. An employee found by the college to have committed one of these offenses will be terminated.

**Policies and Procedures:** Information on the colleges' policy, procedures, and related materials is available at <https://www.lee.edu/titleix>. The college's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation, as well as determining if the conduct occurred, is reprinted below:

Board Policy DIAA (Local):

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=DIAA#localTabContent>

Board Policy FFDA (Local):

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=FFDA#legalTabContent>

## **Discrimination, Harassment, and Retaliation on the Basis of Other Protected Characteristics**

*Policies DAA, DAAA, DH, DHB, DIAB, FA, FFDB*

In addition to the prohibition on discrimination, harassment, and retaliation on the basis of sex addressed above, employees shall not engage in discrimination, harassment, or retaliation on the basis of other legally protected characteristics against other employees, prospective employees, former employees, unpaid interns, or students. Employees also may not engage in prohibited discrimination, harassment, or retaliation against other persons including board members, vendors, contractors, volunteers, or parents. A substantiated charge will result in disciplinary action. Processes for reporting prohibited conduct are described below.

**Report of Actions Targeting Employees:** An employee who believes the employee or another employee has been discriminated or retaliated against or harassed on the basis of a legally protected characteristic other than sex is encouraged to promptly report such incidents to the employee's supervisor, the College President, or Human Resources. An employee is not required to report prohibited conduct to the person alleged to have committed the misconduct at issue. If the supervisor is the subject of a complaint, the complaint may be

directed to the College President or designee. A complaint against the College President may be made directly to the Board of Regents.

**Report of Actions Targeting Students:** Employees who suspect a student may have experienced discrimination, harassment, or retaliation on the basis of a protected characteristic other than sex are obligated to report their concerns to an appropriate college official. All allegations will promptly be investigated. An employee who knows of or has reasonable cause to believe that child abuse occurred or may have occurred must also report the employee's knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, below, for additional information.

The college's policies that include definitions and procedures for reporting and investigating discrimination, harassment, and retaliation on the basis of a protected characteristic other than sex are reprinted below:

Board Policy DIAB (Local):

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=DIAB#localTabContent>

Board Policy FFDB (Local):

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=FFDB#legalTabContent>

## Reporting Suspected Child Abuse

*Policies DH, DHB*

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §261.001, to a local or state law enforcement agency, The Texas Department of Family and Protective Services (DFPS), or an appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility in which the abuse occurred). An employee who is considered a professional under Texas Family Code §261.101(b) must report child abuse or neglect or indecency with a child if the employee has reasonable cause to believe the conduct occurred or may occur within 48 hours after first suspecting the abuse or neglect. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a day care teacher) must be reported to DFPS.

Employees are also required to make a report if they have reasonable cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child, elderly person, or disabled person.

Reports to the DFPS can be made to the Texas Abuse Hotline at 800-252-5400 or, if not urgent, on the web at <https://www.txabusehotline.org/Login/Default.aspx>. An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may result in state jail felony if it is shown the individual intended to conceal the abuse or neglect. An employee may not delegate to or rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. The college will not take any adverse action in response to good faith reports of child abuse or neglect or participation in an investigation regarding an allegation of child abuse or neglect.

Employees who have reasonable cause to believe that a child has been or may be abused or neglected should also report their concerns to the Executive Director of Human Resources. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the Executive Director of Human Resources before making a report to the appropriate agency.

Reporting the concern to the Executive Director of Human Resources does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation is prohibited.

As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to DFPS and follow the procedures described above.

## **Reporting Crime (Texas Whistleblower Act)**

*Policy DG*

The Texas Whistleblower Act protects college employees who make good faith reports of violations of law by the college to an appropriate law enforcement authority. The college is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. An *appropriate law enforcement authority* is part of a federal, state, or local governmental entity that the employee in good faith believes is authorized to regulate under or enforce the law alleged to be violated or to investigate or prosecute a crime.

## **Complaints and Grievances**

*Policy DGBA*

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time.

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, a link to the college's policy concerning the process of bringing concerns and complaints is provided below:

Board Policy DGBA (Local):

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=DGBA#localTabContent>

## General Job-Related Information

### Accommodations for Disabilities (ADA)

The college is committed to providing reasonable accommodations for the needs of all employees with qualified disabilities under section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Employees requesting an accommodation for disabilities should contact the Human Resources Office.

### Badge

All employees are required to wear a Lee College identification badge while working at a College campus or center.

The Human Resources Office issues badges to college employees. Upon termination of employment, employees must return their badges to the Human Resources Office. Employees who have questions about badges, should contact the Human Resources Office.

### Business Cards

College employees may order business cards from the Ricoh Print Shop located on main campus. To learn more about ordering business cards, employees can contact the Ricoh staff member at (832) 556-4067. Additional information may be found online (<https://www.lee.edu/publicaffairs/print/index.php>).

### CARES Team

The CARES Team is dedicated to a proactive, coordinated, and planned approach to the identification, prevention, assessment, management, and reduction of interpersonal and behavioral threats to the safety and well-being of Lee College community. The [Core Team](#) meets regularly to review referrals brought forward by faculty members, staff members, and students, regarding behaviors of individuals that can be concerning, disruptive, or threatening — behaviors that potentially impede their own or others' ability to function successfully or safely.

Additional information about the CARES Team, including its process, how to report a concern, frequently asked questions, how to contact a team member, and more, is available on the group's website (<https://www.lee.edu/cares-team/>). Employees may also contact the Executive Director of Student Success and Wellbeing to learn more.

### Change of Employee Personal Information

It is important that employment records be kept up to date. Employees must notify the Human Resources Office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or any births, deaths, or changes in the number of eligible dependents.

Changes to this type of information could affect an employee's income tax, withholdings, or the rates of insurance premiums. In addition, the college will provide communications to employees by mail throughout the year (i.e., W2 forms, orientation details, professional development schedules and information, etc.). Therefore, it is important that employees promptly notify the Human Resources Office of such changes.

It is also important to keep educational transcripts, accomplishments, publications, and other relevant information accurate and current. Accreditation officials may review an employee's credentials to verify job qualifications.

The forms to process a change in personal information may be obtained from Human Resources.

## **College Communications**

Throughout the academic year, the Marketing and Public Affairs Office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

## **College Vehicle Use**

College fleet vehicles are available to employees for college business. To use a fleet vehicle, all drivers must pass a criminal and driving history check to be on the approved drivers list. The Purchasing Office manages the approved drivers list and vehicle reservations. Contact the Purchasing Office at (281) 425-6320 or [lcpurchasing@lee.edu](mailto:lcpurchasing@lee.edu) for more information.

While driving on college business, employees are required to abide by all state and local traffic laws. Employees driving on college business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgement on whether to use hands-free technology while the vehicle is in motion.

## **Dress Code**

College employees are expected to dress in a professional manner appropriate to their position. Offices/Departments may have different expectations depending on the type of work performed and an employee's interaction with the public. Uniforms may be required in some areas. Employees who have questions about the appropriate attire in their office/department should contact their supervisor.

All employees are required to wear a Lee College identification badge while working at a College campus or center.

## **Facilities Use**

*Policies DGC, GD, GDA*

Employees may use college facilities and common outdoor areas for non-work activities, work-related activities, and to invite speakers to campus in accordance with college district policies and established

regulations. The employee is responsible for scheduling the use of the facilities. College district facilities and areas not considered common outdoor areas must be scheduled in advance of use.

The college's policy regarding employee use of college facilities follows:

Board Policy DGC (Local):

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=579&code=DGC#localTabContent>

Information on prices and rental procedures can be found on the Facilities website

(<http://www.lee.edu/facilities/>).

Employees wanting to rent a facility will need to complete the online facility request form found on the web site. Contact the Information Service Specialist at (832) 556-4046 or [facilities@lee.edu](mailto:facilities@lee.edu) for more information.

## **Family/Friends/Pets in the Workplace**

Visits from friends and family both in person and on the telephone should be limited during an employee's work shift. If the frequency, length or nature of visits becomes problematic, the employee will be advised of the situation and will be expected to take corrective action. An employee may receive disciplinary action if the supervisor deems the situation is disrupting the workplace, impeding the employee's ability to perform his or her job, or causing a safety hazard.

**Pets in the Workplace:** Employees are not allowed to bring pets into the workplace. Service animals used for disability accommodation purposes are not considered pets. Employees requiring a service animal should contact the Human Resources Office.

## **Keys**

Employees may request keys and/or access codes by submitting a completed Key Request Form to the Human Resources Office. Requests for keys and/or access codes must be approved by the supervisor.

Keys should not be loaned or exchanged with other employees and cannot be duplicated.

Upon termination of employment, employees will return their keys to Human Resources Office.

Employees who experience mechanical issues with their key or access code, should submit a work order to the Maintenance Department to have the Locksmith check the key or access code.

## **Library Services**

Employees have free access to the extensive collections housed in the Lee College Library and available electronically, which are available for borrowing. To learn more, visit [www.lee.edu/library](http://www.lee.edu/library), call (281) 425-6379, chat or text at (281) 789-6286.

## **Mailroom Services**

Department mailboxes are maintained in the Mailroom located on main campus in John Britt Hall. Employees, or a designated person within the office/department, should regularly check their mailboxes. Inter-campus envelopes are also available in the Mailroom.

Employees needing assistance with bulk mailings should contact the Mailroom Attendant at (281) 427-5611.

## **Parking**

*Policy CHC*

There is parking on campus designated for employees. Employees must contact the Human Resources Office to obtain a parking permit. Upon termination of employment, an employee must return the parking permit to the Human Resources Office.

Restricted parking areas are clearly marked and employees are prohibited from parking in areas reserved for visitors, no parking areas, marked fire lanes, areas reserved for the disabled, or any area not specifically designed for vehicle parking.

Questions regarding parking locations and tickets should be directed to the Security Office (281-425-6888).

## **Performance Evaluation**

*Policy DL series*

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria including end-of-course evaluation of faculty. All employees will participate in the evaluation process with their assigned supervisor at least annually. Evaluations will be completed on forms approved by the college. Reports, correspondence, and memoranda also can be used to document performance information. All employees will have access to their evaluation forms, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

## **Personal Property**

Employees who choose to bring their personal property on college premises, including but not limited to, computers, equipment, and office decorations do so at their own risk. The college will not assume responsibility or replacement cost for any employee's personal property of any kind that is damaged, lost, or stolen.

## **Progressive Discipline**

*Policies DH, DHB, DI, DIAA, DIAB, DM, DMAA, DMAB*

Progressive discipline is a series of disciplinary actions, corrective in nature, taken to provide an employee the opportunity to improve job performance and comply with departmental and college policies. Such actions, at



the discretion of the employee's immediate supervisor, range from counseling, verbal and written warnings, disciplinary suspension, to termination of employment.

Every action need not be taken in each case, and depending upon the relevant circumstances, the college may take any disciplinary action, including termination, at any time. Relevant circumstances may include the seriousness or severity of the employee's deficiencies in performance and/or conduct, prior performance and conduct, and management's assessment of appropriate factors identified during an investigation.

Per Board Policy DM (Local) Termination of Employment, at-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the College District.

Additional information regarding progressive disciplinary actions are provided below:

**Counseling:** The supervisor typically provides counseling to an employee as the first step to correct minor conduct or performance deficiencies. The purpose of counseling is to afford an employee the opportunity to correct a deficiency and avert any need of more formal discipline. Counseling may be verbal and/or noted in written memo. No information is placed in the employee's personnel file. Any record of the counseling remains with the supervisor or in the departmental employee performance management records. Should an employee's conduct or work continue to be unsatisfactory, prior counseling should be noted in the documentation during subsequent disciplinary steps.

**Verbal Warning:** A verbal warning may be given to address performance and conduct more serious than those warranting counseling or for issues where counseling has been previously given. The purpose of a verbal warning is to clarify policies, rules, and expectations. The supervisor will meet with the employee and deliver the verbal warning. The supervisor may note the verbal warning in a written memo. No information is placed in the employee's personnel file. Any record of the verbal warning remains with the supervisor or in the departmental employee performance management records. Should an employee's conduct or work continue to be unsatisfactory, prior counseling and verbal warnings should be noted in the documentation during subsequent disciplinary steps.

**Written Warning:** A written warning may be given to address substantial performance and conduct concerns that are more serious than those warranting a verbal warning or counseling, if conduct and performance addressed by a verbal warning and counseling is repeated, or if new violations or problems occur. It is also possible that a single incident may warrant a written warning. If a determination is made that a written warning is appropriate, the supervisor will complete an Employee Disciplinary Action Form, which generally includes a description of the unacceptable conduct and/or performance, the policy, rule, or expectation violated, and an outline of future expectations. The supervisor will meet with the employee to discuss the written warning and will provide a copy of the completed form to the employee and Human Resources.

**Final Written Warning:** A final written warning may be issued for the first occurrence of a very serious offense(s) or may be issued for repeated lesser offenses which have been identified by the supervisor and not corrected by the employee despite previous disciplinary action(s). The supervisor will complete an Employee Disciplinary Action Form which generally includes a description of the unacceptable conduct and/or performance, the policy, rule, or expectation violated, and an outline of future expectations. The appropriate supervisor(s), including the applicable Cabinet member(s), must review a final written warning prior to it being issued to the employee. The supervisor will meet with the employee to discuss the final written warning and will provide a copy of the completed form to the employee and Human Resources. The final warning is

considered a last chance. If an employee does not achieve improvement in conduct and/or performance, dismissal will normally be the next action taken.

**Suspension:** A suspension, with or without pay, may be imposed by the President of the College. The President will determine the duration of the suspension and whether the suspension is to be with or without pay. During an incident investigation involving an employee's conduct, the President of the College may determine that the employee's continued presence in the work place is not in the best interest of the college. In this case, the employee may be suspended with pay until the investigation is complete. The supervisor will meet with the employee to discuss the suspension and will provide a copy of the completed documentation to the employee and Human Resources.

**Recommendation to Terminate Employment:** Recommendation to terminate employment is the final step of employee discipline. A recommendation may be made when prior disciplinary actions fail to bring about the required improvement in employee performance or conduct. A recommendation may also be made, without prior disciplinary steps, for severe violations of actions prohibited by the college, including, but not limited to, those provided in board policy.

The following are some examples, but not a comprehensive list, of the kinds of situations that might call for progressive discipline:

- Chronic and/or excessive tardiness/absenteeism
- Absence from work without proper notification and/or approval
- Neglecting or failing to perform duties
- Leaving the work area without authorization or not being in assigned area as designated
- Leaving college property during work hours without appropriate approval
- Use of profane, obscene, abusive, or degrading language, gestures, or images
- Tampering with or falsifying official college records, including one's own or another's time/accruals
- Fighting or threats of violence
- Violation of college policies, including policies on harassment/sexual misconduct, alcohol/drug-free campus, standards of conduct, etc.
- Unauthorized disclosure of confidential information
- Unauthorized operation and/or misuse of college property and resources
- Insubordination
- Violation of computer use policy
- Sleeping while at work

## **Work-Related Injury or Illness**

If an employee has a work-related injury or illness, the employee should report the accident, injury, or illness to his/her immediate supervisor as soon as possible. The employee and/or the immediate supervisor must notify the Human Resources Office, who will report the information for Worker's Compensation.

## Technology Resources

### *Policy CR*

The college's technology resources, including its networks, computer systems, e-mail accounts, devices connected to its networks, and all college-owned devices used on or off college property, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

- Imposes no tangible cost to the college.
- Does not unduly burden the college's computer or network resources.
- Has no adverse effect on job performance or on a student's academic performance.

Electronic mail (email) transmissions and other use of college technology resources are not confidential and can be monitored at any time to ensure appropriate use.

Employees are required to abide by the provisions of the Computer/Internet Usage Agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact the IT Help Desk at (281) 425-6952 or [helpdesk@lee.edu](mailto:helpdesk@lee.edu).

## Information Security

### *Policy CS*

The college owns, leases, or serves as custodian for a wide variety of information and information resources, including sensitive and confidential information. Employees must guard against the unauthorized or accidental modification, destruction, or disclosure of this information consistent with the college's information security policies, procedures, and practices. Failure to comply with these requirements may result in discipline, up to and including termination.

Questions and concerns about the college's information security program may be directed to the college's Chief Information Officer or Information Technology Department.

## Personal Use of Electronic Media

### *Policies CR, DH*

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

Employees are responsible for their public conduct even when they are not acting as college employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to

effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the college's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct college business.
- The employee shall not use the college's logo or other copyrighted material of the college without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on college business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the *Texas Community College Teachers Association Code of Professional Ethics*, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student records [See Policy FJ]
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law [See Policy DBA]
  - Confidentiality of college records, including private email addresses [See Policy GCA]
  - Intellectual property [See Policy CT]
  - Prohibition on the disclosure of information or rumor which might damage or embarrass or violate the privacy of any other person [See Policy DH (Exhibit)]

## Email Accounts

The primary method of communication for employees at the college is email. Employees are provided an email account to use for job-related business, and are expected to check and respond to their emails in a timely manner. Employees who need assistance or have questions regarding their email account, can contact the IT Help Desk at (281) 425-6952 or [helpdesk@lee.edu](mailto:helpdesk@lee.edu).

# Records Management

## Personnel Records

*Policies DBA and GCA*

Most college records, including personnel records, are public information and must be released upon request. Employee may choose to have the following personal information withheld:

- Home address
- Phone number, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members

The choice to not allow public access to this information or change to an existing choice may be made at any time by submitting a written request to the Human Resources Office. New or terminated employees have fourteen (14) days after hire or termination to submit a request. Otherwise, the personal information may be released to the public until a request to withhold the information is submitted or another exception for release of information under law applies. An employee is responsible for notifying the college if he or she is subject to any exception for disclosure of personal or confidential information.

In most cases, an employee's personal email is confidential and may not be released without the employee's permission.

## Records Retention

*Policy CIA, GCB*

Employees must retain local government records in accordance with the college procedures for the appropriate retention period, which varies depending on the category of record (i.e., the content contained in that individual email message) described in the college's records retention schedule. *Local government record* means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business. The determination of which category of record applies must be made on a case-by-case basis. If the contents of the record fall in more than one category in the records retention schedule and are not severable, the combined record must be retained for the length of time of the component with the longest retention period.

Employees should not maintain college information on privately owned devices. Any college information must be forwarded or transferred to the college to be preserved. The college will take reasonable efforts to obtain public information in compliance with the Texas Public Information Act. Reasonable efforts may include:

- Verbal or written directive
- Remote access to college-owned devices and services

# Safety and Security

## *Policy CG series*

The college has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The Employee Emergency Response Plan (ERP), found on the HR website, provides written guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries.

Employees must follow established protocols and response to emergencies. Refer to written security procedures specific to your location and work area.

To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve college equipment, employees must comply with the following requirements:

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.

While driving on college business, employees are required to abide by all state and local traffic laws. Employees driving on college business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgement on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact the Executive Director of Human Resources or the Chief of Staff/Vice President of Strategic Initiatives.

## **Campus Security Department**

The Security Department operates 24 hours a day, 365 days a year. Employees should contact a Security Officer to report an incident, crime, or suspicious behavior. In addition, Officers are available to unlock and lock office/room doors and can escort individuals to vehicles upon request.

### **Lee College Security Department**

Phone/Dispatch: (281) 425-6888

Website: <http://www.lee.edu/security>

Location: Main Campus - Security Facility (formerly the Republic Whiting Building)

McNair Center – Room 101A

Liberty Center – Room 101

## Reporting an Incident, Crime, or Suspicious Behavior

Employees can report an incident, crime, or any suspicious person or activity to the Security Department at any time by:

- Calling a Security Officer at (281) 425-6888.
- On main campus, individuals can contact Security directly by picking up the red phones located in buildings or using the phones located outside in the red emergency poles near parking lots.
- Visiting a Security Officer in person. At main campus, the Security Office is located in the Security Facility, formerly the Republic Whiting Building. At McNair Campus, the Security Office is located in room 101A. At the Liberty Center, the Security Office is located in room 101.

## Annual Security Report (Clery Act)

*Policy GCC*

The college collects information about campus crime statistics and the college's security policies as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The college's annual security report issued under the Clery Act is available on the Security website (<https://www.lee.edu/security/annual-security-report/>).

## Emergency Notifications

*Policy CGC*

The college uses an electronic alert system to send employees and students notifications about weather delays, school cancellations, emergency conditions, etc. Employees must sign up online (<http://www.lee.edu/alerts>) to receive notifications.

## Campus Closures

The college may close campuses because of severe weather, epidemic, pandemic, or other emergency conditions to be determined at the discretion of the college or local or state government emergency order. When it becomes necessary to delay or cancel classes, a notice will be posted on the college's website and notifications will be sent to college emails. Employees signed up for Rebel Alerts will also receive electronic messages about the situation.

## Emergencies

*Policy CGC*

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency. The Employee Emergency Response Plan (ERP) located on the Human Resources website.

Employees should locate evacuation diagrams posted in their work area and be familiar with shelter in place, lockout, and lockdown procedures. Emergency drills will be conducted to familiarize employees and students

with safety and evacuation procedures. Fire extinguishers are located throughout all college buildings. Employees should know the location of these devices and procedures for their use.

**Automatic External Defibrillators (AEDs):** The locations of the automatic external defibrillators (AEDs) at the college's various sites are provided on the college's Emergency Preparedness website (<https://www.lee.edu/emergency/aeds/>). If you have questions about the AEDs, contact the Executive Director of Human Resources.



# Student Issues

## Equal Educational Opportunities

*Policies FA, FFDA, FFDB*

In an effort to promote nondiscrimination and as required by law, Lee College does not discriminate on the basis of race, color, religion, national origin, sex, gender, age, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; Americans with Disabilities Act; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination against students based on sex, including sexual harassment, should be directed to the Title IX Coordinator – Jose Martinez, [josmartinez@lee.edu](mailto:josmartinez@lee.edu), 281-425-6546.

Questions or concerns about discrimination on the basis of a disability should be directed to the ADA/Section 504 Coordinator – Dr. Rosemary Coffman, Executive Director of Student Success and Wellbeing, [rcoffman@lee.edu](mailto:rcoffman@lee.edu), 281-425-6387. All other questions or concerns relating to discrimination based on any other reasons should be directed to the college president.

## Student Records

*Policy FJ*

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. Access to student records is restricted to individuals authorized by law, including the student, parents when the student is a dependent for tax purposes, and college officials with legitimate educational interests.

The College Catalog provides students with detailed information on student records. Students who want to review student records should be directed to the Associate Vice President of Student Services assistance.

## Student Complaints

*Policy FLD*

In an effort to hear and resolve student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling complaints on different issues. The Associate Vice President of Student Services can provide students with information on filing a complaint.

The formal complaint process provides students with an opportunity to be heard up to the highest levels of management. Students are encouraged to discuss problems or complaints with the faculty member or the appropriate administrator at any time. Students with complaints that cannot be resolved to their satisfaction should be directed to the next-level administrator.

## **Student Conduct and Discipline**

*Policies FL Series, FM Series*

Students are expected to follow the college's rules and regulations concerning student conduct outlined in the College Catalog and college policies. Faculty and staff are required to submit an alleged violation or violations of college policies and procedures, including rules for student conduct to the Associate Vice President of Student Services within a reasonable timeframe (i.e., within 10 days). The allegations must be submitted in writing through traditional or electronic means and describe the violation and surrounding facts. The Associate Vice President of Student Services or designee shall investigate the matter if necessary.