

BUTTE-GLENN COMMUNITY COLLEGE DISTRICT  
3536 Butte Campus Drive  
Oroville, CA 95965

MANAGEMENT, SUPERVISORY & CONFIDENTIAL (MSC) EMPLOYEE  
HANDBOOK

And

MSC ASSOCIATION MEMBER RIGHTS AND RESPONSIBILITIES



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MANAGEMENT, SUPERVISORY, & CONFIDENTIAL (MSC) EMPLOYEE HANDBOOK  
and  
MSC ASSOCIATION MEMBER RIGHTS AND RESPONSIBILITIES

**SECTION I - INTRODUCTION**

The purpose of the Management, Supervisory, & Confidential Employee Handbook and MSC Association Member Rights and Responsibilities is twofold:

1. Describes the terms and conditions of employment for all MSC employees, and
2. Describes the Rights and Responsibilities of MSC Association Membership

**SECTION II – DEFINITIONS**

Management, Supervisory and Confidential employees are referred to in this handbook as “MSC employees.”

M	-	Management Personnel (includes Educational Administrators)
S	-	Supervisory Personnel
C	-	Confidential Personnel

Management Employees: Responsible for but not limited to promoting educational leadership, formulating district policies, administering district programs, supervision and evaluation employees.

Supervisory Employees: Responsible for but not limited to directing the daily activities of an assigned area and supervising and evaluation employees.

Confidential Employees: Employees, who in the regular course of their duties, have access to or possess information relating to their employer-employee relations.

**SECTION III – CITIZENSHIP RIGHTS**

MSC members have the same rights and responsibilities as any citizen living in a democracy to participate in political and governmental affairs, including such rights as voting, refraining from voting, discussing the social, political and economic issues of the day in public meetings, supporting candidates, accepting appointment or elected public offices, or holding offices in political parties. MSC members, because of their position in the District, should make it clear that they are speaking or acting as individuals.

## **SECTION IV – RECRUITMENT AND SELECTION**

Recruitment and selection of MSC employees shall be conducted in accordance with the District's Equal Employment Opportunity (EEO) Plan and Administrative Procedures for Employment. In keeping with this policy, staff selection shall be based on open competition for both entry into and promotion within MSC vacancies. Standard procedures on selection committees shall be applied to the examination process. Recruitment strategy shall be correlated to existing management vacancy and the District's Equal Employment Opportunity (EEO) Plan. District employees shall be encouraged to seek promotional appointments. The Board of Trustees will follow applicable hiring laws and regulations.

### Pre-employment Requirements

Evidence of negative T.B. test taken within four years is required upon hire and every four years thereafter, and is required to be on file. New employees are required to be fingerprinted and must also sign a Loyalty Oath.

## SECTION V – COMPENSATION

### 1. Responsibility Days

Compensation for MSC employees is computed according to the following work schedule which includes all days worked or reported as leave i.e. holidays, vacation, sick leave:

Twelve-month employee - 260 days  
Eleven-month employee - 238 days  
Ten-month employee - 217 days

Responsibility days for work schedules which vary from the above will be prorated accordingly.

### 2. Salary Placement

**INITIAL PLACEMENT** - New hires are placed at Column A within the range for their classification. Any exception requires review by Human Resources and approval from the Vice President of Administration and the Superintendent/President.

Once an employee is placed on the MSC salary schedule, the employee will then advance one (1) step for each year of service in the confidential, supervisory, or management group.

**PROMOTIONS/RE-ORGANIZATIONS/RE-CLASSES** - MSC employees who promote, via the open recruitment process, are re-organized, or re-classified, within their confidential, supervisory, or management group or from one MSC group to another (i.e., confidential to supervisory, supervisory to management, confidential to management) will receive no less than a 5% increase in pay from their previous MSC position. The employee would then advance one (1) step increment for each year of service with that group. It is the employees' responsibility to review the proposed salary schedule placement before accepting the new position/re-classification.

**PROGRESSION ON SALARY SCHEDULE** – Progression, within an assigned salary range by step increments across columns “A” through “Y” on the MSC salary schedule, shall be made July 1 of each year. Employees either employed or promoted prior to January 1 of any year will have a progression date of July 1 of the next fiscal year. Employees hired/promoted after January 1 of any year will have a progression date of July 1 of the year following the next fiscal year.

### 3. Salary Payments

MSC employees are paid monthly on the last working day of the month. Pay advices are currently issued electronically. Salaries will be increased by the same percentage granted to full-time faculty and will be effective July 1 for the fiscal year it is granted.

### 4. Salary Compensation

- a. The monthly salary amount for designated positions shall be in accordance with the Management, Supervisory, & Confidential salary schedule. Per Fair Standards Labor Act (FLSA), exempt MSC employees will not be paid overtime for performing the duties assigned to the present job description. If additional responsibilities which are not included in their present job descriptions are assigned on a regular basis, appropriate compensation may be provided.

- b. Per FLSA, non-exempt MSC employees are entitled to overtime at the rate of one and one-half time of the regular hourly rate of pay for hours worked in excess of eight (8) hours per day or forty (40) hours in a week.
- c. MSC employees, with approval of the Director, Human Resources, may be compensated on the Associated Faculty Salary Schedule for teaching service outside of their normal work schedule.

5. Compensation for Professional Growth

- a. Course work or appropriate in-service training completed by an MSC employee totaling three (3) semester units shall be compensated a payment of seventy-five (\$75.00), providing that training has been deemed appropriate to the member's job category and/or prepare for advancement within the District and approved by the MSC employee's supervisor and the Director, Human Resources.
- b. A supervisory or confidential MSC employee enrolled in an appropriate course for professional growth at Butte College shall be entitled to exemption from payment of service fees for that course.
- c. An MSC employee who desires to enroll in a course during his/her regular working hours may do so with the prior approval of the supervisor and the Director, Human Resources, providing that the course has been approved for professional growth.

## SECTION VI – MSC CLASSIFICATION REVIEW PROCESS

The process to be utilized to request a review of an MSC classification description and its subsequent placement on the salary schedule is as follows:

- a. The MSC employee should discuss his/her classification/placement concerns with his/her immediate supervisor (the lowest level manager having direct jurisdiction over the MSC employee making the request);
- b. After a discussion with the MSC employee and review of the request, the immediate supervisor, if in agreement, will take the request to his/her supervisor to be forwarded to the appropriate Vice President. The Vice President would then, if in agreement, request Human Resources analyze the position and make recommendations regarding classification and salary placement levels. The Director, Human Resources will submit the recommendation to the Vice President for Administration, who will take to the President's Leadership Team for informational purposes. The recommendation will be placed on the personal consent agenda for approval by the Board of Trustees.
- c. Should the immediate supervisor disagree with the employee's request, the employee may meet directly with the Director, Human Resources or the next level of management for discussion.
- d. After conducting a review of the request, the current classification placement and salary placement and upon conferring with both the employee and the immediate supervisor, the Director, Human Resources will then make recommendation(s) directly to the Vice President for Administration.

## SECTION VII – BENEFITS

1. All eligible MSC employees and eligible dependents will receive medical, dental, vision and life insurance. MSC employees are also eligible for short-term and long-term disability insurance. The District will provide the same level of benefits that full-time faculty receive per year for medical, dental, vision and life insurance.
2. Management, supervisory, and confidential employees employed prior to July 1, 1988 that have reached the age of 55 and have served at least 10 years of full-time continuous employment shall be eligible for lifetime retirement benefits (health insurance).
3. Under such conditions, the District agrees to pay the employee's medical insurance premiums:
  - a. When an MSC employee who has been granted retirement benefits under this section reaches the age of eligibility for social security health insurance benefits, the employee shall be required to enroll in Medicare, Part A and B.
  - b. An MSC employee who has been granted retirement benefits by fulfilling the requirements of this section and who subsequently obtains employment outside the District with an employer that provides medical insurance shall be required to terminate the medical insurance provided by the District.
4. Employees hired after July 1, 1988 shall be eligible for medical benefits to age 65 or the date upon which they qualify for Medicare.

## SECTION VIII – TRAVEL AND CONFERENCE

### 1. Mileage / Travel

When authorized by the District for performing assigned official District duties, MSC employees shall be reimbursed for use of personal vehicles at the current Board established rate. MSC employees shall be reimbursed for actual, reasonable and necessary expenses arising from travel or personal expenditure when incurred in the discharge of their official duties, within Board established limits.

### 2. Vehicle Insurance

The District agrees to maintain District blanket liability insurance as secondary protection for MSC employees authorized to use their personal vehicle in performing District business.

### 3. Education Conference / In-service Training Leave

Upon application, the Superintendent / President or designee may grant an MSC employee leave with pay (unless otherwise stipulated prior to attendance) for educational conferences or in-service training which will improve District operations or the ability of the employees to more effectively perform their duties.

## **SECTION IX – EMPLOYMENT STATUS / PERFORMANCE APPRAISAL**

Management, Supervisory and Confidential (MSC) employees will serve a prescribed period of probation of one year. MSC employees shall be evaluated at least twice during their probationary status at six month intervals. Subsequent evaluations shall occur bi-annually. See BP & AP 7150

## SECTION X – COMPLAINT PROCEDURE

### 1. Purpose

To provide an orderly procedure for reviewing and resolving grievances promptly. The complaint process should be a positive way to resolve problems, issues, and conflicts.

### 2. Definitions

- a. Complaint - Any complaint by an individual which states that he or she has been adversely affected by an alleged violation of a specific provision of District policies and procedures or an applicable section of the Education Code and related rules and regulations that govern educational or classified management, supervisory or confidential employees.

A complaint shall not include, and this complaint procedure shall not apply to, any of the following:

- 1) Any matter upon which the District is without authority to act;
- 2) Any alleged violation of law that does not also state a violation of a specific District policy or procedure or policy or procedure or an applicable section of the Education code and related rules and regulations that govern MSC employees;
- 3) The evaluation of MSC employees, except for alleged violations of procedural matters;
- 4) Any discipline, discharge, dismissal or layoff of MSC employees;
- 5) Any attempt to alter or change District policy or procedure;
- 6) An appeal of any Board decision if such decision is a result of a state or federal regulatory commission or agency rule or decision, or state or federal law or court decision;
- 7) Any other matter not included in the definition stated in “a”.

- b. Complainant - Any management, supervisory or confidential employee of the District who has filed a complaint.

- c. Day - A “day” (for purposes of this Complaint Procedure) is any day on which the central administration office of the District is regularly open for business.

- d. Immediate Supervisor - The immediate supervisor is the lowest level manager having direct jurisdiction over the complainant.

### e. Other Provisions

1. MSC Employees’ Legal Rights – Nothing contained herein shall deny to any MSC employee his/her legal right to seek judicial review of an alleged violation of District policies and procedures or applicable sections of the Education Code and related rules and regulations that govern educational or classified management, supervisory or confidential employees after exhausting this Complaint Procedure.

2. The complainant may be represented by a designee of his/her choice at any step of this complaint procedure, but the complainant must be present at all mutually agreed upon meeting of the parties at levels I and II (See Section F, 2.a. and b. following). Exceptions may be mutually agreed to by the parties. The District shall provide a copy of the decision at each level to the complainant.
3. Complainants who fail to comply with the established time limits at any step shall forfeit all rights to further application of this Complaint procedure for this specific complaint.
4. District failure to respond within established time limits at any step entitles the complainant to proceed to the next appeal level.
5. Time limits and levels may be waived or extended by mutual written consent of the parties.
6. No reprisal of any kind will be taken by or against any participant in the complaint procedure by reason of such participation.

f. Procedural Steps

1. Informal Level – Before filing a formal written complaint, the complainant shall orally discuss with the immediate supervisor the alleged complaint. This shall be done within twenty (20) days of the time an MSC employee knows or should have known of the occurrence of an alleged complaint.
2. Formal Levels
  - a. Level of Appeal I (Vice President)

If a satisfactory resolution is not reached within ten (10) days of the above informal discussion meeting, the complainant shall, within ten (10) days thereafter, present the complaint in writing to the appropriate Vice President. The Vice President shall communicate the decision to the complainant in writing within ten (10) days after receiving the complaint. The complainant or Vice President may request a personal conference within the above time limits. Any meeting shall be by mutual agreement.
  - b. Level of Appeal II (Superintendent / President)

If the complainant is not satisfied with the decision at Level I, s/he may appeal the decision to the Superintendent / President within ten (10) days of the receipt of the decision at Level I. The Superintendent / President shall communicate the decision to the complainant in writing within ten (10) days after receiving the complaint. The complainant or Superintendent / President may request a personal conference within the above time limits. Any meeting shall be by mutual agreement. The decision of the Superintendent / President shall be final.

3. Complaint File – A record of the complaint process shall be maintained in a file separate from the employee’s personnel file.

## **SECTION XI – DISCIPLINARY ACTION**

1. MSC Employees may be dismissed or penalized if one or more of the grounds set forth in Section 87732 of the Education Code are present and the following are satisfied:
  - a. The employee has been evaluated in accordance with standards and procedures established by the provisions (Sections 87760-87683) of the Education Code.
  - b. The Board of Trustees has received all statements of evaluation which considered the events for which dismissal of penalties may be imposed.
  - c. The Board of Trustees received recommendation(s) from the Superintendent / President.
  - d. The Board of Trustees has considered the statements of evaluation and recommendations in a lawful meeting of the Board.

NOTE: Appeal and hearing procedures shall be governed by the provisions of the Education Code.

2. Dismissal Procedures
  - a. Educational Administrators – The Board of Trustees may dismiss a regular MSC employee if s/he is in violation of any of the causes specified in EC 87731, 87735, 87736.
  - b. Classified MSC Employees – The Board of Trustees may dismiss any MSC employee for cause in accordance with District policy established pursuant to ED 88013.

## **SECTION XII – SEPARATION FROM THE DISTRICT**

### Resignation and Retirement

Requests for resignation or retirement will be submitted through the appropriate channels to the Superintendent / President. The Superintendent / President will accept the resignation of any employee.

## SECTION XIII – REDUCTION IN STAFF

### 1. Educational Administrators

Pursuant to Section 87743 of the Education Code, Educational Administrators will be subject to termination of service whenever the number of Full-Time Equivalent Students declines below the corresponding period either of the previous two school years, or whenever a particular kind of service is to be reduced or discontinued.

Educational Administrators terminated under the provisions of EC 87743 shall have re-employment rights as prescribed under EC 87744-87746 and other applicable sections.

Educational Administrators shall acquire regular status as a classroom instructor in accordance with EC 87458 or as specified in the Retreat Rights Policy.

### 2. Classified MSC Employees

Pursuant to Section 88127 of the Education Code, Classified MSC employees employed in classified administrator position before August 1, 1995 (if employed on contract on or after August 1, 1995 refer to contract), shall be subject to layoff for lack of work or lack of funds. For multiple position classifications, the order of layoff within the class shall be determined by length of service. The employee, who has been employed the shortest time in the class, plus higher class, shall be laid off first. Re-employment shall be in reverse order of layoff.

Persons laid off because of lack of work or lack of funds, are eligible for re-employment for a period of thirty-nine (39) months and shall be re-employed in preference to a new applicant.

Employees who take voluntary demotions or voluntary reductions in assigned time in lieu of layoffs shall be, at the option of the employee, returned to the position in their former class, or to positions which increased assigned time, as vacancies become available.

### 3. MSC Seniority Rights into the Classified Unit

Classified employees who move into a MSC position may subsequently retain seniority back into the classified unit to positions for which they have previously accrued seniority rights.

### 4. Administrative Retreat Rights (Educational Administrators)

It is the policy of the Butte-Glenn Community College District to employ educational administrators who are excellent practitioners in their field of expertise and who share in the common goal of providing an educational environment that fosters excellence. The College recognizes both the administrative and teaching skills which educational administrators are expected to possess.

As outlined in the Education Code Section 87458, the Board of Trustees understands and agrees that individuals who exercise administrative retreat rights must meet the “minimum qualifications” as established by the Academic Senate.

Refer to procedures in the Board Policy Manual.

## SECTION XIV – LEAVES OF ABSENCE

### 1. Reporting Absences

All MSC employees will use the appropriate forms to request and to report leaves of absence. Long term Medical Leave of Absences are requested on a different form than short term leaves such as vacation, sick, personal day, etc. Contact Human Resources when in doubt as to which form to use.

### 2. Reporting Incremental Time Off

- a. Non-exempt MSC employee shall report all incremental time off during a workday using the appropriate "Report of Absence" form.
- b. Exempt MSC employees that typically only work a 40 hour work week should report any incremental time off during the workday using the appropriate "Report of Absence" form. The general rule is that time taken off without reporting it, should not exceed the number of hours worked beyond forty (40) hours in any given work week.

### 3. Bereavement Leave

- a. At the time of death of any immediate family member, the MSC employee shall be granted, without loss of salary or other benefits, leave of absence not to exceed three (3) working days or five (5) working days if out-of-state travel is required. Whenever an employee has been named executor of the estate, or the travel one way exceeds 400 land miles, the five (5) days will be granted. Such absences will not be deducted from authorized absences or leaves.
- b. "Immediate Family Member", as used in this Section, means the mother, father, grandmother, grandfather, or grandchild of the employee or of the employee's spouse, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, sister, registered domestic partner, or any relative living in the immediate household of the employee.

### 4. Community Service Leave

When an MSC employee holds a responsible position in a work related community group or organization, and is elected to represent his/her organization in the region or state conference, the employee may be granted a leave of absence per school year not to exceed three (3) days to attend the conference without loss of pay.

### 5. Work Related Accident or Illness Leave

It is the responsibility of all employees and their supervisors to report all work related injury/illness to Human Resources immediately. Refer to the Human Resources web-site for guidelines and appropriate forms.

6. Jury Duty

- a. An MSC employee who is called for jury duty will be granted the necessary time off with pay to fulfill this obligation.
- b. The employee shall pay to the District any per Diem fees paid by the court.
- c. Request for jury duty should be made by presenting as soon as possible the official court summons to the employee's immediate supervisor and to the District payroll office through regular administrative channels.
- d. Employees are required to return to work during any day in which jury duty services are not required.
- e. The District may require verification of jury duty prior to, or subsequent to, providing compensation.

7. Short-term (Temporary) Leave for Military Duty or Active Training

- a. Regular MSC employees or probationary MSC employees, whose District service and recent military service total on full year, may be granted a short-term leave for the period of ordered, active duty providing it does not exceed 180 calendar days, including time involved in going to and returning from such duty.
- b. An employee who takes short-term (temporary) military leave shall be entitled to receive salary for the first thirty (30) days of absence for active military duty for training in one (1) fiscal year.

8. Long-term Military Leaves

- a. Military leave without pay may be granted to a regular MSC employee for a period of one (1) year beyond the date such military service becomes voluntary of the part of the member.

9. Peace Corps Leave

- a. The Board, at its discretion, may grant a regular MSC employee who becomes a Peace Corps volunteer a leave without pay for the period of his/her service in the Peace Corps.

10. Personal Business Leave

- a. MSC employees shall be granted time off with pay not to exceed one day per year to resolve matters of personal business which require attention during working hours and cannot be resolved during non-working hours. Absence credit for personal business leave does not accrue. Requests for personal business leave shall be made to the immediate supervisor at least twenty-four (24) hours

before the leave is to begin, unless the reason for the leave is beyond prediction.

11. Maternity Leave

The Board at its discretion may grant a regular MSC employee a maximum of one (1) year unpaid maternity leave.

12. Child Care leave

The Board at its discretion may grant a regular MSC employee a maximum of one (1) year unpaid child care leave.

13. Personal Leave

The Board at its discretion may grant a personal leave without pay for a specified period of time not to exceed one (1) year to a regular MSC employee who has used all entitled vacation time and who must be absent from work because of pressing personal reasons. A personal leave of less than one (1) year may be extended upon approval of the Board to include on (1) full year of total leave time.

14. Family Medical Leave

The District will follow applicable State and Federal laws.

15. General Leaves

When no other leaves are available; the Board at its discretion may grant a leave of absence to a member on a paid or unpaid basis at any time upon any terms acceptable to the District and the employee.

16. Unpaid Leaves

The Board at its discretion, when the leave is deemed beneficial to the District, upon terms acceptable to the District, may grant paid benefits.

17. Required Court Appearance

- a. An employee who is subpoenaed to appear in court because of job-related responsibilities will be granted the necessary time off with pay to fulfill this obligation.
- b. The employee shall pay to the District any fee received for appearance as a witness.
- c. Request for court appearance should be made by presenting as soon as possible the official court summons to the employee's immediate supervisor and to the District payroll office through regular administrative channels.

18. Personal Emergency Leave

- a. Accumulated sick leave may be used by an MSC employee in cases of personal emergency. No such accumulated leave in excess of six (6) days may be used in any academic year.
- b. Personal emergency leave will be charged to accumulated sick leave and shall not be a matter of personal desire or convenience.
- c. A certificate of absence form shall be completed certifying the reason for personal emergency leave.
- d. In the case of scheduled absence for personal necessity, prior approval shall be obtained from the Director, Human Resources.

19. Critical Family Illness or Accident

- a. Twenty-four (24) hours per year with pay shall be granted in the case of critical illness or accident to an MSC employee's immediate family member. Immediate family is defined as in "Bereavement Leave." Such absence shall not be deducted from authorized absences or leaves.
- b. Critical family illness or accident leave shall not be granted during non-paid leaves of absence, holidays or Board granted days off.
- c. Critical family illness or accident leave does not accrue from year to year.

## 20. Sabbatical Leave

Sabbatical leave may be granted to MSC employees by the Board for the purpose of carrying out an approved program which will enable the management, supervisory and confidential employee to provide improved service to the District and its students. Consideration will be given to programs which involve an appropriate program of organized study, research, work experience or travel.

### Eligibility:

- a. All MSC employees who have completed at least six (6) consecutive years of full-time service in the District will be eligible to apply for a sabbatical leave.
- b. After completion of a sabbatical leave, the MSC employee is not again eligible to apply for such a leave until s/he has served on a full-time basis for at least six (6) additional consecutive years.
- c. A leave for health, maternity, military service, while not constituting a break in service, will not count as one of the six (6) years required for sabbatical eligibility.

### Types / Requirements:

Study – Requires a planned program of courses or special projects to be undertaken or completed.

Travel – Requires the proposed program to incorporate a plan of study or research in an area related to the employee's assignment.

Work Experience – Requires the proposed program to directly relate to the employee's assignment.

### Composition of Sabbatical Leave Committee:

The committee shall be composed of the Superintendent / President's designee as chairperson; one (1) member of the instructional management staff; two (2) full-time management, supervisory or confidential employees appointed by the MSC Association for two-year terms. No employee may continue on the committee if s/he files an application for sabbatical leave.

### Functions of Sabbatical Leave Committee:

The committee shall establish the functions, criteria, forms, dates of submission and other procedural requirements for the submission of applications as approved by the Board. Each area of the College shall be given consideration depending upon the size of the area and number of applicants from each area, length of applicants' full-time service in the District, and total years of full-time service.

The committee shall review all applications submitted; shall determine in accordance with the criteria established by them, the priority rankings of the applicants for sabbatical leave; shall provide these priority rankings to the management, supervisory or confidential member each time that sabbatical leaves are

recommended to the Superintendent / President and the Board.

The committee shall provide the Superintendent / President with the recommended rank order of leave applications, which shall, together with the Superintendent / President's recommendations, be submitted for action and decision by the Board.

Should the final selections made by the Board deviate from the Committee's priority rankings, the Board will provide the Sabbatical Leave Committee with a written explanation of their selections.

Financial Arrangements:

Assuming funding availability as determined and allocated by the Board, the Board may, in any one semester, grant to not more than five percent (5%) of the total number of full-time management, supervisory or confidential employees, as of July 1 of any fiscal year, sabbatical leave.

Such leave granted shall be as follows:

- a. One (1) complete school year (12 months) shall be paid sixty-five percent (65%) of his/her full contractual salary. A leave of six (6) months, or one-half (1/2) school year, shall receive eighty percent (80%) of his/her full contractual salary.
- b. A leave of four (4) months, or one-third (1/3) school year, shall receive ninety percent (90%) of his/her full contractual salary.
- c. A full-year leave shall have priority over a six-month leave.
- d. A six-month leave shall have priority over a four-month leave.

Management, Supervisory and Confidential Employee Commitment:

Employees granted a sabbatical leave shall accept the obligation to return to active full-time duty for twice the period of the leave, following return from leave.

The employee who is approved for a sabbatical leave shall, as the Board directs, sign the "Sabbatical Leave Agreement." In the event s/he does not return to the District for the required time commitment, the employee shall make full restitution to the District for the compensation received while on sabbatical leave. In the case of death, illness, accident, or military leave, making his/her return impossible, the obligation above may be waived.

If the employee does not serve for the entire period of service agreed upon in the "Sabbatical Leave Agreement," the amount of compensation paid for the sabbatical leave shall be reduced by an amount which bears the same proportion to the total compensation as the amount of time which was not served bears to the total amount of time agreed upon.

The employee and the authorized representative of the District shall sign the “Sabbatical Leave Agreement” that indicated the employee’s sabbatical plan and other conditions related to receiving the leave and meeting leave obligations.

Employees shall submit in writing to the appropriated Vice President for prior approval any plans that deviate from the original leave proposal approved by the Board.

By the time period agreed to in the “Sabbatical Leave Agreement,” the employee shall submit to Director, Human Resources a brief written report of the progress being made to meet the objectives of the leave.

Within on (1) semester after return to duty, an employee who has completed a sabbatical leave shall submit to the appropriate Vice President a written report covering the sabbatical leave activity. When applicable, a transcript or other evidence of completion of the planned program shall accompany this report. A copy of the report, together with the appropriate Vice President’s evaluation, shall be forwarded to the Superintendent / President as evidence of the employee’s completion of the sabbatical leave. If the appropriate Vice President and the employee agree, the employee shall present an oral report of the leave activity to the interested faculty, staff, administration and Board.

Should the Superintendent / President, after consultation with the Sabbatical leave Committee, determine that the intent of the leave had not been reasonably fulfilled; the Superintendent / President will so advise the Board. The Board may take such action as may be necessary to recover the funds paid to the employee while on sabbatical leave.Vacation Leave

Twelve (12) month MSC employees earn twenty-three (23) days of vacation per fiscal year, accrued at the rate of 15.33 hours per month. A pro-ration of days earned and maximum carry-over days will be made for MSC employees working less than twelve (12) months or less than 100% for twelve (12) months. An employee may not accumulate more than 400 hours (fifty (50) days) of vacation. When an employee has accumulated 400 hours (fifty (50) days) of vacation, vacation leave will cease to accrue. However, if the employee requests vacation leave and is not permitted to use vacation leave because of District needs, and an alternative vacation period cannot be rescheduled, the limit may be adjusted accordingly with the Director, Human Resources and Vice President of Administration.

All vacation leave must be approved by the appropriate supervisor. Vacation shall be scheduled at the convenience of the District so as to disrupt work schedules as little as possible. If an MSC employee is separated from the District, s/he shall be compensated for accrued vacation days. Vacation leave may be used to extend sick leave when necessary.

An MSC employee shall be permitted to interrupt or terminate vacation leave in order to begin bereavement leave, critical family illness or accident leave, or sick leave without a return to active service, provided the member supplies death certificates or doctor statements and other supporting information regarding the basis for such interruption or termination.

## 21. Holidays

MSC employees shall be provided the same paid holidays as granted educational and/or classified unit employees. To be eligible for a specific holiday, the MSC employee shall be in paid status during any portion of the working day immediately before or after the holiday and the holiday shall fall during his/her assigned work year.

### Sick Leave

Management, supervisory and confidential employees are to be credited with sick leave of one day per month of employment. A pro-ration of sick days earned will be made for MSC employees working less than 100%.

## 22. Catastrophic Leave Bank (CLB)

### a. Overview

- 1) The CLB shall be funded in accordance with the terms of Section “b” below.
- 2) Days in the CLB shall accumulate from year to year.
- 3) Days shall be contributed to the Bank and withdrawn from the Bank without regard to the daily Rate of pay of the CLB participant.

- 4) The CBL shall be administered by 1) Human Resource Benefit Analyst, 2) two (2) employees of the MSC Association.

b. Eligibility and Contributions

- 1) All MSC employees are eligible to contribute one (1) sick leave and or one (1) vacation day upon hire.
- 2) Participation is voluntary, but only contributors will be permitted to withdraw from the Bank.
- 3) Employees who elect not to join the CLB upon first becoming eligible must join during annual open enrollment in the month of May and become eligible to withdraw from the Bank beginning of the fiscal year in July.
- 4) The contribution, on the appropriate form, will be authorized in May by the member and continued as needed from year to year until canceled by the member.
- 5) Cancellation, on the proper form, may be effective any time and the employee shall not be eligible to draw from the Bank as of the effective date of the cancellation. Sick leave or vacation days (i.e., days of eligible leave credit) previously authorized for contribution to the Bank shall not be returned if the employee elects cancellation.
- 6) The District will execute contributions by participating employees on June first of each year. Employees returning from extended leave which included the enrollment period and new hires will be permitted to contribute within 30 calendar days of beginning work. The District shall supply enrollment forms for the CLB to all new employees and those employees returning from leave.
- 7) The annual rate of contribution by each participating employee for each school year shall be one (1) day of eligible leave credits (sick and vacation) which shall be deemed to equate to the legal minimum required by Education Code 44043.5.
  - a. If the Committee decides there are too few days in the CLB to meet its obligations, it will send a ballot to all participating employees to decide whether all participating employees shall be assessed another day. CLB participants who are drawing from the Bank at the time of the assessment will not be required to contribute to remain eligible to draw from the bank. If a CLB has not remaining eligible leave credits at the time of the assessment, he or she need not contribute the additional day to remain a participant in the CLB.
  - b. Before May of each year, if the Committee decides there are enough days in the CLB to meet its needs for the following year, it may decide that no contribution is needed by participating employees. Those employees joining the CLB for the first time and those returning from leave shall be required to contribute one day to the Bank.

c. Withdrawal From the Bank

- 1) CLB participants whose eligible leave credits are exhausted may withdraw from the Bank for catastrophic illness or injury. Catastrophic illness or injury shall be defined as any illness or injury that incapacitates the employee for over ten (10) consecutive work days or incapacitates an employee's family member for over ten (10) consecutive work days which requires the employee to take time off work to care for that family member and from which return to his/her position is expected. If a reoccurrence or a second illness or injury incapacitates an employee or employee's family within 12 months, it shall be deemed catastrophic after five (5) consecutive work days. For example, a participant who used the Bank, after exhaustion of eligible leave credits, for 25 days to care for his wife who dies of cancer, and, after returning to work suffers a heart attack, shall be deemed to have a second catastrophic illness and may again withdraw from the Bank after only five (5) consecutive work days off work.
- 2) Participants must use all eligible leave credits available to them before becoming eligible for a withdrawal from the Bank, but may apply as soon as they can establish a catastrophic illness or injury. No more than ten (10) day may be granted retroactively.
- 3) The first ten (10) work days of illness or disability must be covered by the participant's own sick leave, vacation days, differential leave, or leave without pay the first time said participant qualifies for withdrawal from the bank. For subsequent withdrawals within twelve (12) consecutive months, the first five (5) work days of illness must be covered by the participant's own leave credits.
- 4) If a participant is incapacitated, application may be submitted to the Committee by the participant's agent or member of the participant's family.
- 5) Withdrawals from the CLB shall be granted in units of not more than thirty (30) work days. The Committee may grant fewer days than requested. Participants may submit requests for extensions of withdrawals as their prior grants expire. A participant's withdrawal from the Bank may not exceed 175 cumulative total days per lifetime of employment with the District.
- 6) Participants applying to withdraw or extend their withdrawal from the CLB will be required to submit a doctor's statement to Human Resources indicating the probable length of absence from work.
- 7) If a participant has been granted one withdrawal from the CLB and requests an extension, participant may be required to obtain a second opinion to certify the necessity of an extended period. Refusal to obtain a second opinion will terminate the participant's continued withdrawal from the Bank. The Committee may deny an extension of withdrawal from the CLB based upon the recommendation of Human Resources. The participant may appeal any termination under the procedures outlined in Section 13.
- 8) Leave from the Bank may not be used for illness or disability which qualifies the participant for

Workers' Compensation benefits unless the participant has exhausted all Workers' Compensation leave and all other eligible leave credits. If the District challenges the Workers' Compensation claim, the participant may draw from the Bank, but upon settlement of the claim the Bank shall be reimbursed for any days reimbursed by Workers' Compensation.

- 9) When the Committee may reasonably presume that the applicant for a draw may be eligible for income protection, a disability award, or a retirement under PERS, STRS or, if applicable, Social Security, the Committee may request that the draw applicant apply for income protection disability, or retirement. Failure of the draw applicant to submit a complete application, including medical information provided by the applicant's physician, within twenty (20) calendar days, will disqualify the applicant for further CLB payments. Any requests for additional medical information from STRS, PERS or Social Security shall be submitted within ten (10) days or the participant's entitlement to CLB payments will cease. If denied benefits by STRS, PERS or Social Security, the applicant must appeal or entitlement to the CLB shall cease.
- 10) If the CLB does not have sufficient days to fund a withdrawal request, the Committee is under no obligation to provide days and the District is under no obligation to pay the participant any funds whatsoever. If the Committee denies a request for withdrawal, or an extension of withdrawal, because of insufficient days to fund the request, they shall notify the participant, in writing, of the reason for the denial.
- 11) Withdrawals shall become effective immediately upon the exhaustion of eligible leave credits, or the waiting periods provided for in Sections b.3 and c.4, whichever is greater. For example, if a participant contributed when first eligible to contribute (Section b.3) and had 15 days of accumulated eligible leave credits at the beginning of the illness, s/he shall begin withdrawing upon the sixteenth (16) day, if otherwise eligible. If the participant had 10 days of eligible leave credits at the beginning of the illness, s/he shall begin withdrawing days on the eleventh (11<sup>th</sup>) work day. If the participant had 5 days of eligible leave credits at the beginning of the illness, s/he shall begin withdrawing days on the eleventh (11<sup>th</sup>) work day.
- 12) Catastrophic Leave Bank participants who are denied a withdrawal or whose withdrawal is not renewed or terminated may, within thirty (30) work days of denial, appeal in writing, to the Superintendent / President. The Superintendent / President or designee shall hold a joint hearing within fifteen (15) work days. The Superintendent / President or designee shall issue a joint confidential written decision within fifteen (15) work days of the hearing. If the participant's incapacitation does not allow participation in this appeal process, the participant's agent or member of the family may process the appeal.

d. Administration of the Bank

- 1) The CLB Committee shall have the responsibility of maintaining records of the CLB, receiving withdrawal requests, verifying the validity of requests, approving or denying the requests, and communicating its decisions, in writing, to the participants and to the District.

- 2) The Committee's authority shall be limited to administration of the Bank. The Committee shall approve all properly submitted requests complying with the terms of this provision.
- 3) Applications shall be reviewed and decision of the Committee reported to the applicant, in writing, as rapidly as possible, but within ten (10) working days of receipt of the application.
- 4) The Committee shall keep all records confidential and shall not disclose the nature of the illness except as is necessary to process the request for withdrawal and defend against any appeals of denials.
- 5) Upon request, the District shall notify the Committee of the:
  - a. Names of any employees who have canceled participation in accordance with Section b;
  - b. Total number of days in the Bank at the beginning of the previous month;
  - c. Total number of days awarded during the previous month and to whom they were awarded;
  - d. Total number of days remaining in the Bank on the last day of the month.
- e. If the Catastrophic Leave Bank is terminated for any reason, the days remaining in the CLB shall be returned to the then current employees of the Bank proportionately.

# **BUTTE-GLENN COMMUNITY COLLEGE DISTRICT MANAGEMENT HANDBOOK\***

*The Board recognizes the Management Association as beneficial and necessary to fulfilling certain purposes and objectives as set forth by the Management Team. The Association will assume appropriate duties to meet those purposes and objectives*

## **SECTION I – PURPOSE AND OBJECTIVES OF THE MANAGEMENT TEAM**

The Board of Trustees of the Butte-Glenn Community College District recognizes the importance of establishing a management Association for the purpose of fulfilling its legal responsibilities for the management of public education in the Butte-Glenn Community College District.

THE PURPOSE OF THE MANAGEMENT TEAM IS TO STRENGTHEN:

1. the administration and educational service programs of the District through participatory administrative practices and procedures;
2. by improving communication, decision-making, conflict resolution and other relationships as they relate to the administration of the educational program.

While the management team concept places emphasis upon shared responsibilities and authority, nothing in this handbook intends to limit the responsibility and authority of the Board of Trustees or the Superintendent / President ultimately, to make decisions as prescribed by law. The Management Team shall be comprised of educational and classified personnel identified as management by the Board of Trustees. Management employees have significant responsibilities for providing educational leadership, formulating and recommending policies or administering District programs, and in addition, employ, promote, transfer, suspend, discharge, supervise and evaluate employees, as well as adjudicate complaints, or effectively recommend the above actions. The Management Team will further be composed of classified or educational employees designated as supervisory or confidential.

The Superintendent / President is directed to develop procedures for the implementation of this handbook. This shall be done in consultation with the Board.

\*If there is a discrepancy in this Handbook and Board Policy, the latest Board Policy will take precedence.

THE SPECIFIC OBJECTIVES OF THE DISTRICT MANAGEMENT TEAM ARE TO:

1. Provide input into proposed policies which directly affect the management and operations of the Butte-Glenn Community College District;
2. Provide open and frequent communication among members of the team;
3. Apply available knowledge and information to the improvement of services;
4. Evaluate proposals made by other employees and make recommendations;
5. Encourage and provide the leadership necessary to achieve the educational goals and objectives of the District;
6. Provide a means whereby economic and welfare concerns of the Management Association members can be addressed, including position descriptions, classifications, evaluations, salaries and other fringe benefits, promotions, assignments and transfers.

## **MSC Association – History**

Effective July 1, 2009 a new salary schedule was implemented to eliminate the longevity application and approval process. Initial placement was determined by the employee's base pay, plus any longevity awarded and actual years of service in their existing class.

## SECTION III – EMERITUS STATUS FOR MSC EMPLOYEES

### Administrative Procedures

#### 1. Guidelines:

- a. During March of each year, the MSC Chairperson(s) shall consult with Administration to obtain a list of all MSC retirees for the current year. All previous MSC retirees (who were not granted Emeritus status upon retirement for the previous year only) will be included on the list.
- b. The MSC Chairperson(s) shall inform all MSC members of the list of MSC candidates.
- c. Recommendations for Emeritus Status may be made by the MSC candidates' colleagues, supervisor(s), and subordinates.
- d. The MSC may act as a committee of the whole or may establish a committee to review recommendations prior to MSC deliberations. The MSC Chairperson(s) will appoint members to the Emeritus Review Committee. Members who are eligible for Emeritus status will not be members of this Committee.
- e. The names of nominees will be submitted to Human Resources for screening. Candidates may be eliminated from consideration for ethics issues, repeated pattern of required improvement, unmet requirements from a mandated improvement plan, substantiated issues, unresolved or negative litigation, or repeated conduct issues.
- f. The MSC Chairperson(s) shall call a closed session with all members not eligible for Emeritus status for final deliberations of the MSC candidates.
- g. The Emeritus Review Committee shall deliberate and recommend MSC candidates.
- h. In recommending Emeritus Status, the Review Committee and MSC shall consider such matters as:
  - 1) service excellence (possible 20 points): administrative, support, teaching
  - 2) contributions to the institution: including research and publications (possible 20 points)
  - 3) length of service (possible 15 points)
  - 4) participation on campus committees (possible 15 points)
  - 5) organization (local and state) with which the candidate has been affiliated (possible 10 points)
  - 6) community service on behalf of Butte College programs (possible 10 points)
  - 7) other pertinent data, including support statements and endorsements (possible 10 points)

- i. During deliberation, the MSC and/or Emeritus Review Committee may recommend Emeritus status to as many MSC candidates as are deemed eligible via a majority vote of the MSC members. This may include all, one or more, or none of the MSC candidates.
  - j. A list of MSC candidates receiving a majority vote of the members or Emeritus Review Committee for Emeritus Status shall be submitted to the Superintendent / President, as Secretary to the Board of Trustees, for their review.
  - k. Upon conferring Emeritus status on the candidate(s) by the Board of Trustees, Emeriti shall be eligible for all the rights and privileges afforded under this section.
- Issuance of an Emeritus I.D. Card, which will grant the following:
    - full use of all library resources;
    - free pass to athletic events (excluding tournaments);
    - free pass to drama, film, lecture, musical, and other college events (excluding Foundation fundraisers);
    - waiver of service fees for courses taken at Butte College
    - use of college recreational and social facilities at the same level as current employees.
  - Issuance of a Butte College Parking Permit.
  - Name listed in the Emeritus section of the Butte College catalog.
  - Ability to participate in college public ceremonies, including commencement with regalia.

**BUTTE COLLEGE MANAGEMENT HANDBOOK**  
**APPENDIX A**

Recommendation for Emeritus Status of MSC Employee

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Name of Candidate

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Candidate's Sponsor

State how long you have known the nominee and describe the circumstance of your relationship. Please note the review criteria below.

REVIEW CRITERIA  
100 POINTS POSSIBLE

Must have a minimum of 80 points to qualify for Emeritus  
A minimum of three letters of support must accompany the recommendation.

- 1) service excellence (possible 20 points): administrative, support, teaching
- 2) contributions to the institution: including research and publications (possible 20 points)
- 3) length of service (possible 15 points)
- 4) participation on campus committees (possible 15 points)
- 5) organization (local and state) with which the candidate has been affiliated (possible 10 points)
- 6) community service on behalf of Butte College programs (possible 10 points)
- 7) other pertinent data, including support statements and endorsements (possible 10 points)



## Butte-Glenn Community College District

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### *BP 3950 – Emeritus*

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In recognition of exceptional service rendered and continuing contributions of individuals to the District over time, the Board of Trustees hereby establishes the highest academic, classified, and management rank it can confer: that of Emeritus status.

Although retirement does not in and of itself qualify an individual for Emeritus rank, retirement normally is a requisite first step toward that status.

Recommendations from the Academic Senate for Faculty Emeritus; from the Classified Senate for Classified Emeritus, and from the Management Association for Management Emeritus, will be reviewed and approved by the appropriate vice presidents. Their approvals will be forwarded to the Superintendent/President for his/her consideration. Upon the Superintendent/President's approval, the Board of Trustees will confer the Emeritus rank.



## Butte-Glenn Community College District

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### *AP 3950 – Emeritus*

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Each employee constituent group will develop a process for emeritus application. Once candidates are selected, the candidate names will be forwarded to the appropriate vice president for review and approval. The vice president will forward the candidate names to the Superintendent/President who will make the final recommendation to the Board.

Once the Board of Trustees has granted emeritus status, the Office of the President will ensure the following:

Issuance of an Emeritus I.D. Card, which will grant the following:

- full use of all library resources;
- free pass to athletic events (excluding tournaments);
- free pass to drama, film, lecture, musical, and other college events (excluding Foundation fund-raisers);
- waiver of service fees for courses taken at Butte College;
- use of college recreational and social facilities at the same level as current employees.

Issuance of a Butte College Parking Permit.

Name listed in the Emeritus section of the Butte College catalog.

Ability to participate in college public ceremonies, including commencement with regalia.