
Employee Handbook

August 2022

DISCLAIMER: This Employee Handbook does not confer any contractual right, either express or implied, to remain in the College's employ. Nor does it guarantee any fixed terms and conditions of employment. Employment is not for any specific time and may be terminated at will, with or without cause and without prior notice, by the College or you may resign for any reason at any time. No representative of the College (except the President and/or Board of Trustees) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. This handbook is simply intended to describe the College's present policies and procedures. These policies and procedures, which supersede all prior policies and procedures, may, and likely will be changed from time to time as the College deems appropriate. Specific questions regarding policies and procedures and the applicability of them should be directed to Human Resources.

For those employees covered by a Collective Bargaining Agreement between the College and a union, the terms of the CBA are intended to control where a direct conflict exists.

All College Policies are also posted on the Governance Tab of myPEAK.

To view a specific Policy or Procedure, please click on the link in the following Table of Contents to be directed to that page.



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	POLICY	Motion No.	FF 1004-2022
	Acceptable Use of Information Technology Resources	Effective Date	04/19/2022
		Responsible Department	Information Technology
		Attorney Review / Date	NA

Pennsylvania Highlands Community College Information Technology (IT) resources are to be used for college-related purposes. Some examples of IT resources are computers, software, networks, and mobile devices. This policy applies to all users of College IT resources, whether affiliated with the College or not, and to all users of those resources, whether on campus or from remote locations. Users include staff, faculty, students, guests/visitors, and vendors.

The following conditions exist for any users of College IT resources:

1. Users of College provided hardware, software and/or the network are prohibited from accessing, communicating, publishing, displaying, or posting any slanderous or libelous material. For students and employees, exceptions may be made if the purpose of such activity is to conduct work-related research or is used in the auspices of teaching and/or learning directly related to College work.
2. All employees who store and/or process College-related information using hardware or software hosted or maintained by entities outside of the College (cloud computing) must only use College approved and/or contracted cloud services and applications for such activities.
3. Use of any College IT resources is an acknowledgment that the user may receive or be exposed to content, goods or services that the user may consider to be improper, inaccurate, misleading, defamatory, obscene or otherwise offensive and constitutes an agreement that the College is not liable for any action or inaction with respect to any such content on the Internet accessible through the College IT resources. In addition, the College is not responsible to the user for any content provided by third parties through the College IT resources.
4. Users of College IT resources must comply with all applicable legal requirements.
5. Users are responsible for the use of their individual College account and must take all reasonable precautions to prevent others from being able to access or use their account. Under no conditions should a user provide his/her credentials or allow another user to share their account.
6. Users shall not use IT resources to gain unauthorized access to College or external organization systems or networks.
7. Users must not knowingly post, transmit, re-post or re-transmit information that, if acted upon, could spread a virus, cause damage, or create a danger of disruption.
8. Recreational and personal use of the network is permitted; however, users should limit use of College IT resources for commercial or profit-making purposes.
9. The College reserves the right to configure the network in favor of the academic and operational mission of the College and does not guarantee that all devices will be able to connect to or operate with the network.
10. Users may not make unauthorized changes to the hardware or system-level software that may conflict with licensing agreements or may void applicable warranties. Exceptions sometimes may be made for purposes of academic research or employee work with approval from the Chief Information Officer (CIO).

11. Storage, display, transmission, or intentional or solicited receipt of material that is or may reasonably be regarded as obscene, sexually explicit, or pornographic except as such access relates to bona-fide, college-related academic or research pursuits or as needed to investigate violations of this policy or laws.
12. Users must not misuse or abuse IT resources and privileges. For example, using the College's bandwidth (WIFI and/or wired network) for excessive streaming, intentionally modifying College-maintained hardware and/or software, or excessive printing of documents or web pages that are not solely for classroom and/or business purposes.
13. Apart from those devices managed by IT or personal devices reimbursed by the Business Office, personal devices are not allowed to be connected directly to the secure employee network.
14. While the College does not routinely monitor individual usage of its computing resources, it does utilize a network firewall to protect the network's integrity and, in certain instances to block certain categories of known malicious or inappropriate content.
15. The College reserves the right to investigate suspected violations of this Policy including the gathering of information from users involved and the complaining party, if any, and examination of material on our servers and network. During the College's investigation, the College may suspend user access and/or remove material that violates or potentially violates this Policy. A user authorizes the College to cooperate with (1) law enforcement authorities in the investigation of suspected criminal violations, and (2) system administrators or other network or computing facilities to enforce this Policy. Such cooperation may include providing IP addresses, contact information or other identifying information about a user. IT resources licensed to the College through external contractual agreements may include additional disclosure stipulations.

Consequences of Violations

Users who violate this Policy may be subject to penalties, discipline, monetary penalties, and legal action up to and including suspension, discharge, or revocation of user access.

Effective Date	Motion Number	Document Author	Description of Change
04/19/2022	FF 1004-2022	Information Technology	Revised to expand and clarify the policy language.
02/28/2017	FF 1007-2017	Information Technology	Initial Release

	POLICY	Motion No.	EXEC 1013-2022
	Administrative Employee Tuition Reimbursement Program	Effective Date	6/21/2022
		Responsible Department	Human Resources
		Attorney Review / Date	N/A

The College benefits by having a highly trained and educated workforce. Therefore, the College will provide financial resources to encourage administrators to attain for-credit academic credentials that will benefit the College.

To be eligible for reimbursement, administrators must:

1. Have been employed as a full-time administrator at the College for a minimum of 12 months and are not in grant funded positions,
2. Complete for-credit course work from an accredited institution of higher education,
3. Provide justification that the coursework is related to their current job responsibilities or to future job responsibilities that administration feels are necessary to support the College,
4. Attain approval from the administrator's direct supervisor and respective Cabinet member; and
5. Complete the course with a B grade or higher.

Reimbursements of up to 50% of tuition may be requested, however, reimbursements will be dispersed according to demand and budgetary constraints.

Effective Date	Motion Number	Document Author	Description of Change
6/21/2022	EXEC 1013-2022	President / Human Resources	Policy was renamed and rewritten to provide clarification
2/26/2013	EXEC 1001-2013	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1013-2016
	Alcohol and Drug Free Workplace	Effective Date	June 28, 2016
		Responsible Department	Human Resources
		Attorney Review / Date	March 2016

SCOPE

This establishes the College's policy on maintaining a drug-free workplace and drug-free school in accordance with federal law, the procedures for drug and alcohol testing, and includes the sanctions that may be imposed upon employees and students for drug and alcohol abuse violations occurring at the College.

POLICY

Consistent with state and federal law, Pennsylvania Highlands Community College will maintain a workplace free from the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance including alcohol. The unlawful manufacture, distribution, dispensation, possession or use of controlled substances, illicit drugs, or alcohol is prohibited on any property that is a part of the College. Alcohol may be served at college events with prior permission of the President, but under no circumstances at a student event.

All candidates for full-time and regular part-time employment must successfully pass a drug screen prior to starting employment. Any offer of employment is contingent upon successful completion of all required pre-employment drug testing. Candidates for employment that do not pass the required drug and alcohol screening will not be considered for employment with Pennsylvania Highlands Community College.

Pursuant to applicable College procedures governing employee discipline and negotiated labor agreements, any employee involved in the unlawful use, sale, manufacturing, dispensing or possession of controlled substances, illicit drugs and/or alcohol on College premises or during the course of employment, or working under the influence of such substances, will be subject to disciplinary action, including dismissal, consistent with applicable laws, rules and regulations.

If the College determines that there is reasonable concern that an employee is under the influence of drugs and/or alcohol, the employee will be screened for drug and/or alcohol use. A drug or alcohol screen may also be ordered at the College's discretion following any workplace accident.

The College will not shield or protect its members from legal consequences of these actions and will cooperate fully in investigation and prosecution of these cases. College disciplinary sanctions shall be made independently for the same violation.

As a condition of employment, all employees must abide by the above policy statement, and any employee who is convicted of any drug violation in the workplace must inform Human Resources within five (5) days of the

conviction. The College is required to notify the proper federal agency of this conviction within ten (10) days of receiving a notice of conviction from the employee.

Any employee who tests positive to a drug screen or is convicted of a drug violation is subject to disciplinary action up to and including termination. At the College's option, the College may require that the employee enter a drug-abuse or rehabilitation program within thirty (30) days of the positive screen or the College receiving notice of conviction. Although the use/abuse of alcohol and other drugs at the workplace will not be tolerated, the employee will be encouraged to utilize the opportunity to get help.

As required by Title IV, the provisions of this policy will be disseminated to all employees through the employee handbook at the time of hire and will be annually distributed electronically.

Effective Date	Motion Number	Document Author	Description of Change
4/05/2017			Editorial Changes
6/28/2016	EXEC 1013-2016	Human Resources	Drug Screening for Employment Candidates and Reasonable Concern
6/26/2012	EXEC 1017-2012	Human Resources	Additional Language Added
5/01/2010	Policy # 205	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1017-2017
	Americans with Disabilities Act	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Reviewed by an attorney	[Attorney Name]

SCOPE

This policy affirms the Pennsylvania Highlands Community College’s commitment to the Americans with Disabilities Act of 1990, as amended. The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the College to comply with all Federal and state laws concerning the employment of persons with disabilities.

POLICY

It is College policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

Pennsylvania Highlands Community College will reasonably accommodate qualified individuals with a temporary or long-term disability so that they can perform the essential functions of a job.

An individual who can be reasonably accommodated for a job, without undue hardship, will be given the same consideration for that position as any other applicant.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which (threat) cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to the employee’s immediate employment situation.

Human Resources is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

Definitions

As used in this policy, the following terms have the indicated meaning and will be adhered to in relation to the ADA policy.

- “Disability” refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment, or is regarded as having such an impairment is a “disabled individual.”

- “Direct threat to safety” means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.
- A “qualified individual with a disability” means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
- “Reasonable accommodation” means making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.
- “Undue hardship” means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable accommodation is to be made; (3) the number of persons employed at that facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the Company; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire Company; and (8) the relationship of the particular facility to the Company. These are not all of the factors but merely examples.
- “Essential job functions” refers to those activities of a job that are the core to performing said job for which the job exists that cannot be modified.

Dissemination of Policy and Complaint Reporting

Human Resources will direct the employee to the myPEAK portal for a complete copy of the employee handbook, which includes this policy, as part of the new employee orientation.

If an employee believes he/she has been discriminated against in violation of the ADA, he/she must report the allegation to the chief human resources officer, Pennsylvania Highlands Community College, 101 Community College Way, Johnstown, PA 15904, or by calling 814-262-3833. Allegations may also be reported to the President, any Vice President, or the employee’s direct supervisor. Any of these people will then be responsible to bring the allegation forward to Human Resources for handling and investigation.


The College will investigate every issue that is brought to its attention and will take appropriate action.

No Retaliation

Pennsylvania Highlands Community College is committed to providing a work environment free of all discrimination. To this end, the College has zero tolerance for retaliation against any person filing a complaint or contributing in any way to the investigation of any complaint. This zero-tolerance policy applies to all individuals who may have access to or knowledge of a complaint and can

include superiors, peers, students, vendor employees, and others. Any allegations of retaliation should be brought to the chief human resources officer.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1017-2017	Human Resources	Needed Board approval
5/01/2010	204	Human Resources	Possible Initial Release

	POLICY	Motion No.	EXEC 1018-2017
	Attendance	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Attorney Review/Date	[Attorney Name] [Date]

SCOPE


The purpose of this policy is to establish the importance of reliable attendance and to provide a method for notifying the College of tardiness and absences.

POLICY

Regular attendance by employees is an essential function of every position at the College. In the instance when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their immediate supervisor as soon as possible and before his or her shift is scheduled to start. Managers and supervisors will determine and communicate the preferred method for call offs within their departments.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1018-2017	Human Resources	Needed Board approval
5/01/2010	201	Human Resources	Possible Initial Release

The Remote Work Procedures are included on the following pages.

	PROCEDURE	Motion No.	
	Remote Work	Effective Date	09/16/2020
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

PURPOSE

To provide guidance for areas in establishing alternate work arrangements for faculty and staff whose responsibilities can be accomplished outside of a College office for part or all of the workweek. Such arrangements are possible when, in the opinion of the supervisor, the College's work needs can be efficiently and effectively met. Telecommuting is a work arrangement in which employees, for a portion of their scheduled work hours, perform their regular job responsibilities away from their primary work location utilizing telecommunication and information technology as appropriate. These arrangements can be either temporary or ongoing.

College and departmental demands are a priority throughout any alternative work arrangement - the arrangement must be transparent to internal and external customers in terms of service and quality. Alternative work arrangements are flexible and subject to change as business needs change.

The College's establishment of a telecommuting program assists in meeting the needs of a workforce that has diverse work and personal demands. Telecommuting can provide flexible work schedules to accommodate temporary situations such as a leave due to a contagious illness or a temporary disability (such as a cold or a broken leg) or can provide flexibility on a long-term basis.

A telecommuting program also allows the College to comply with legislation such as the Americans with Disabilities Act. In addition, telecommuting provides alternate methods of addressing budget issues. Finally, a telecommuting program can strengthen management and employee relations.

Factors of Successful Telecommuting

The telecommuters, supervisors, and actual jobs involved in a successful telecommuting arrangement have the following characteristics:

Characteristics of a Telecommuter

A successful telecommuter is a highly disciplined, self-directed, and self-motivated individual, capable of balancing work and personal demands. In addition, the telecommuter must be able to function in an environment that is less structured and more autonomous than a traditional work environment. This type of arrangement can be successful only if the telecommuter has demonstrated good organization and time management skills. The telecommuter must be computer literate and must have adequate connectivity resources to successfully perform job functions from home.

Telecommuters have to adjust to being isolated from daily co-worker interactions. Some may compensate for the lack of social interactions in the office by keeping in contact by phone, e-mail, etc. However, some people may dismiss the possibility of telecommuting knowing that they need social contact on a regular basis in order to work productively.

Characteristics of a Supervisor

The supervisor of a telecommuter must be open to new ideas, be trusting of employees, and be a good communicator. Performance is monitored and managed by results rather than by traditional observations.

Characteristics of a Job

Not all jobs are adapted easily to a telecommuting arrangement. Jobs that are adapted easily include those that consist of writing, reading, researching, independent thinking, editing, and working with data. The job probably should not be dependent on access to other College employees (other than by electronic mail), facilities, and/or physical materials nor should it include daily face-to-face interaction with students. The job should have an independent function, be more technology and information driven, and have measurable duties.

Responsibilities for Successful Telecommuting

Telecommuters

The telecommuter needs to be continually aware of College guidelines, policies and practices. Close communication between the telecommuter and the supervisor will ensure that the employee is aware of any departmental or University priorities. Quality customer service will continue to be a top priority, including customer service and service among colleagues within the department. This includes awareness of training required both for the telecommuter and for colleagues who will be interacting with them. When establishing a telecommuting schedule, the needs of the office and the customers must be taken into account.

The telecommuter is responsible for ensuring that the established business hours are adhered to. Just as procrastinating and being distracted by non-work items can result in failure, so can overwork. A disadvantage of telecommuting is that it provides 24-hour access to work. Working too much causes stress and stress-related illness, burnout, and reduced productivity. Knowing when to stop is essential to good job performance.

Supervisors

The supervisor is responsible for exploring and evaluating the business rationale for a telecommuting arrangement, with quality customer service as a top priority. Human as well as financial resources need to be examined. Start-up expenses as well as ongoing telecommuting costs need to be projected. Once a telecommuting arrangement is established, periodic cost/benefit analyses can be helpful in re-exploring the success of the arrangement.

Procedures are NOT Board approved.

The supervisor needs to ensure that the telecommuter is included in pertinent staff meetings and training sessions. As well, regular communication and updates between the supervisor and telecommuter are imperative. As with any employee, clear performance guidelines and periodic performance reviews are essential.

The supervisor should schedule regular meetings with the telecommuter to assess needs, give feedback, discuss problems, and just catch up. Doing this avoids the feeling of losing contact, and the telecommuter will feel less isolated. Holding regular meetings to set timetables and assess progress gives employees deadlines to keep them on target. When face-to-face meetings are not possible, other means, such as virtual meetings and telephone, should be utilized to keep the lines of communication open.

The supervisor should review the telecommuting arrangements periodically and make necessary adjustments in order to address any changing business demands and to ensure office coverage during normal operating hours.

Establishing A Telecommuting Program

A telecommuting arrangement is a privilege and not a right. As outlined above, not all employees and not all jobs are suited to telecommuting. An employee interested in telecommuting first should present a proposal to her/his supervisor with a copy to Human Resources. This proposal should include:

1. the reason for the request
2. the length of time that the telecommuting arrangement is desired
3. the number of hours-per-day or days-per-week that the employee will be telecommuting - including when (what days/hours) the employee will be accessible
4. a description of the impact on customers in terms of service and quality of work
5. an explanation of how necessary communication with College offices and customers will be maintained
6. the daily hours when the telecommuter is accessible to coworkers and customers
7. a list of duties to be performed while telecommuting
8. a list of the necessary equipment and where/how/by whom it will be obtained and maintained
9. potential problem areas (if any)


The supervisor then reviews the proposal with Human Resources and the appropriate Vice President. If a telecommuting arrangement is feasible, then the supervisor discusses all aspects of the telecommuting arrangement with the employee and reaches a written agreement with the employee. The written agreement includes all of the factors listed above and a clear delineation of whom is responsible for:

1. telephone costs (if any)
2. supplies (paper, pens, etc.)
3. computer set-up and maintenance, installation of and/or training on computer software

4. security of College equipment, materials, and supplies (including responsibility for loss)
5. any additional applicable items

Any required travel that ordinarily would be considered as normal commuting to and from work is not reimbursed. Required travel elsewhere may be reimbursed per College policies. Finally, the agreement should include a provision for the modification or termination of the agreement should either the College or employee needs change.

Effective Date	Motion Number	Document Author	Description of Change
9/16/2020	N/A	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1015-2015
	Break In Service	Effective Date	08/25/2015
		Responsible Department	Human Resources
		Attorney Review / Date	NA

SCOPE

There are some instances when employees leave Pennsylvania Highlands Community College and later return to employment. Employees in good standing may resume accrual of benefits and retain their level of seniority as per the terms of this policy.

DEFINITIONS

A break in service occurs when an employee is in non-pay status for more than thirty-one calendar days. An employee is in pay status when working, when on paid leave, or when on workers' compensation leave. Additionally, approved leave without pay is not a break in service.

POLICY


If an employee is rehired after a break in service of 12 months or less the employee's Paid Time Off accrual rate will be reinstated to the rate held prior to the break in service. All other benefits will be reinstated to the level they were at the prior break in service.

Eligibility

1. The break in service cannot be greater than 12 months in order for any prior service to be granted.
2. The employee must have been a continuous, full-time regular employee for a minimum of one year during the prior period of employment.
3. The prior employment period must have ended due to layoff or voluntary resignation.
4. Reinstatement or prior service credit may only be granted once to an individual in cases other than layoff.

If an employee is rehired after a break in service greater than 12 months, the employee will be treated as a new hire for placement, compensation, and benefits.

Effective Date	Motion Number	Document Author	Description of Change
8/25/2015	EXEC 1015-2015	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1015-2018
	Compensation	Effective Date	8/28/2018
		Responsible Department	Human Resources
		Attorney Review / Date	NA

SCOPE

This policy establishes compensation types and policy.

POLICY

It is the policy of the College that employees be compensated for their contributions to the College and its programs. Salaries are set at appointment by Administration.

Increases are determined annually as the budget permits or according to the terms of applicable Collective Bargaining Agreements. At the College's discretion, employees' performance ratings may be taken into consideration when determining the annual increase amount for Administrative employees.

Normal Workday

The most common work schedule for full-time Administrative employees is eight (8) hours, which includes a ½ hour paid break. Employees may take an additional ½ hour unpaid break, extending the workday by ½ hour to 8½ hours. Supervisors should be notified by the employee when taking the additional break of ½ hour.

There may be full-time employees who alter their weekly schedule to meet the demands and requirements of their specific position. In these instances, the schedule will be approved in advance by the employee's supervisor.

Part-time employees may take an unpaid break when they work 6 or more hours in a day. The Supervisor is responsible for the scheduling of these breaks.

Pay Policy

All full-time employees are paid biweekly on Friday. Each paycheck will include earnings for all work performed in the previous pay period up through the pay date.

Part-time employees are paid biweekly on Friday. Each paycheck will include earnings for all work performed for the two-week period ending the Friday prior to the pay date.

In the event that a regularly scheduled payday falls on a day off such as a holiday, employees will be paid on the last day of work before the regularly scheduled payday. However, checks will be dated for the regular payday.

The majority of employees will be paid via direct deposit. In some cases, when direct deposit is not practical or possible, employees may receive a live check.

Overtime

Non-exempt employees are eligible for overtime pay when they work more than 40 hours in a work week. These hours must be approved in advance by his or her immediate supervisor. All work hours must be documented according to College timekeeping procedures and off-the-clock work is strictly prohibited.

Exempt employees are not entitled to overtime pay.

Workers' Compensation Insurance


Employees involved in an accident at work must inform Human Resources and their immediate supervisor immediately.

Injured employees must complete required forms and return it to Human Resources as soon as possible after the injury. Failure to notify the College of your injury in a timely manner may result in a delay or denial of benefits.

All employees are notified of workers' compensation rights and duties at time of employment and at time of injury. Forms for workers' compensation are on file in Human Resources.

Employees who receive benefits under Workers' Compensation will be continued as an employee for six (6) months from the beginning date of Workers' Compensation payments. Such period will run concurrently with any leave entitlement under FMLA. Employees on Workers' Compensation status do not earn additional PTO during the absence.

Effective Date	Motion Number	Document Author	Description of Change
8/28/2018	EXEC 1015-2018	Human Resources	Eliminated mandatory break for part time employees.
6/27/2017	EXEC 1012-2017	Human Resources	Several clarifications made
10/23/2012	EXEC 1028-2012	Human Resources	Local Travel Reimbursement – changed 'radius' to 'driving distance'
12/21/2010	EXEC 1013-2010	Human Resources	Added 'Normal Workday' section
12/21/2010	Policy # 209	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1013-2008
	Course Tuition Waiver	Effective Date	9/17/2008
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

The purpose of this policy is to provide information and guidance to employees interested in taking credit courses at the Pennsylvania Highlands Community College.

POLICY

The Board of Trustees establishes the tuition waiver policy for administrators. For employees participating in collective bargaining units, the current contract applies.

Regular full-time employees, their spouses, and dependent children (as defined by the Federal Income Tax definition of "dependent children") may attend classes at Pennsylvania Highlands Community College on a space available basis with a waiver of tuition for a maximum of sixty-eight (68) credits per individual. Dual enrollment credits qualify and are included in the 68-credit maximum. For regular part-time faculty and regular part-time support staff the current contract applies.

Employees hired during a semester will not be eligible for course tuition waiver until the following semester.

In order to be eligible, matriculating dependent children must apply for Financial Aid including federal and state grants. If the dependent is awarded a grant, the grant will be used to cover tuition. If no grant is awarded, tuition is waived.

Full-time administrative employees are subject to payment of a flat fee of \$10.00 per credit at the time of registration. All other dependents will pay the regular applicable fees.

Employees may only attend classes at the College, which are offered at a time other than during their normal working hours and also only if the class work undertaken will not significantly interfere with the Employee's performance of regular duties.

The College may require Employees to take courses during regularly scheduled work hours for the purposes of obtaining or updating skills necessary for the performance of their duties.

Effective Date	Motion Number	Document Author	Description of Change
9/17/2008	EXEC 1013-2008	Human Resources	Revision
9/28/2004	Policy # 215	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1019-2017
	Degree Recognition Standards	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

This policy will establish and promulgate standards governing the recognition of degrees earned by employees or candidates for employment for purposes of publication in College print and electronic materials and in the day-to-day use of professional or educational titles.

For purposes of Middle States Accreditation as well as the College's own academic integrity, Pennsylvania Highlands Community College will recognize only those degrees earned by employment candidates and employees from properly accredited institutions.

POLICY

Pennsylvania Highlands Community College will recognize only those degrees earned from properly accredited institutions as determined by the Council on Higher Education Accreditation (CHEA) and the United States Department of Education.

In order to have a degree recognized, candidates for employments or employees must request an official transcript from the degree granting institution.

Degrees received from institutions without approved accreditation will be reviewed on a case-by-case basis. Degrees from other accrediting bodies may be accepted for support staff positions.

Effective Date	Motion Number	Document Author	Description of Change
7/23/2018	Procedure Change	Human Resources	Removed Procedure
6/27/2017	EXEC 1019-2017	Human Resources	Needed Board approval
10/27/2009	AASS 1012-2009	AASS	Possible Initial Release

	POLICY	Motion No.	EXEC 1018-2020
	Disclosure of Conflicts of Interest	Effective Date	12/15/2020
		Responsible Department	President's Office
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

Members of the Board of Trustees and employees of Pennsylvania Highlands Community College shall disclose any conflicts of interests that will or could be interpreted as benefiting the financial, professional, or political status of the Trustee/employee or their relatives or friends at the expense of the College or which could interfere with their professional duties and responsibilities to the College.

A copy of this policy shall be given to all Trustees and employees upon commencement of such person's relationship with Pennsylvania Highlands Community College. A Trustee or employee shall provide written notice of any conflicts of interest annually, or as any arise, using the disclosure form provided by the College. Failure to complete the disclosure form does not recuse a Trustee or employee of their responsibilities to abide by this policy.

POLICY

Board of Trustees

Board autonomy is vital to exercising independent judgment in carrying out the Board responsibilities of accountability, stewardship, and oversight and acting in the best interests of Pennsylvania Highlands Community College. Board members must be sufficiently independent of any relationships that could interfere with the exercise of independent judgment. Board members should have primary responsibility to Pennsylvania Highlands Community College and shall not allow political or other influence to interfere with governing Board duties.

A Trustee shall provide written notice to the College President and to the Board of Trustees of any conflicts of interest or potential conflict of interests by the first Executive Committee meeting of the calendar year or within one month of his/her appointment or as they occur. Examples of conflicts of interest include, but are not limited to the following:

- a. A Trustee is related to another Board member or College employee by blood or marriage.
- b. A Trustee, relative, close personal friend, or an organization they represent stands to benefit from a College financial or legal transaction.
- c. A Trustee has a political relationship that could influence or interfere with Board responsibilities.
- d. A Trustee is a member of the governing body of a financial contributor to Pennsylvania Highlands Community College.
- e. A Trustee applies for employment with Pennsylvania Highlands Community College. Any Trustee who does so shall immediately resign.

Following full written disclosure of possible conflicts of interest, the Board of Trustees shall determine by vote if the conflict of interest interferes with the Trustee's ability to perform his or her Board duties. Votes shall be by majority vote, without the vote of any interested Trustee. A Trustee with a conflict of interest shall not participate in any discussion or debate of the Board of Trustees in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be allowed to provide clarifying information in such a discussion or debate unless objected to by a Trustee.

College Employees

The College encourages employees to be active participants in their community. However, as employees, they must be sufficiently independent of any relationships that could interfere with the exercise of their independent judgment when discussing College issues. Employees should therefore have primary responsibility to Pennsylvania Highlands Community College and shall not allow political or other influence to interfere with their job duties.

All College employee shall provide written notice to the College President of any conflicts of interest or potential conflicts of interest within two weeks of being hired or when any new conflicts of interest or potential conflicts of interest arise.

The College President and members of his/her Cabinet shall complete the disclosure form between July 1 and September 1 of each calendar year and as any new or continuing conflicts of interest or potential conflicts of interest occur.

Examples include, but are not limited to the following:

- a. An employee supervises another employee or student who is related by blood or marriage.
- b. An employee, relative, or close personal friend stands to benefit from a transaction with another organization.
- c. An employee belongs to another organization which may have conflicting interests or goals to the College.
- d. An employee is a member of an organization that is a financial contributor to the College.

The College President, in consultation with his/her Cabinet, shall review any conflict of interest statements submitted by employees. The President shall apply any reasonable corrective action.

The College President shall submit his/her conflict of interest statement to all Cabinet members and to the Board of Trustees for review no later than November 1 of each year.

Effective Date	Motion Number	Document Author	Description of Change
12/15/2020	EXEC 1018-2020	President	Complete Policy Revision
6/25/2013	EXEC 1008-2013	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1020-2017
	Donation of Paid Time Off Leave	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

This policy establishes guidelines for employees to voluntarily donate accrued PTO to other employees. The amount of time that is allowed to be donated and the amount of time that an employee may receive is also established.

POLICY

The College recognizes that employees may have a family emergency or a personal crisis that causes a severe impact to them resulting in a need for additional time off in excess of their available PTO. To address this need, all eligible employees will be allowed to donate PTO from their unused balance to their co-workers in need in accordance with the policy outlined below. This policy is strictly voluntary.

Administrative employees may voluntarily donate accrued PTO to another administrative employee. Support staff employees may voluntarily donate accrued PTO to other support staff employees as defined in the Collective Bargaining Agreement.

Employees who donate PTO must be employed with the College for a minimum of one (1) year.

Employees who would like to make a request to receive donated PTO from their co-workers must have a situation that meets the following criteria:

Family Health Related Emergency - Critical or catastrophic illness or injury of the employee or an immediate family member that poses a threat to life and/or requires inpatient or hospice health care. Immediate family member is defined as spouse, child, parent, or other relationship in which the employee is the legal guardian or primary caretaker. Employees cannot request time if their illness/absence is covered by Short- or Long-Term Disability.

Other Personal Crisis - A personal crisis or medical condition of a severe nature that directly impacts the employee. This may include a natural disaster impacting the employee's primary residence such as a fire or severe storm.

Employees who donate PTO from their unused balance will donate in eight (8) hour blocks of time. An employee may only donate 8 hours to a specific co-worker once in a three-month period.

Note: Employees who donate time must have sufficient time in their balance and will not be permitted to exhaust their balances due to the fact that they

may experience their own personal need for time off. Employees cannot borrow against future PTO to donate.

Employees who receive donated PTO may receive no more than 480 hours (12 weeks) within a rolling 12-month period.

Employees who are currently on an approved leave of absence cannot donate PTO.

Requests for donations of PTO must be approved by Human Resources, the employee's immediate Supervisor, the appropriate Vice President, and the President.

If the recipient employee has available PTO, in their balance, this time will be used prior to any donated PTO. Donated PTO may only be used for time off related to the approved request. PTO donated that is in excess of the time off needed will be returned to the donor.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1020-2017	Human Resources	Needed Board approval
5/01/2010	212	Human Resources	Possible Initial Release


	POLICY	Motion No.	EXEC 1006-2009
	Dress Code	Effective Date	04/28/2009
		Responsible Department	Human Resources
		Attorney Review/Date	[Attorney Name] [Date]

A professional appearance is a matter of personal pride. When you are working at Pennsylvania Highlands Community College this becomes a matter of institutional pride. Pennsylvania Highlands' success depends upon the professional image and quality of services provided by its employees. Every student and visitor forms an impression of Pennsylvania Highlands through its faculty and staff. Thus, everyone must maintain a personal appearance that is appropriate to the work being performed and consistent with the professional image of the College and safety requirements, and not only to abide by the guidelines, but also to live within the spirit of its intention.

Proper workday attire at Pennsylvania Highlands Community College may be categorized as business casual. Should business or other reasons require a modification to the norm, employees are expected to exercise appropriate judgment and work with the supervisor when necessary.

Effective Date	Motion Number	Document Author	Description of Change
04/28/2009	EXEC 1006-2009	Human Resources	Initial Release

The Dress Code Procedures are included on the following pages.

	PROCEDURE	Motion No.	N/A
	Dress Code	Effective Date	07/06/2017
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

Following is a general overview of appropriate business casual attire. Items that are not appropriate for the office are also listed. The lists cover what is generally acceptable as business casual attire and what is generally not acceptable as business casual attire.

No dress code can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear to work. If an employee experiences uncertainty about acceptable, professional business casual attire for work, he or she should ask the supervisor or Human Resources.

Slacks and Pants:

Slacks that are similar to Dockers dressy capris, and nice-looking dress pants are acceptable. Inappropriate pants include jeans, sweatpants, exercise pants, shorts, and any spandex or other form-fitting pants.

Service Workers and Security Officers will wear uniforms.

Skirts, Dresses, and Skirted Suits:

Casual dresses and skirts of appropriate (fingertip)length are acceptable. Dresses and skirts should be at a length at which you can sit comfortably in public. Mini-skirts (shorter than fingertip length) and sun dresses, are inappropriate for the office.

Shirts, Blouses, and Jackets:

Professional looking casual shirts, dress shirts, sweaters, polo shirts, and turtlenecks are acceptable attire for work. Suit jackets or sport jackets are also acceptable attire for the office. Inappropriate attire for work includes tank tops, T-shirts, halter-tops, midriff tops, and shirts with potentially offensive words or graphics.

Shoes and Footwear:

Conservative athletic or walking shoes, boots, or dress shoes, are acceptable for work. Flashy athletic shoes, casual flip-flops, and slippers are not acceptable in the office.

Jewelry, Makeup, Perfume, and Cologne:

Jewelry and make-up should be in good taste, with limited visible body piercing. Remember, that some employees are allergic to the chemicals in perfumes and make-up, so wear these substances with restraint.

Hats and Head Covering:

Hats are not appropriate in the office. Head Covers that are required for religious purposes or to honor cultural tradition are allowed.

Conclusion:

An overall professional appearance is the expectation set forth by the Dress Code policy. If clothing, grooming, or personal hygiene fails to meet these standards, as determined by the employee's supervisor and Human Resources, the employee will be asked not to wear the inappropriate item to work again. If the problem persists, the employee may be sent home to change clothes and will receive a verbal warning for the first offense. All other policies about personal time use will apply if this occurs. Progressive disciplinary action up to and including discharge will be applied if dress code violations continue.

Effective Date	Motion Number	Document Author	Description of Change
07/06/2017	N/A	Human Resources	Several Clarifications Made
5/01/2010	201	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1021-2017
	Employee Complaints and Concerns	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

The purpose of this policy is to provide guidelines for employee complaints.

POLICY

It is the College's purpose to provide an effective way for employees to bring problems concerning their well-being at work to the attention of management. Therefore, a policy has been established for the benefit and use of the employees. Employees covered by a Collective Bargaining Agreement will first follow the process defined in the agreement.

When an employee believes a work condition or treatment is unjust, inequitable, a hindrance to effective operation or creates a problem, he/she is encouraged to discuss the condition or treatment with the immediate supervisor.

Misunderstandings or conflicts can arise in any organization and should be resolved before serious problems develop. Most incidents resolve themselves naturally; however, should a situation persist that the employee believes is detrimental to himself/herself or the College, the employee should follow the procedure described here for bringing the complaint to management's attention.

- Discussion of the problem with the immediate supervisor is encouraged as a first step. If the employee does not believe a discussion with the supervisor is appropriate, the employee should proceed directly to the next step.
- If the problem is not resolved after discussion with the immediate supervisor or if the employee thinks a discussion with the immediate supervisor is inappropriate, the employee is then encouraged to request a meeting with the appropriate Vice President or the chief human resources officer. The Vice President may choose to conduct an investigation and consider the facts and will review the matter with Human Resources. The employee will normally receive a response regarding the problem within ten working days of meeting with the Vice President or Human Resources.
- In the event the Vice President or chief human resources officer is the subject of the grievance, the President should be notified.
- If the employee is not satisfied with the decision and wishes to pursue the matter further, he/she may prepare a written summary of the concerns and request that the President review the matter. The decision of the President will be final.

If, at the completion of the investigation, the College determines that an employee's complaint is substantiated, appropriate disciplinary action will be taken against the offending employee.

Pennsylvania Highlands Community College prohibits any form of retaliation against any employee for filing a bona fide or good faith complaint under this policy or for assisting in the complaint investigation. However, if after investigating any complaint, the College determines that an employee intentionally provided false information regarding the complaint, disciplinary action may be taken against the person who gave the false information.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1021-2017	Human Resources	Needed Board approval
5/1/2010	208	Human Resources	Possible Initial Release

	POLICY	Motion No.	EXEC 1006-2022
	Employee Conduct and Work Rules	Effective Date	04/19/2022
		Responsible Department	Human Resources
		Attorney Review / Date	N/A

SCOPE

This policy identifies the respective responsibilities of the College and its employees regarding conduct and the working environment.

POLICY

It is the College's policy that employees maintain a professional working environment that encourages mutual respect, promotes civil and congenial relationships among employees, is free from all forms of harassment and violence, and protects the interests and safety of all employees and the College.

Employees are expected to conduct themselves in an appropriate manner as judged by a reasonable person.

Listing all forms of behavior that are considered unacceptable in the workplace is not possible. Examples of infractions of rules of conduct that may result in disciplinary action are listed below.


- Bullying behaviors
- Physically harming others
- Verbally abusing others
- Using intimidation tactics and making threats
- Sabotaging another's work
- Stalking others
- Making malicious, false, and harmful statements about others
- Publicly disclosing another's private information
- Theft or inappropriate removal or possession of property
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms in the workplace
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Unauthorized disclosure of confidential information

It is the responsibility of every employee to be aware of and abide by existing College rules and regulations including rules that are established on a temporary or permanent basis with the goal of reducing the potential spread of a contagious disease. The College may take disciplinary action, up to and including termination, against employees whose conduct violates this or other College policies and practices.

There may be occasions where an employee, especially a College Security Officer, intervenes to de-escalate a violent or potentially violent situation on campus. Under

these special circumstances, if the employee is deemed to have acted responsibly and appropriately in that volatile situation and/or is following College policy, then the employee would not be disciplined. The Campus Security Intervention policy will be used as guide to determine if the employee acted responsibly and appropriately under these circumstances.

Effective Date	Motion Number	Document Author	Description of Change
04/19/2022	EXEC 1006-2022	President's Cabinet	Revised to help clarify the intent of the policy.
12/15/2020	EXEC 1019-2020	HR/President	Added Bullying behaviors to list of infractions and removed all procedural language
6/27/2017	EXEC 1022-2017	Human Resources	Needed Board approval
5/01/2010	207	Human Resources	Possible Initial Release

	POLICY	Motion No.	EXEC 1002-2021
	Employee Retirement Benefits	Effective Date	02/16/2021
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

The College makes monetary contributions to a qualified retirement plan for all full-time employees. Complete eligibility and retirement plan details can be found in the plan documents which are available in Human Resources or through the plan administrator.

For employees in a bargaining unit, the provisions and stipulations of the qualified retirement plan are found within the collective bargaining agreement.

All full-time administrative employees are required to make a mandatory contribution of 2% and the College contributes 10% of an employee's annual gross salary to the College's retirement plan. Full-time administrators may elect to contribute more than the mandatory amount.

Administrators who are hired from an institution where they were already participating in SERS or PSERS are permitted to continue participating in the SERS or PSERS plan that they were enrolled in at the prior institution. In this case, retirement contributions will be made in accordance with requirements of that plan.

Part-time employees may make voluntary contributions to the College retirement plan, but do not receive a College contribution.

Effective Date	Motion Number	Document Author	Description of Change
02/16/2021	EXEC 1002-2021	HR/President's Office	Revised for clarity; retiree definition removed; specific vendor name removed
6/27/2017	EXEC 1016-2017	Human Resources	Clarifications made
12/13/2011	EXEC 1014-2011	Human Resources	Change in Retiree definition
5/01/2010	Policy # 213	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1013-2017
	Equal Opportunity and Affirmative Action	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Reviewed by an attorney	[Attorney Name]

SCOPE

This policy affirms the Pennsylvania Highlands Community College's commitment to equal opportunity and affirmative action in admissions, employment, access to and treatment in College programs and activities, in accordance with federal, state, and local laws and regulations and includes a prohibition of retaliation against those filing complaints. (Titles VI and VII of the Civil Rights Act of 1964, as amended; Executive Order 11246, as amended by Executive Order 11375; Revised Order No. 4; the Equal Pay Act of 1963, as amended; the Rehabilitation Act of 1973, as amended; the Vietnam Era Veterans Readjustment Assistance Act of 1974; USERRA; Titles VII and VIII of the Public Health Service Act; Title IX of the Education Amendments of 1972; the Americans With Disabilities Act (ADA) of 1990, as amended; and all other applicable laws and ordinances of the Commonwealth of Pennsylvania and/or the United States.

POLICY

Equal Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Pennsylvania Highlands will be based on merit, qualifications, and abilities. Pennsylvania Highlands does not discriminate in employment opportunities or practices on account of race, color, religion, sex, sexual orientation, national origin, age, disability, genetics, or other characteristic protected by law.

Pennsylvania Highlands will make reasonable accommodations for qualified individuals with known disabilities.

The policy of equal employment opportunity and anti-discrimination applies to all aspects of the relationship between the College and its employees including but not limited to recruitment, employment, promotion, transfer, working conditions, wage and salary administration, and employee benefits and application of policy.

The policies and principles of equal employment opportunity also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with the College.

Affirmative Action

Affirmative Action in the recruitment and appointment of full-time faculty, staff and administrative positions is a College-wide commitment. All administrators and search committees must take appropriate steps within the area of their

responsibilities to ensure that an active and thorough recruitment effort is made for each full-time faculty, staff, or administrative position.

Dissemination of Policy and Complaint Reporting

Human Resources will direct new employees to the employee portal for a complete copy of the employee handbook, which includes this policy, as part of the new employee orientation.

If an employee believes he/she has been discriminated against in violation of any of the above listed laws or any other applicable law, he/she must report the incident to the chief human resources officer, Pennsylvania Highlands Community College, 101 Community College Way, Johnstown, PA 15904, or by calling 814-262-3833. Complaints/incidents may also be reported to the President, any Vice President or the employee's direct supervisor. Any of these people will then be responsible to bring the complaint forward to Human Resources for handling and investigation.

The College will investigate every issue that is brought to its attention and will take appropriate disciplinary action, up to and including termination.

No Retaliation

Pennsylvania Highlands Community College is committed to providing a work environment free of all discrimination. To this end, the College has a zero tolerance for retaliation against any person filing a complaint or contributing in any way to the investigation of any complaint. This zero-tolerance policy applies to all individuals who may have access to or knowledge of a complaint and can include superiors, peers, students, vendor employees and others. Any allegations of retaliation should be brought to the chief human resources officer.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1013-2017	Human Resources	Addition to protected classes and Clarification to 'Dissemination of Policy'
05/06/16			Title Change
6/24/2014	EXEC 1012-2014	Human Resources	Added 'Sexual Orientation' to Equal Opportunity
5/01/2010	Policy # 202	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1023-2017
	Ethics	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

This establishes the College's policy regarding ethical standards for all employees of the College and the College's commitment to maintaining an ethical workplace.

POLICY

Pennsylvania Highlands Community College will comply with all applicable laws and regulations and expects its employees and volunteers to conduct business in accordance with the letter and spirit of relevant laws and refrain from dishonest or unethical conduct.

Employees shall, during both working and nonworking hours, act in a manner which will inspire public trust in their integrity, impartiality, and devotion to the best interests of the College, its students, and the public community.

The following is a summary of the College's policy with respect to gifts, favors, entertainment and payments given or received by College associates; potential conflicts of interest; and other matters:

Gifts, Favors, and Payments by the College

Gifts, favors, and payments may be given to others at College expense, if they meet all of the following criteria:

- They are consistent with accepted business practices
- They are of sufficiently limited value and in a form that will not be construed as a bribe or payoff
- They are not in violation of applicable law and generally accepted ethical standards; and
- Public disclosure of the facts will not embarrass the College

Payments, commissions, or other compensation to or for the benefit of associates of customers (or their family members or associates) not required by written contract are contrary to College policy.

Gifts, Favors, Entertainment and Payments Received by College Associates

Associates shall not seek or accept for themselves or others any gifts, favors, entertainment, payments without a legitimate business purpose nor shall they seek or accept personal loans (other than conventional loans at market rates from lending institutions) from any persons or business organizations that do or seek to do business with or is a competitor of the College. In the application of this policy:

- Associates may accept for themselves and members of their families' common courtesies usually associated with customary business practices. These include but are not limited to:
 - Lunch and/or dinner with vendors including spouses as long as the invitation is extended by the vendor.
 - Gifts of small value from vendors such as calendars, pens, pads, knives, etc.
 - Tickets to events (such as sports, arts, etc.) are acceptable if offered by the vendor and the vendor accompanies the associate to the event. These are not to be solicited by the college associate and must be approved by the appropriate Vice President or the President.
 - Overnight outings are acceptable under the condition that individuals from either other companies or the vendor are in attendance. The associate must have prior approval from the appropriate Vice President or the President.
 - The receipt of alcoholic beverages is discouraged.
 - Gifts of perishable items usually given during the holidays such as hams, cookies, nuts, etc., are acceptable.

A strict standard is expected with respect to gifts, services, discounts, entertainment, or considerations of any kind from suppliers.

- Day outings such as golf, fishing, and hunting are acceptable with prior approval from the appropriate Vice President or the President. The vendor must be in attendance and participation by the associate's family members is not acceptable.
- Use of vendor's facilities (vacation homes, etc.) by associates or families for personal use is prohibited. In the event the vendor is present for the duration of the visit such a situation is acceptable as long as it is only once per year and for limited duration, i.e. a long weekend. The associate must have prior approval from the appropriate Vice President or the President.
- It is never permissible to accept a gift in cash or cash equivalent such as stocks or other forms of marketable securities of any amount.

Management associates should not accept gifts from those under their supervision of more than limited value.

Confidential Information

The revelation or use of any confidential product information, data on decisions, plans, or any other information which might be contrary to the interest of the College without prior authorization, is prohibited. The misuse, unauthorized access to, or mishandling of confidential information, particularly personnel information, is strictly prohibited and may subject an associate to discipline up to and including immediate discharge.

Compliance

Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this policy. Any College associate having knowledge of any violation of the policy shall promptly report such violation to a Vice President, the President, or the chief human

resources officer. Retaliation against employees who raise genuine concerns will not be tolerated.

Human Resources is responsible for providing policy guidance and issuing procedures to assist employees in complying with the College's expectations of ethical business conduct and uncompromising values. Employees of the College with departmental oversight are responsible for compliance in their area of responsibility.

Any violation of this policy will subject the associate to disciplinary action up to and including termination.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1023-2017	Human Resources	Needed Board approval
5/01/2010	206	Human Resources	Possible Initial Release

	POLICY	Motion No.	EXEC 1014-2017
	Family Medical Leave Act	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

The scope of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

POLICY

Pennsylvania Highlands Community College will comply with the Family and Medical Leave Act implementing Regulations as revised effective January 16, 2009. The College posts the FMLA Notice required by the U.S. Department of Labor (DOL) on Employee Rights under the Family and Medical Act in all locations.

Individual circumstances will determine the use of FMLA. This policy does not cover all possible actions and determinations. If an employee has any questions regarding possible FMLA leave, he/she must contact Human Resources.

If an employee has any questions, concerns, or disputes with this policy, he/she must contact Human Resources in writing.

A. General Provisions

Under this policy, Pennsylvania Highlands Community College will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

B. Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

1. The employee must have worked for the College for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair

Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave will not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

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

C. Type of Leave Covered

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

1. The birth of a child and in order to care for that child.
2. The placement of a child for adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child, or parent with a serious health condition (described below).
4. The serious health condition (described below) of the employee.
An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy are encouraged to consult with Human Resources.

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

5. Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces

when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

- a. short-notice deployment
- b. military events and activities
- c. childcare and school activities
- d. financial and legal arrangements
- e. counseling
- f. rest and recuperation
- g. post-deployment activities, and
- h. additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

In order to care for a covered servicemember, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered servicemember.

- a. A "son or daughter of a covered servicemember" means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- b. A "parent of a covered servicemember" means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in law."
- c. Under the FMLA, a "spouse" means a husband or wife, including those in same-sex marriages, which were made legal in all 50 United States as of June 26, 2015.
- d. The "next of kin of a covered servicemember" is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have

been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember's next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122 (k).

“Covered active duty” means:

- a. “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- b. (2) Covered active duty or call to covered active duty status in the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

6. Military caregiver leave (also known as covered servicemember leave) to care for an injured or ill servicemember or veteran.

An employee whose son, daughter, parent or next of kin is a covered servicemember may take up to 26 weeks in a single 12-month period to take care of leave to care for that servicemember.

Next of kin is defined as the closest blood relative of the injured or recovering servicemember.

The term "covered servicemember" means:

- a. a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- b. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term "serious injury or illness means:

- a. in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- b. in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.
- c. Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

D. Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The College will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the College will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this

military caregiver leave, the College will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If spouses both work for the College and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the spouses may only take a combined total of 12 weeks of leave. If spouses both work for the College and each wish to take leave to care for a covered injured or ill service member, the spouses may only take a combined total of 26 weeks of leave.

E. Employee Status and Benefits During Leave

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

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

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

F. Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a Fitness for Duty Certification from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The College may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

G. Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all applicable PTO (Paid Time Off) before being eligible for unpaid

leave. Short term disability will run concurrently with FMLA leave if the reason for the FMLA leave is covered by the Short-Term Disability policy.

An exception may be granted for cases when a single, continuous block of time is taken following the birth or adoption of a child. If your leave follows the birth or adoption of a child, you may choose to use accrued PTO for none, a portion, or all of the FMLA leave.

An employee who is using military FMLA leave for a qualifying exigency must use all PTO leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all PTO prior to being eligible for unpaid leave.

H. Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

When using intermittent leave, employees must notify their supervisor, manager, or Human Resources of absences in advance when the need for leave is foreseeable. Unplanned absences must be personally reported to the employee's supervisor, manager, or Human Resources by phone, following the College's normal call-off procedures. The employee's call-off and timecard record must indicate FMLA as the reason for call-off. When possible, intermittent leave should be scheduled in a way that minimizes the disruption to College operations.

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

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

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the College before taking intermittent leave or working a reduced-hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

I. Certification for the Employee's Serious Health Condition

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

The College may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. Before the College makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the College will obtain the employee's permission for clarification of individually identifiable health information.

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

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

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

The College may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. Before the College makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the College will obtain the employee's family member's permission for clarification of individually identifiable health information.

The College has the right to ask for a second opinion if it has reason to doubt the certification. The College will pay for the employee's family

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

K. Certification of Qualifying Exigency for Military Family Leave

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

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

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

M. Recertification

The College may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employee receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the College may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The College may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

N. Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to Human Resources. Within five business days after the employee has provided this notice, Human Resources will complete and provide the employee with the DOL Notice of Eligibility and Rights and Responsibilities form.

When the need for the leave is foreseeable, the employee must provide the College with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the College's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

O. Designation of FMLA Leave

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

P. Intent to Return to Work From FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the College may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1014-2017	Human Resources	Updated to follow current laws
5/1/2010	217	Human Resources	Initial Release

	POLICY	Motion No.	FF 1024-2013
	Food and Drink	Effective Date	12/17/2013
		Responsible Department	Finance
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

This policy applies to all employees, students and any individual using College facilities. The purpose of this policy is to preserve the instructional integrity and cleanliness of the facility, to reduce maintenance costs, and to safeguard equipment and furnishings from spillage.


POLICY

Food is prohibited in any instructional space including classrooms, laboratories, and the auditorium. Drinks are permitted only in spill-proof containers in general purpose classrooms. Drinks are not permitted in classrooms with computers or science labs.

Exceptions for special events may be granted in advance of the event by the chief financial officer. Upon approval of an exception for food use, it will be the event sponsor's responsibility to assure cleanliness of the room and that all food material is disposed of properly. The event sponsor must clean-up the room after each event and ensure that all food garbage is emptied into plastic garbage bags provided by the Facilities Department. Upon completion of the event, the sponsor must contact the Service Worker on duty to request removal of the garbage bags.

It is the responsibility of each instructor to require students to comply with this policy. It is also the responsibility of the Administration to require the same compliance by teaching personnel and all employees. Violators will be subject to the College's disciplinary policies. Violators will be required to reimburse the College for cleaning services or repair of any damages incurred as a result of spilled food or drinks. This policy applies to all Pennsylvania Highlands Community College campuses and will supersede any existing Food and Drink policies.

Effective Date	Motion Number	Document Author	Description of Change
12/17/2013	FF 1024-2013	Finance	Revision (event sponsors are responsible for cleanliness of room, instructors are responsible that students comply with policy, and administration is responsible that employees comply)
10/27/2009	FF 1016-2009	Finance	Initial Release

	POLICY	Motion No.	EXEC 1021-2020
	Health Related Benefits	Effective Date	12/15/2020
		Responsible Department	President/HR
		Attorney Review / Date	N/A

SCOPE

This policy establishes health related benefits provided to full-time employees.

POLICY

The College will offer health related benefits to all full-time employees. All benefits are subject to change. Benefits referred to in collective bargaining agreements will supersede the language of this policy.

Medical, Dental and Vision Coverage

The College provides full-time employees and eligible family members with the opportunity to enroll in medical, dental, and/or vision coverage. Coverage for administrative positions is effective on the first day of work. Other classifications of employees may enroll as described in the collective bargaining agreements. The level of benefits, insurance carrier, and amount of the employee contribution is subject to change.

Short-Term Disability (STD)

A full-time administrative employee who is unable to work due to accident or illness may elect to use short-term disability (STD) to provide some financial relief during the period when the employee is unable to work.

Long-Term Disability (LTD)

A full-time administrative employee who is unable to work for an extended period due to accident or illness may elect to use long-term disability (LTD) to provide some financial relief during the period when the employee is unable to work. Employees who receive benefits under the College's long-term disability insurance program will be considered to be on a long-term disability leave for a maximum of one (1) year from the beginning date of long-term disability payments. The College reserves the right to terminate employment sooner than one (1) year or extend the period beyond one (1) year without prejudice to the LTD benefit as accorded by the Plan. Such period will run concurrently with any leave entitlement under FMLA.

Life Insurance

The College provides life insurance two times the annual base salary for full-time employees, up to a maximum of \$350,000 during the period of employment.

Voluntary Insurance

The College allows full-time and part-time employees to voluntarily obtain various supplement insurances offered by an outside vendor.

Termination


If employment ends, all health-related benefits are terminated on the last day of work.

Health Activity Reimbursement

A maximum \$150 yearly (calendar year) reimbursement toward a membership in a health club or fitness center or health related class(es) is available to full-time employees.

Effective Date	Motion Number	Document Author	Description of Change
12/15/2020	EXEC 1021-2020	President/HR	Removed procedural language to make policy more succinct
6/27/2017	EXEC 1024-2017	Human Resources	Changes to amounts for Life Insurance and Health Activity Reimbursement Needed Board Approval
5/01/2010	210	Human Resources	Possible Initial Release

The Health Related Benefits Procedures are included on the following pages.

	PROCEDURE	Motion No.	N/A
	Health Related Benefits	Effective Date	02/22/2021
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

Medical, Dental & Vision Coverage

The College provides full-time employees and eligible family members with the opportunity to enroll in medical, dental, and/or vision coverage. The employee's share of the premium will be communicated to employees during the open enrollment period and are also posted electronically for reference. Premiums will be paid through a pre-tax payroll deduction.

Complete details regarding plan carriers, coverages, and exclusions are provided to employees during the open enrollment period and are also posted electronically for reference.

Employees can elect to provide coverage for other family members. Eligibility is determined by the IRS definition of a spouse or dependent. This election can be made at the time of initial enrollment, during open enrollment periods, or after a qualifying life event as defined by the IRS. Employees can elect coverage for family members separately for each plan.

If spouses are both eligible full-time employees with no dependents, health insurance coverage will be provided to each under single coverage and with no buy-out available to either employee. The dental and vision insurance will be paid by the College, with both offered single coverage at no cost to either employee.

If spouses are both eligible full-time employees and have dependent(s) eligible for coverage, health insurance coverage will be provided under family coverage with a contribution by either employee and with no buy-out available to the other employee. The dental and vision insurance will be paid by the College, with both offered single coverage at no cost to either employee. Coverage for dependents will be available at the employee's cost.

Employees who opt out of health insurance are eligible for a medical waiver payment. Employees who waive medical coverage may still elect dental and vision insurance.

All group health plan coverage will terminate on the last day of employment. Employees will be notified via mail of their right to continue coverage through COBRA at the full premium plus a two (2) percent administrative fee.

Short-Term Disability (STD)

An employee is eligible to apply for STD from the first day an accident occurs or on the eighth day when an illness has prevented the employee from working. Short Term Disability provides the employee with 67% of base wages up to \$1800 per week for a maximum of 13 weeks after a waiting period of one

week. Employees on a short-term disability leave of absence do not earn additional paid time off during the absence.

Disability payments are taxable income according to Federal and Pennsylvania tax codes. At the time a full-time administrative employee begins coverage under STD, FMLA leave is automatically applied to the time away from the workplace. FMLA leave is also automatically applied to any paid leave days taken for reasons covered by FMLA. Any necessary FMLA paperwork must be completed by the employee and his/her attending physician as required by law.

A full-time administrative employee covered by STD may continue coverage under the college's medical insurance plan provided the employee pays any share of the premiums required when they are due. Life insurance benefits will also continue, and other insured benefits will continue provided the employee pays any share of the premiums required.

A full-time administrative employee on STD may request the use of PTO hours up to an amount to cover the difference between the employee's full-time salary and the amount provided by STD insurance. The employee must complete a special PTO request form for this purpose.

The College will suspend contributions to the employee's TIAA-Cref or other retirement plan until such time as the employee is no longer covered under STD and has returned to a full-time work schedule with the College.

Complete details of the STD program are posted electronically and are available through Human Resources.

Long-Term Disability (LTD)

Employees who are absent from work due to illness or injury for longer than the 13-week STD may apply for LTD. Applications for LTD are processed by the carrier and either approved or denied. LTD payments may be approved for a maximum of one year. If the employee is unable to return to work during this time period, employment with Pennsylvania Highlands Community College will end on the date LTD eligibility ceases.

Employees on a long-term disability leave of absence do not earn additional paid time off during the absence. The College will provide group health plan for a maximum period of nine (9) months during LTD leave, provided the employee pays any share of the premiums required when they are due. If the employee has not returned to work at the end of nine months, the employee may elect to continue coverage under COBRA.

Life insurance benefits and other insured benefits will continue for the duration of LTD leave provided the employee pays any share of the premiums required.

LTD leave runs concurrently with any remaining FMLA leave that the employee may be entitled to under law.

Complete details of the LTD program are posted electronically and are available through Human Resources.

Life Insurance


Term life insurance is provided to employees at no cost. Coverage will cease on the last day of employment. Conversion rights after separation are determined by the policy in effect at the time of separation.

Complete details of the life insurance coverage and exclusions are available electronically or through Human Resources.

Health Activity Reimbursement

Employees may request their health activity reimbursement by submitting a Check Request Form to their supervisor for approval, and then to payroll. Reimbursement is not contingent upon the payment schedule set forth by the provider, but receipts of payments made by the employee which must be submitted for the reimbursement to be paid. Requests for reimbursement must be submitted within the calendar year for which reimbursement is being requested.

Effective Date	Motion Number	Document Author	Description of Change
02/22/2021	N/A	Human Resources	Initial Release; procedures were removed from the policy language

	POLICY	Motion No.	EXEC 1002-2018
	Holidays and Miscellaneous Time	Effective Date	4/24/2018
		Responsible Department	Human Resources
		Reviewed by an attorney	NA

SCOPE

To define the holidays and miscellaneous time off provided by the College.

POLICY

The College observes and is closed on eleven (11) holidays per year, which will include the following days:

- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- New Year's Day
- Memorial Day
- Four (4) additional holiday observances to be determined based on the academic calendar.


The holiday schedule for each academic year will be announced prior to July 1.

When a holiday herein listed falls on a Sunday, the following Monday will be deemed to be the holiday in lieu of the day observed. When a holiday herein listed falls on a Saturday, the preceding Friday will be deemed to be the holiday in lieu of the day observed.

The College closes for a holiday break from December 24th through January 1st each year, which includes the holidays of Christmas Day and New Year's Day. Full-time employees will be paid for the time between Christmas Eve and New Year's Day, though these days are not counted in the aforementioned holiday observances.

For ten (10) weeks in the summer, the College is closed on Fridays. The normal workweek for full-time employees is Monday through Thursday for nine (9) hours each day. Full-time employees will continue to be paid on a 40-hour per week basis.

Effective Date	Motion Number	Document Author	Description of Change
04/24/2018	EXEC 1002-2018	Human Resources	Remove the names of certain holidays, but retain number of days closed, so that the holidays chosen may best fit with the academic calendar.
02/24/2015	EXEC 1001-2015	April Renzi	Change policy to indicate the change from Veteran's Day to the Day before Thanksgiving; outline that the College reserves the right to designate alternate days to observe holidays; and to outline when a holiday will be observed when the holiday falls on a weekend.
05/01/2010	Policy # 214		Initial Release.

	PROCEDURE	Motion No.	
	Inclement Weather Closing and Delay Procedures	Effective Date	11/01/20
		Responsible Department	President's Office
		Attorney Review / Date	[Attorney Name] [Date]

PROCEDURES

Pennsylvania Highlands Community College is a commuter institution and recognizes the commitments that its employees and students make to attend work, classes, and events. In that regard, Penn Highlands will remain open and operational unless extreme weather conditions or other emergencies do not permit it to do so.

In consultation with key administrative staff, the responsibility for the decision to close rests with the College President. In the case of severe weather which limits the College from safely opening, the College will close as a unit. In a localized emergency or weather condition, a campus or center may be closed individually at the direction of the Center Director, in consultation with the College President.

It is not the College's intention to place any student or employee into a perilous situation. Therefore, individuals must exercise discretion in determining what actions they wish to take in weather or other college-related emergency situations. Employees may use paid leave time to avoid unsafe travel and the College has asked our faculty to provide for a liberal leave policy for students who are unable to travel due to inclement weather. The College does not strictly follow the delays and cancellations of local school districts.

INCLEMENT WEATHER SITUATIONS

Snow/Weather Emergency

All College locations are closed because driving conditions are hazardous. All classes will be canceled. Instructors are encouraged to find creative ways to make up lost seat time but cannot require students to meet in a virtual setting.

Early Dismissal

In this case, the College has already opened with students and employees present on-site, with the weather situation becoming increasingly dangerous. All classes will be canceled after the early dismissal. Instructors are encouraged to find creative ways to make up lost seat time but cannot require students to meet in a virtual setting. If the Richland Campus closes, all locations will also close. However, if the Richland Campus is open, then it is possible that some other locations may close due to inclement weather affecting that individual location.

Delayed Start: Weather Emergency/Caution

College remains open but driving conditions may be hazardous in some areas. During a delayed start, employees and students will usually report at 10:00 AM unless otherwise indicated. If the Richland Campus closes, all locations will also close. However, if the Richland Campus is open, then it is possible that some other locations may close due to inclement weather affecting that individual location.

For students and faculty, if a class is scheduled from:

- 8:00 AM to 9:15 AM and the College start time is delayed until 10 AM – *Do not report.*
- 9:25 AM to 10:40 AM and College start time is delayed until 10 AM – *Report to this class at 10 AM.*
- 9:00 AM to 12:00 PM and College start time is delayed until 10 AM – *Report to this class at 10 AM.*

INCLEMENT WEATHER DECISION TIMELINES

Notice of closings, delays, or early dismissal sent to students, employees, and the public:

- Before or by 9:00 PM (the day before) if inclement weather is imminent.
- Between 5:00-5:15 AM if inclement weather is possible, but not imminent.
- A minimum notice of two hours shall be given, if possible, to any changes to the teaching and operating schedule.

Effective Date	Motion Number	Document Author	Description of Change
11/01/2020		President/ Safety & Security / HR	Language revision
10/29/18		Security and Safety	Removal of specific opening times to allow adjustment for class schedules as needed
8/29/17		Security and Safety	Clarifications made to opening times
3/29/16			Initial Release

	POLICY	Motion No.	EXEC 1034-2017
	Intellectual Property Rights	Effective Date	12/19/2017
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

The purpose of this policy is to define and clarify various examples/instances of intellectual property and what corresponding rights are associated with each instance.

POLICY

Externally Sponsored Work

Intellectual property created as a result of work conducted under an agreement between an external sponsor and Pennsylvania Highlands Community College that specifies the ownership of such intellectual property shall be owned as specified in said agreement.

Internally Sponsored Work

When Pennsylvania Highlands Community College provides funds or facilities for a particular project to the extent of substantial use, it may also choose to designate itself as sponsor of that work. Pennsylvania Highlands Community College may declare itself the owner of intellectual property resulting from said work. In such cases Pennsylvania Highlands Community College must specify in advance the disposition of any intellectual property rights arising from the project.

Individual Agreements

Intellectual property which is the subject of a specific agreement between Pennsylvania Highlands Community College and the creator(s) thereof shall be owned as provided in said agreement. Such agreements by Pennsylvania Highlands Community College and the faculty are encouraged.

Intellectual Property Created Within Scope of Employment

Intellectual property created by College employees who were employed specifically to produce a particular intellectual property shall be owned by Pennsylvania Highlands Community College if said intellectual property was created within the normal scope of their employment. Faculty are presumed not to be hired to produce a particular intellectual property. On the other hand, computer programs written on the job by staff computer programmers would fall under this provision.

Public Dedication

Except when limited by subparts in this policy, the creator of any intellectual property may choose to place his or her creation in the public domain. In such

cases both the creator and Pennsylvania Highlands Community College waive all ownership rights to said property.

Unless governed by subparts in this policy, ownership of intellectual property created at Pennsylvania Highlands Community College shall be determined as follows:

Traditional Rights Retained: In keeping with academic traditions at Pennsylvania Highlands Community College, the creator retains all rights to the following types of intellectual property, without limitation: books (including textbooks), educational courseware, articles, non-fiction, novels, poems, musical works, dramatic works including any accompanying music, pantomimes and choreographic works, pictorial, graphic and sculptural works, motion pictures and other similar audio-visual works, and sound recordings, regardless of the level of use of College facilities. This provision does not include computer software (other than educational courseware) or data bases.

No Substantial Use of College Facilities: The creator owns all intellectual property created without substantial use of College facilities, including intellectual property rights in computer software and data bases.

Substantial Use of College Facilities - No External or Internal Sponsorship: Ownership of intellectual property created with substantial use of College facilities, but not directly arising from externally sponsored work, or from work for which Pennsylvania Highlands Community College has declared itself as sponsor, shall be determined as set forth hereinafter depending on whether the creator or Pennsylvania Highlands Community College develops said property.

- **Development by Creator:** The creator originally owns intellectual property created with substantial use of College facilities but no external or internal sponsorship, and retains said ownership by commercial development of said property subject to the following: (i) Pennsylvania Highlands Community College shall receive 15% (fifteen percent) of the net proceeds to the creator above \$25,000 (twenty-five thousand dollars) in constant 2008 dollars from all sources (in the case of patents and copyrights, this provision shall be limited to the life of the patent or copyright), and (ii) Pennsylvania Highlands Community College shall receive a perpetual, non-exclusive, non-transferrable, royalty free license to use said intellectual property. In the case of software, this license includes access by specified College personnel to the source listings, and Pennsylvania Highlands Community College shall require each person to whom a disclosure is made to execute in advance a binding confidentiality agreement in favor of and enforceable by the creator. If the intellectual property is created solely by a student or students, the creator is exempt from the obligation to pay to Pennsylvania Highlands Community College a fraction of his net proceeds, but not from the provision of this paragraph for a non-exclusive license to Pennsylvania Highlands Community College.

- **Development by Pennsylvania Highlands Community College:** When intellectual property is created with substantial use of College facilities, but not directly arising from sponsored research, the creator will originally retain the rights to the property, provided that he desires to commercially develop the property himself or to make it available to the public. If, however, the creator elects not to commercially develop same or fails to show diligence in pursuing such development, then the ownership rights to that property may be acquired by Pennsylvania Highlands Community College.

- **Substantial Use of College Facilities - External or Internal Sponsorship:** Ownership of intellectual property created with substantial use of College facilities and directly arising from work sponsored under an agreement between an external sponsor and Pennsylvania Highlands Community College, or from work for which Pennsylvania Highlands Community College has declared itself a sponsor, but for which neither the external sponsor nor Pennsylvania Highlands Community College have specified the ownership of resulting intellectual property shall be determined as set forth hereinafter depending on whether the creator or Pennsylvania Highlands Community College develops said property.
 - **Development by College:** Pennsylvania Highlands Community College originally owns intellectual property created with substantial use of College facilities provided by an external agreement or internal College sponsorship and retains said ownership by commercial development of said property, subject to the following: in all cases, the creator shall receive 50% (fifty percent) of the net proceeds to Pennsylvania Highlands Community College.

 - **Development by Creator:** When intellectual property is created with substantial use of College facilities provided by external or internal sponsorship, Pennsylvania Highlands Community College will originally retain the rights to the property, provided that it desires to commercially develop the property or to make it available to the public. If, however, Pennsylvania Highlands Community College elects not to commercially develop same or fails to show diligence in such development, the ownership rights to that property may be acquired by the creator. This assignment of rights to the creator may be prohibited by the terms of an external sponsorship agreement with Pennsylvania Highlands Community College or by an internal College sponsorship declaration, but in such cases the creator must be notified in advance.

- **Consulting Agreements:** Work done by individuals as consultants to outside firms is presumed not to involve unreimbursed substantial use of College facilities, and the rights to intellectual property created under consulting agreements are retained by the outside firms or the individual as specified by the terms of the consulting agreement.
 - **Procedural Provisions:** Under College policy consulting work must not make substantial unreimbursed use of College facilities except by explicit prior agreement. Any member of Pennsylvania

Highlands Community College community who is engaged in consulting work or in business is responsible for ensuring that provisions in his agreements are not in conflict with this policy of Pennsylvania Highlands Community College or with Pennsylvania Highlands Community College's commitments. Each creator of intellectual property should make his/her obligations to Pennsylvania Highlands Community College clear to those with whom he/she makes such agreements and should ensure that they are provided with a current statement of Pennsylvania Highlands Community College's intellectual property policy. Appropriate sample contract wording to cover various possible external consulting arrangements shall be available from Pennsylvania Highlands Community College's chief academic officer.

Published and Unpublished Works of Others – Adherence to Copyright Law

Copyright and fair use are complex legal issues. Pennsylvania Highlands Community College encourages its faculty, staff and students to use multimedia and text resources to enhance teaching and learning while abiding by copyright and intellectual property law, including the U.S. Copyright Act, the Digital Millennium Copyright Act, and the TEACH Act. Pennsylvania Highlands Community College respects intellectual property and has made it a priority to ensure all employees respect the copyright of others. Every employee of the College is required to comply with Copyright law and to adhere to the College's intellectual property policy and guidelines. Questions related to compliance can be directed to the College's library staff. Copyright infringement through inappropriate copying or distribution of copyrighted content is a personal as well as a College liability and will result in appropriate discipline.

Effective Date	Motion Number	Document Author	Description of Change
12/19/2017	EXEC 1034-2017	Human Resources	Added section: Published and Unpublished Works of Others
12/16/2008	EXEC 1019-2008	Human Resources	Initial Release; was not know that previous policy existed
1994	Policy # 118		Initial Release

	POLICY	Motion No.	EXEC 1014-2016
	Internships and Volunteers	Effective Date	June 28, 2016
		Responsible Department	Human Resources
		Attorney Review / Date	Dave Andrews March 2016

SCOPE

This policy is intended to provide guidelines and a procedure for hiring interns and volunteers to work within a department or at an event at Pennsylvania Highlands Community College.

POLICY

Interns

For purposes of this policy, an intern is defined as a student or trainee who is seeking a short-term part-time work assignment for the purposes of satisfying a degree requirement or for training. In most cases, the work assignment will be defined by a set number of hours that are necessary to achieve the desired course credit or training.

When applying for an internship, the intern will supply the host department with learning objectives. The host department will document the work that will be performed by the intern to meet the stated objectives. Both of these documents will be submitted to Human Resources with a completed Position Authorization Form for approval by the chief human resources officer, the chief financial officer, and the President. In order to comply with laws set forth by the Department of Labor, specifically the Fair Labor Standards Act, all requests for interns will be reviewed by Human Resources to determine if the intern will qualify for an unpaid or paid internship. The College will not offer unpaid internships to any individual who may perform productive work that benefits Pennsylvania Highlands Community College.

If the internship is determined to be paid, department heads must ensure that there are budgeted funds available to cover the payroll cost of the internship, and can then complete the Personnel Authorization Part-Time form and submit the form to Human Resources for the same line of approvals. Human Resources will then work with the department head and the intern to formalize the offer, establish a start date, obtain the necessary background check, and complete new-hire paperwork along with any required training.

While employed by Pennsylvania Highlands Community College, interns will be held to the same expectations and professional guidelines as all other College employees.

Volunteers

A College volunteer is defined as any uncompensated individual whose services are offered freely and without pressure or coercion, to support the humanitarian, charitable, civic, or public service activities of the College. To qualify as a College volunteer, an individual must be willing to provide services without expectation of compensation according to the procedures in this policy.

College volunteers are expected to abide by all College policies, procedures, regulations, and laws that govern their actions. Volunteers are not covered by the Fair Labor Standards Act minimum wage, overtime and record keeping requirements and are not considered College employees.

In order to serve as a College volunteer, the individual must have adequate experience, qualifications and training for the task(s) he or she will be expected to perform. Individuals under the age of 15 may not become College volunteers. Individuals under the age of 18 must obtain parental consent to volunteer. Current employees of the College may not volunteer at the College in any capacity which is essentially similar or related to the individual's regular work at the College. Employees may volunteer for special events or programs that differ from his or her regular employment.

College volunteers may not replace employee positions or impair or reduce the employment of a College position.

College volunteers are prohibited from engaging in the following activities:


- Operating heavy equipment, including College vehicles
- Entering into any contract on behalf of the College
- Working with hazardous materials, environments, or related areas where there is a risk for physical harm
- If under the age of 18, engaging in any activity that would violate the provisions of the child labor restrictions of the Fair Labor Standards Act

Departments who are interested in selecting and engaging a volunteer must use the following procedure prior to any volunteer work being performed:

1. Department Head and the volunteer complete the Volunteer Agreement Form, including a description of the duties and services to be performed, a start date, and end date. The completed form is forwarded to Human Resources for review.
2. Human Resources will determine the appropriate background checks for the volunteer. Background checks may include the PA State Police Criminal Background Check, PA Child Abuse History Clearance, and/or FBI Clearance. All background checks and clearances must be submitted to Human Resources by the volunteer before any volunteer work is performed.
3. Human Resources will also determine mandatory training which may include Title IX, Mandated Reporter, Sexual Harassment, or other training based on the volunteer's activities or services provided.
4. A College Volunteer may serve no longer than one year without renewal.
5. If a volunteer's duties change, a new form must be completed.

A College volunteer's term of service may be ended at any time without prior notice. Likewise, a volunteer may leave at any time.

Effective Date	Motion Number	Document Author	Description of Change
June 28, 2016	EXEC 1014-2016	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1014-2018
	Leave	Effective Date	08/28/2018
		Responsible Department	Human Resources
		Attorney Review / Date	NA

SCOPE

This policy establishes the leave provisions for full-time employees. The Board of Trustees establishes the leave schedule for administrators. For employees participating in collective bargaining units, the current contract applies.

POLICY

Paid Time Off (PTO)

Full-time Administrators will receive a total amount of paid time off (PTO) based on the following:

<u>Years of Service</u>	<u>Number of Hours</u>	<u>Hours accrued per pay</u>
0 – 10	232	8.923
10+	272	10.462

Vice Presidents receive an additional forty (40) hours in each category, accruing 10.462 hours per pay during the first ten (10) years of employment and 12.00 hours per pay after ten (10) years of employment. PTO will not accrue beyond 312 hours in the first ten (10) years or 352 hours after ten (10) years of employment.

PTO hours will begin to accrue on the first full pay period following appointment. Accruals are credited to the employee on each payday.

PTO is paid time to be used for any of the following reasons:

- Vacation
- Absence not compensated by STD, LTD or Workers Compensation
- Dependent care
- Religious observance
- Inclement weather
- Subpoenaed court appearance, except at College's request
- Any other personal reason

PTO will not accrue to over a total of the number of hours eligible to earn (232 or 272) plus 40 hours (272 or 312) at any time. Any employee accruing the maximum hours of PTO allowed will have to use time before any additional hours will accrue.

PTO for 10-month Administrative employees will be 130 hours per year and will accrue at the rate of 5.027 hours per pay period. PTO can be accrued to 170 hours maximum. Any employee accruing the maximum hours of PTO allowed will have to use time before any additional hours will accrue.

Paid time off or partial paid time off which does not come from the PTO allotment includes:

- Jury Duty
- Bereavement Leave allowances
- Absence compensated under STD, LTD, or Workers Compensation, unless requested by the employee in cases of STD.

Administrative employees may request the use of PTO during an approved Short-Term disability absence to bring their gross pay level to 100% of their normal pay. This is voluntary and must be requested by the administrative employee if he/she wants to elect this option. The amount of PTO charged will be determined by Human Resources to bring the total pay as close to the normal gross pay amount as possible without exceeding the normal gross pay. This may be done on a weekly basis to match the payment process of the STD policy.

Time off should be requested as far in advance as possible to the immediate supervisor.

Absence using PTO exceeding three consecutive workdays because of illness requires medical certification of the illness. The College reserves the right to require medical certification for sick time usage of less than three days. Unscheduled, unexcused absences due to injury or illness, even when following appropriate guidelines, may still be deemed excessive and can lead to disciplinary action.

When unscheduled absence occurs on the immediate workday before a holiday and the workday immediately following the holiday, the holiday will be counted as unscheduled leave and PTO hours will be charged.

In the event that an employee is unable to report to work at the appointed time, he/she should contact his/her immediate supervisor directly, prior to the start of the workday if possible.

In the event of closing, any previously scheduled time off that is not related to the reason that the College closed (e.g., weather conditions) will still be recognized and counted as PTO.

In the event of a delayed opening time, an employee who calls off for the remainder of the day will be required to use PTO for the portion of the day in which the College was open.

Accrued PTO time up to 200 hours will be paid out upon termination or retirement.

PTO hours cannot be used to extend a termination date.

PTO hours will not be approved during the two weeks immediately preceding termination unless it is for illness.

PTO requests may be denied during peak periods in each Department.

Employees may request to take an unpaid leave of absence. All such leaves of absence must be requested, in writing to the President, indicating the reason for the leave and the period of time for which the leave is requested. All such leaves of absence must be approved by the President. Unpaid leaves are not guaranteed.

Bereavement Leave

The College will grant the following time off as bereavement leave:

- 5 days per occurrence (immediate family)
- 3 days per occurrence (near relative)
- 1 day (other relative)

Full-time employees who wish to take time-off due to the death of a family member as defined below should notify the immediate Supervisor as soon as possible, with approval being granted by the appropriate Vice President. Approval of bereavement leave will occur in the absence of unusual operating requirements. Employees, with the approval of the appropriate Vice President, may use any available PTO for additional time off as necessary.

Bereavement leave for immediate family members will be used during the seven (7) calendar-day period beginning with the date of death, during the five (5) calendar-day period beginning with the date of death for near relatives and on the funeral day for other relatives.

In extenuating circumstances, such as when logistics delay the date of the funeral, an exception to the timing of the leave may be approved by the chief human resources officer.

Immediate family is defined as the employee's spouse, parent, child, sibling, stepparents, stepchildren, and domestic partners, as defined by the College.

Near relative is defined as the employee's grandparent, grandchild, brother-in-law, sister-in-law, mother-in-law, father-in-law, daughter-in-law, or son-in-law.

Other relatives may include the employee's aunt, uncle, first-cousins, nieces, or nephews.

Jury Duty

Upon submission of a Jury Duty summons and verification of attendance for Jury Duty. Jury Duty service will be paid by the College upon approval from the President. Compensation received from jury duty, less travel expenses, received by the employee must be either signed over to the College or the amount received will be deducted from the next paycheck. There will be no charge to the employee's PTO for these days.

Military Leave under USERRA

The College will comply with the regulations of the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 and any applicable laws in Pennsylvania as they relate to military/uniformed service.

Effective Date	Motion Number	Document Author	Description of Change
8/28/2018	EXEC 1014-2018	Human Resources	Clarify language regarding PTO taken after College closing/delay; time off request period
6/27/2017	EXEC 1015-2017	Human Resources	Added closing information and a clarification for Bereavement Leave
6/29/2011	EXEC 1006-2011	Human Resources	Bereavement Leave Change
6/10/2008	EXEC 1008-2008	Human Resources	Revised Employee PTO
5/01/2010	Policy # 211	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1009-2015
	Mandatory Reporting	Effective Date	6/23/2015
		Responsible Department	Human Resources
		Attorney Review / Date	David Andrews 1/13/15

SCOPE

This document is intended to outline the College's policy regarding mandated reporting of concerning behaviors, discrimination, harassment, and crimes, by employees. It explains briefly the meaning and purpose of mandatory reporters, outlines the legal context, and articulates a straightforward set of guidelines for all employees to follow. This mandatory reporting policy reflects requirements found in the Clery Act, Title VII, Title IX, and Act 33 of PA 23 PA.C.S.

POLICY

The College has decided to adopt a policy that defines all employees as mandatory reporters. Reporting is required regardless of whether the discrimination or abuse involves students, faculty, staff, or visitors to the College.

Act 33 of PA 23 PA.C.S.

An employee that is required to make a report to the state regarding suspected child abuse must do so immediately utilizing the ChildLine Statewide toll free telephone number 800-932-0313 and may contact the Colleges Title IX Coordinator or Deputy Coordinator who can assist in this process. At no time should a report to ChildLine be delayed by an employee's inability to contact a Title IX Coordinator or Deputy Coordinator.

Licensed counselors acting on behalf of the institution are required by law to report any and all incidents where they have reasonable cause to suspect that a child is a victim of child abuse.

Title IX & Title VII

If you learn about an alleged act of sexual harassment, discrimination, or sexual assault you are expected to promptly contact the Colleges Title IX Coordinator, or the Office of Security and Safety or one of the Colleges Title IX Deputy Coordinators. These persons will work with you to ensure the safety of the identified victim and assist in the completion of an incident report. All such behaviors may be reported in person, via email or telephone and subsequently reported utilizing the Colleges Report a Concern form located on the Security and Safety webpage.

When reporting sexual harassment or discrimination or sexual assault, a College employee may initially be able to omit personally identifiable information (the name of the victim, the name of the accused individual, and other identifying details about witnesses, location, etc.). The Title IX Coordinator will guide you with regard to how much detail is needed in an initial report. Subsequent to an initial


report, campus officials may need additional information in order to fulfill the College's obligations under Title IX. In taking these subsequent actions, the College will always be guided by the goals of empowering the victim and allowing the victim to retain as much control over the process as possible, but no employee (other than licensed counselors acting on behalf and authority of the institution) can or should promise confidentiality. Licensed Counselors are voluntary reporters, not mandated by law, but College policy creates an expectation to report non-personally identifiable information.

Clery Act

The Clery Act requires reporting of 15 serious crimes, including sexual assault. Employees are expected to report crimes covered by the Clery Act to the Office of Security and Safety without delay. Employees may choose but are not required to provide personally identifiable information (the name of the victim, the name of the accused individual, and other identifying details about witnesses, specific location, etc.) unless a clear threat to health or safety is present, as determined by the Office of Security and Safety. Employees may make these reports in person, via email or telephone to the Office of Security and Safety and are encouraged to utilize the Colleges Report a Concern form located on the Security and Safety webpage.

The Clery Act does not establish an obligation for the Office of Security and Safety to conduct an investigation of the reported crime, only to report the crime as a statistic following Clery Act guidelines. In some cases, the Office of Security and Safety may also be required to release a timely warning to the community about a threat to the community. In such cases, an initial investigation or determination of the nature of the threat may be conducted, after which a warning will be issued immediately.

Effective Date	Motion Number	Document Author	Description of Change
6/23/2015	EXEC 1009-2015	April Renzi / Trish Corle	Initial Release

	PROCEDURE	Motion No.	N/A
	Motor Vehicle Record Evaluation	Effective Date	07/11/2017
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

The College will obtain and evaluate motor vehicle records as part of the approval process for an employee who operates a College owned, leased or rented vehicle for any reason, including transportation of students in accordance with the Student Transportation Policy. Motor vehicle records will be checked every three years and in conjunction with any involvement in an accident. The following guidelines are used when evaluating a motor vehicle record.

Based on accident/violation history, an individual's driving record becomes unacceptable if one or more of the following exists:

- Three or more accidents (regardless of fault) in the last three years.
- One or more Type A violations in the last three years.
- Any combination of accidents and Type B violations, which equal four or more in the last three years.

Designation of Type A and Type B violations are based on a survey of state point systems. Violations receiving the higher number of points are classed as Type A.

Type A Violations

- Driving while intoxicated.
- Driving under the influence of drugs.
- Negligent homicide arising out of the use of a motor vehicle.
- Using a motor vehicle for the commission of a felony.
- Aggravated assault with a motor vehicle.
- Permitting an unlicensed person to drive.
- Reckless driving.
- Speed Contest.
- Hit and run (BI and PD) driving.

Type B Violations

- All moving violations not listed as Type A violations.

These guidelines will be uniformly applied to all drivers. If an employee's motor vehicle record is classified as unacceptable per the above guideline, he or she will not be permitted to operate a College owned, leased or rented vehicle. This restriction may prevent a candidate for employment from being hired if driving is listed as an essential function of the position for which he or she has applied.

Effective Date	Motion Number	Document Author	Description of Change
07/11/2017	N/A	Human Resources	Initial Release

Procedures are NOT Board approved.

Driving Record Release – Existing Employee

I understand that driving a company-owned, leased or rented vehicle is a part of the position I currently hold and that having and maintaining a satisfactory driving record is a prerequisite to fulfilling this duty. I agree to allow Pennsylvania Highlands Community College (PHCC) to check my driving record upon receipt of this authorization and to check it periodically thereafter. I further agree to report to my supervisor immediately any license suspensions, serious accidents or offenses, or any other condition that may affect my ability to drive a PHCC vehicle.

I understand that PHCC will use this information for employment purposes only and not furnish this information to a third party without my written consent.

I agree to release PHCC, its employees and those who supplied the company with the information from any liability for any damage that may result from furnishing the requested information.

Print Name

Date of Birth


Driver's License Number

State of License

Signature

Date



	POLICY	Motion No.	EXEC 1026-2012
	Part-Time Teaching by Administrative Staff	Effective Date	10/23/2012
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

The purpose of this policy is to provide information and guidance to full-time employees of the College who are interested in teaching courses at Pennsylvania Highlands Community College.

POLICY

All full-time employees of the College who do not hold faculty positions are not permitted to teach classes during the regular business hours (8:00am-4:30pm) of the College. Exceptions may be made in cases of dire emergency but these exceptions must be approved by the President.

Full-time employees of the College who do not hold faculty positions will be permitted to teach Academic and Career Planning (ACP) classes during the day provided (1) they have the permission of their immediate supervisor to do so, (2) have made appropriate arrangements such that their regular work assignment is not impaired in any way, and (3) they have been trained to teach ACP in a manner that conforms to the expectations of the faculty in charge of the ACP curriculum.

Non-faculty full-time employees of the College may accept teaching assignments in the evenings or online provided they have the permission of their supervisor to do so and provided the teaching assignment does not interfere with their regular work assignments.

Teaching assignments and limits will be assigned according to the Collective Bargaining Agreement held between the College and the faculty union.

Effective Date	Motion Number	Document Author	Description of Change
8/25/17			Changed FYE course name to Academic and Career Planning (ACP)
4/05/2017			Editorial Changes
10/23/2012	EXEC 1026-2012	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1025-2017
	Personnel Files	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Attorney Review/Date	[Attorney Name] [Date]

SCOPE

The purpose of this policy is to establish a method by which employees can access the records housed in their personnel files.

POLICY

Personnel files are the property of the College and are maintained in Human Resources.

Active employees may inspect their personnel file by scheduling an appointment with a Human Resources employee during regular business hours. Material in a file may be copied by the individual employee, but nothing can be removed. Employees may request to have their written comments/rebuttal regarding any document in the file to be placed in the file.

Active employees may only inspect their personnel files in the presence of the chief human resources officer or designee.

Employees who inspect their personnel files will be required to complete a Personnel File Inspection Form to be included in the file.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1025-2017	Human Resources	Needed Board approval
5/01/2010	223	Human Resources	Possible Initial Release

	POLICY	Motion No.	EXEC 1013-2013
	Professional Development and Continuing Service Requirement	Effective Date	8/27/2013
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

This establishes policy pertaining to the College's professional development and reimbursement. The College encourages employees to enhance knowledge and skills and to network with other professionals, thus improving potential for future opportunities. The College recognizes that for development purposes, employees may need to attend training seminars or workshops conducted off-site that will enable them to remain abreast of best practices in their respective fields. Thus, the purpose of this policy is to outline institution parameters and continuing service requirements for external specialized training. Please note that this policy is subject to annual college budgets established for professional development.

POLICY

The work performance of an employee is a vital key to the success of our College. Providing professional development to our employees is an investment in their careers and the College's future. In support of this program, the College offers professional development benefits to full-time administrative employees who have been employed by the College for 6 months.

Employees may be permitted to attend off-site seminars, conferences, or workshops annually that will be paid for by the College. The training event to be attended must have a direct relationship to the job the employee performs. It is the employee's responsibility to seek out the training mediums that will enhance his or her career development and are in line with the College's mission.

For work scheduling purposes, the employee's request for attendance should be received at least one month in advance of the training, and the employee's department director must approve the request.

The College reserves the right to determine which training functions are in the best interests of the College, its future planning and direction. Thus, the College's senior level administration will review all request for external training, determine priorities and approve or disapprove requests based on the College's annual budget established for these programs.

The administrative employee must continue his or her employment with the College after benefiting from this specialized training for a minimum of one year from the last day of training or the administrative employee shall be obligated to repay in full the amount of reimbursement when employment ends if that training is valued at \$2500.00 or more.

Any full-time administrative employee who is dismissed after attending specialized training will be required to reimburse the College if training was within the last year of employment.

The employee will sign a written authorization to permit deduction from his or her paycheck if money is owed from professional development payments by the College when the employee leaves employment with the College. The written authorization will be signed by the employee at the time professional development funds are requested from the College by the employee. If the amount owed to the College exceeds the full amount of his or her last paycheck, the employee will be required to make payment on the difference prior to his or her last day of employment.

If an employee initially elects to contribute 50% of the cost of the training when the training is valued at \$2,500 or more, the employee will not be required to pay the remaining 50% to the College, if the employee chooses to terminate employment within the minimum of one year from the last day of training requirement.

Signed authorizations will be retained in the Payroll department. The written authorization form can be found on the college portal.

Effective Date	Motion Number	Document Author	Description of Change
8/27/2013	EXEC 1013-2013	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1026-2017
	Selection of Employees	Effective Date	6/27/2017
		Responsible Department	Human Resources
		Attorney Review/Date	[Attorney Name] [Date]

SCOPE

This establishes the selection and appointment policy for all staff and faculty positions, including newly established positions, continuing, term, or temporary positions.

POLICY

College personnel shall be selected on the basis of education, training, experience, ability to work with others, and demonstrated competence.

Equal Opportunity and Affirmative Action and the Americans with Disabilities Act shall be an essential ingredient of all search and selection procedures developed to implement this policy.

It is the policy of this College that the Board of Trustees selects and appoints the President of the College. The President is then responsible for the selection and appointment of all other staff of the College. The President may choose to delegate some of this responsibility to other staff as appropriate.

Nepotism

The College will not hire relatives of full-time or part-time staff members to work in an area that would result in being supervised or doing the supervising of a relative. In addition, relatives of current employees may not be hired into specific positions which are confidential in nature which includes but is not limited to Human Resources, confidential assistant positions, and the business office.

Effective Date	Motion Number	Document Author	Description of Change
6/27/2017	EXEC 1026-2017	Human Resources	Needed Board approval
5/01/2010	201	Human Resources	Possible Initial Release

	POLICY	Motion No.	EXEC 1005-2020
	Social Media	Effective Date	03/24/2020
		Responsible Department	Human Resources
		Attorney Review / Date	J. Tuite 12/18/19

SCOPE

This Social Media Policy defines guidelines for use of social media by employees and the consequences if these guidelines are not followed. This Policy applies to all forms of social media and to all information communicated or posted through professional or personal channels. Examples of social media sites include Facebook, MySpace, LinkedIn, YouTube, Twitter, Instagram, Snapchat, wikis, blogs, or other publicly accessible online forums or discussion boards.

This Policy applies to all personnel employed by Pennsylvania Highlands Community College, including management, all temporary employees, interns, and anyone else under the direction and control of the College.

POLICY

General Guidelines:

The College recognizes that the use of social media is an important tool in the lives of employees, students, and the general population. Additionally, just as all employees are the day-to-day ambassadors for the College, employees are also social media ambassadors; all content that employees share reflects, even unintendedly, on Pennsylvania Highlands Community College.

The College also recognizes that there are inherent risks with social media usage. The College encourages employees to use social media responsibly and in accordance with the mission and values of the College. Employees are reminded that due to the nature of technology, individuals do not have an expectation of privacy on social media sites. Therefore, employees are expected to use good judgement if interacting with students or colleagues via social networking websites, and if posting information about the College or their employment on social media sites.

Employees should review the following guidelines before posting any information on social media sites:

- Employees must not post messages on behalf of the College unless doing so is within the scope of their job duties and is authorized to do so by the appropriate supervisor. Employees who are posting about the College, and not on behalf of the College, should include language that makes it clear that the views are their own and not those of the College.
- Employees may not post any financial, confidential, sensitive, or proprietary information about the College or its students, prospective students, employees, alumni, donor, or Trustees, unless doing so is within the scope of his/her job duties and the post has been approved by your supervisor or by the President.

- Employees must not post derogatory, untrue, or inflammatory comments about students, prospective students, colleagues or former colleagues, alumni, donors, and Trustees.
- Employees may not violate any other College policies, including but not limited to College policies regarding discrimination, harassment, bullying, and/or privacy.
- Employees are required to comply with the Family Educational Rights and Privacy Act, 20 U.S.C 1232g; 34 C.F.R. Part 00 ("FERPA"), including but not limited to during use of social media.

Violations of these Guidelines:

The College reserves the right to monitor content on the internet. Employees who violate this Social Media Policy may be required to remove posted content and may be subject to disciplinary action, up to and including discharge.

Violations of this policy can be reported to Human Resources or the College President so that the College can take corrective action if necessary.

Effective Date	Motion Number	Document Author	Description of Change
03/24/2020	EXEC 1005-2020	Human Resources	Initial Release

	POLICY	Motion No.	EXEC 1002-2020
	Termination or Suspension of Employment	Effective Date	01/28/2020
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

The purpose of this policy is to provide information and guidance to employees whose employment is terminated or suspended because of cause, resignation, job abandonment, elimination of the position held, or reduction in staff.

This policy does not confer any contractual right, either express or implied, to remain in the College's employ. Nor does it guarantee any fixed terms and conditions of employment. Employment is not for any specific time and may be terminated at will, with or without cause and without prior notice, by the College or you may resign for any reason at any time. No representative of the College (except the President and/or Board of Trustees) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

POLICY

Termination or Suspension

The College's progressive discipline procedures are designed to provide a structured corrective action process to improve performance and prevent a recurrence of undesirable employee behavior and/or policy violation. The steps available in the College's progressive discipline procedure are, in order of severity: Verbal Warning, Written Warning, Final Warning, Suspension, and Termination. The College reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling, or training, the employee's work record, and the impact the conduct and performance issues have on the organization.

The President or designee shall have the authority to dismiss or to suspend any employee, with or without pay, providing such action does not violate the rights of the protected classes under Title VII, ADEA, ADA, or other applicable laws. Title VII prohibits discrimination on the basis of race, color, religion, national origin, and gender; ADEA prohibits age discrimination; ADA protects against disability discrimination. Such action by the President may be the result of a violation of College policy, regulation or work-related state/federal law, procedure, directive, absenteeism, or other work-related reason. For employees participating in collective bargaining units, the current contract applies.

Resignation

Staff may submit a resignation to their immediate supervisor. Resignations should be given two weeks prior to the last expected day of employment.

Job Abandonment

An employee who fails to report for work and fails to notify his/her immediate supervisor or Vice President of the reason for absence from work for three (3) consecutive workdays will be considered to have abandoned his/her job. The employee is deemed to have quit and will be terminated immediately.

An appeal may be made in writing to the immediate supervisor. If the College determines that there were extenuating circumstances for the absence and failure to notify, the employee may be reinstated by decision of the College.

Elimination of Position or Reduction in Administrative Staff

Salary continuance is available to administrative employees whose positions are eliminated or for those whose employment is terminated to meet College staff reduction objectives. The College may modify or terminate the provisions of this policy at any time without prior notice.

An employee is eligible for salary continuance if, at the time the position is eliminated or a staff reduction occurs, the employee:

- holds a regular budgeted non-faculty full-time position, and
- is an active employee.

An employee is not eligible for salary continuance if he/she works less than full-time, has a temporary appointment, or was hired into a position with a defined termination date.

If an employee is otherwise eligible for salary continuance under this policy but elects not to sign and submit a valid separation agreement releasing the College from legal claims arising out of his/her employment, then no salary continuance payment will be made.

If the employee elects to submit such a release, a payment equal to four (4) weeks of salary, calculated at the current base weekly rate, will be paid in accordance with the terms and conditions of the separation agreement. The separation date on record will be the actual last day worked.

Severance Benefits for Elimination of Position or Reduction in Administrative Staff:

Paid Time Off: Payment will be made for accrued and unused PTO hours up to the maximum allowed by the governing PTO policy. No retirement contribution will be made on this payment.

Retirement Plan: The College will make retirement contributions on the severance payment.

Medical, Dental and/or Vision Coverage: Medical, Dental, and Vision coverage will terminate on the last day of work (separation date). Employees and dependents are eligible within the provisions of COBRA to continue coverage if desired. Continuation can be for up to 18 months following separation from the College by electing COBRA coverage at the time of termination. Unless otherwise declared by law, under COBRA the employee pays 102% of the

premium for each type of coverage selected for continuation. Eligibility to continue coverage terminates on the date a former employee becomes covered under another group medical, dental and/or vision plan.


Life Insurance Plan: An employee may convert all or part of his/her group life insurance to an individual policy without providing proof of good health. The employee should contact Human Resources for complete details regarding the conversion feature.

Long-Term and Short-Term Disability Insurance Plans: Coverage under the College's Long-Term and Short-Term Disability Insurance Plans will end on the actual last day of work.

Tuition Waiver: If an employee or his/her eligible dependent(s) is currently attending Pennsylvania Highlands Community College, any existing tuition waiver will be continued for the remainder of the current semester.

Rehire: A former employee may apply for any available position for which she/he is qualified based on educational background, skills, and experience. No guarantee of preference or re-hire is made.

Effective Date	Motion Number	Document Author	Description of Change
01/28/2020	EXEC 1002-2020	Human Resources	Separation date; language clean up
6/27/2017	EXEC 1027-2017	Human Resources	Needed Board Approval
5/01/2010	222	Human Resources	Possible Initial Release

	POLICY	Motion No.	EXEC 1016-2022
	Title IX	Effective Date	08/16/2022
		Responsible Department	Student Services/Safety & Security/Human Resources
		Attorney Review / Date	N/A

**Pennsylvania Highlands Community College
Title IX Policy: Non-Discrimination, Harassment, Retaliation on the Basis of Sex**

Rationale for Policy

Pennsylvania Highlands Community College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, Pennsylvania Highlands Community College has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of sex, and for allegations of retaliation.

Pennsylvania Highlands Community College values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

Applicable Scope

The core purpose of this policy is the prohibition of discrimination on the basis of sex. Sometimes discrimination involves exclusion from activities, such as admission, athletics, or employment. In the case of sex-based discrimination, this can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. The policies of Pennsylvania Highlands Community College are written and interpreted broadly to include online and cyber manifestations of any of the prohibited behaviors. The Pennsylvania Highlands Community College's resolution process will be utilized for alleged violations of the Policy on Non-Discrimination, Harassment, Retaliation on the Basis of Sex.

When the Respondent is a member of the Pennsylvania Highlands Community College community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the Pennsylvania Highlands Community College community. This College community includes, but is not limited to, students, student organizations, faculty, administrators, and staff. Visitors are not part of the college community; however, they are both protected by and expected to abide by this policy. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

For the purposes of this policy, the following definitions apply:

- *Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination on the basis of sex; or retaliation for engaging in a protected activity.
- *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination on the basis of sex; or retaliation for engaging in a protected activity.

Title IX contact information

1) Title IX Coordinator

The Vice President of Student Services serves as the Title IX Coordinator and ADA/504 Coordinator and oversees implementation of the Pennsylvania Highlands Community College's policy on Non-Discrimination, Harassment, Retaliation on the Basis of Sex.

The Title IX Coordinator has the primary responsibility for coordinating Pennsylvania Highlands Community College's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Title IX Coordinator, contact the Pennsylvania Highlands Community College President, at 814-262-3820 or via email at president@pennhighlands.edu. Concerns involving bias, conflict of interest, misconduct, or discrimination by any other Title IX Team member should be raised with the Title IX Coordinator.

2) Administrative Contact Information

Complaints or notice of alleged policy violations, or inquiries about/concerns regarding this policy and procedures, may be made internally to:

Title IX Coordinator
Pennsylvania Highlands Community College
101 Community College Way
Johnstown, PA 15904
Phone: 814.262.3841
Email: TitleIXCoord@pennhighlands.edu

Pennsylvania Highlands Community College has also classified all employees as Mandated Reporters of any knowledge they have that a member of the college community is experiencing harassment, discrimination, and/or retaliation under this policy. The section below on Mandated Reporting details which employees have this responsibility and their duties, accordingly.

3) Complaints may also be discussed with the following:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

For complaints involving employees:

Pittsburgh Office of the Equal Employment Opportunity Commission
William S. Moorhead Federal Building
1000 Liberty Avenue, Suite 1112
Pittsburgh, PA 15222
Phone: 1.800.669.4000
Fax: 1.412.395.5749
info@eeoc.gov

4) How to report/file a complaint

Notice and Complaints of Discrimination, Harassment, and/or Retaliation

Reporting and providing notice are different from filing a complaint. A report is defined as notification of an incident of sexual misconduct to the Title IX Coordinator/designee by any responsible employee or reporting person. Filing a complaint initiates the formal resolution process.

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- a. File a complaint with, or give verbal notice to, the Title IX Coordinator, Title IX Investigator, and/or Title IX Deputy Coordinators.

Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

- b. Report online, using the reporting options posted at:

<https://www.pennhighlands.edu/student-life/security-safety/report-an-incidentconcern/>

Anonymous reports are accepted using these options. Pennsylvania Highlands Community College tries to provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as the Pennsylvania Highlands Community College respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows the Pennsylvania Highlands Community College to discuss and/or provide supportive measures.

- c. Report using the reporting hotline at 1.800.401.8004.

A formal complaint means a document filed/signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that the Pennsylvania Highlands Community College investigate the allegation(s). As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the Pennsylvania Highlands Community College) that contains the Complainant's physical or digital signature or otherwise indicates that the Complainant is the person filing the complaint.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly. There is no time limitation on providing notice/complaints.

Mandated Reporting

All Pennsylvania Highlands Community College employees (faculty, staff, administrators) are required to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at Pennsylvania Highlands Community College for a Complainant or third-party (including parents/guardians when appropriate):

1. Confidential Resources

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- Counselor located in Student Success, Richland Campus
- Off-campus counselor (non-employees)
- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

Campus counselors are available to help free of charge and may be consulted on an emergency basis during normal business hours.

2. Mandated Reporters and Formal Notice/Complaints

All employees of Pennsylvania Highlands Community College (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment or discrimination of which they become aware is a violation of Pennsylvania Highlands Community College policy and can be subject to disciplinary action for failure to comply.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

Supportive Measures

Pennsylvania Highlands Community College will offer and implement appropriate and reasonable supportive measures to all parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the Pennsylvania Highlands Community College's education program or activity, including measures designed to protect the safety of all parties or Pennsylvania Highlands Community College's educational environment, and/or deter harassment, discrimination, and/or retaliation.

Promptness

All allegations are acted upon promptly by Pennsylvania Highlands Community College once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the Pennsylvania Highlands Community College will avoid all undue delays within its control.

Privacy

Every effort is made by Pennsylvania Highlands Community College to preserve the privacy of reports. Pennsylvania Highlands Community College will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any

Complainant, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Jurisdiction

This policy applies to the educational programs and activities of Pennsylvania Highlands Community College, to conduct that takes place on the campus or on property owned or controlled by Pennsylvania Highlands Community College, at Pennsylvania Highlands Community College-sponsored events, or in buildings owned or controlled by Pennsylvania Highlands Community College's recognized student organizations. The Respondent must be a member of Pennsylvania Highlands Community College's community for its policies to apply.

Pennsylvania Highlands Community College may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial Pennsylvania Highlands Community College interest.

Free Expression and Academic Freedom

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. Pennsylvania Highlands Community College's Non-Discrimination, Harassment, Retaliation on the Basis of Sex policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under Pennsylvania Highlands Community College Non-Discrimination, Harassment, Retaliation on the Basis of Sex policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of Pennsylvania Highlands Community College policy, though supportive measures will be offered to those impacted.

1. Discriminatory Harassment

Discriminatory harassment constitutes a form of discrimination that is prohibited by Pennsylvania Highlands Community College policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law.

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities.

When discriminatory harassment rises to the level of creating a hostile environment, Pennsylvania Highlands Community College may also impose sanctions on the Respondent through application of the Non-discrimination, Harassment, Retaliation on the Basis of Sex grievance process.

2. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the Commonwealth of Pennsylvania regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

Pennsylvania Highlands Community College has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

- a. Conduct on the basis of sex that satisfies one or more of the following:
 - i. Quid Pro Quo:
 1. an employee of the Pennsylvania Highlands Community College, conditions the provision of an aid, benefit, or service of the Pennsylvania Highlands Community College, on an individual's participation in unwelcome sexual conduct; and/or
 - ii. Sexual Harassment:
 1. unwelcome conduct, determined by a reasonable person, to be so severe, and pervasive, and, objectively offensive, that it effectively denies a person equal access to Pennsylvania Highlands Community College's education program or activity.
 - iii. Sexual assault, including:
 1. Sex Offenses, Forcible
 2. Forcible Rape
 3. Forcible Sodomy
 4. Sexual Assault with an Object
 5. Forcible Fondling
 6. Sex Offenses, Non-forcible
 - a) Incest
 - b) Statutory Rape

3. Dating Violence, defined as:

Violence, on the basis of sex, committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to:

- Sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

4. Domestic Violence, defined as:

A pattern of behavior involving the use or attempted use of physical, sexual, verbal, psychological, economic, or technological abuse, or any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, by a person who is:

- a current or former spouse or dating partner of the Complainant or other person similarly situated to a spouse of the victim, or
- a person with whom the Complainant shares a child in common, or
- a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or dating partner, or
- an adult family member of, or paid or unpaid caregiver in an ongoing relationship of trust with, a complainant aged 50 or older or an adult complainant with disabilities, or
- a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Pennsylvania, or
- any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Pennsylvania

5. Stalking, defined as:

Engaging in a course of conduct, on the basis of sex, directed at a specific person, that:

- would cause a reasonable person to fear for the person's safety, or
- the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition,

- course of conduct means two or more acts including, but not limited to,
- acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances
- and with similar identities to the Complainant.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power.

The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome.

Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable policies.

The college does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the college. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student, supervisor-supervisee) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical; therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or shift the student or employee out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

Consent

As used in the offenses above, the following definitions and understandings apply:

Consent is:

- knowing, and voluntary, and clear permission by word or action to engage in sexual activity.

*The Commonwealth of Pennsylvania does not specifically define "consent."

Force

Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you", "Okay, don't hit me, I'll do what you want").

Coercion

Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Incapacitation

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

Retaliation

It is prohibited for Pennsylvania Highlands Community College or any member of Pennsylvania Highlands Community College's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. Pennsylvania Highlands Community College is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

Amnesty for Complainants and Witnesses

The Pennsylvania Highlands Community College community encourages the reporting of misconduct and crimes by Complainants and witnesses. To encourage reporting and participation in the process, Pennsylvania Highlands Community College maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Additionally, Pennsylvania Highlands Community College maintains a policy of amnesty for students who offer help to others in need. While policy violations cannot be overlooked, the Pennsylvania Highlands Community College may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

Formal Resolution Process

Pennsylvania Highlands has established procedures related to the requirements of 34 CFR Part 106.45 *Grievance process for formal complaints of sexual harassment*. These processes/procedures can be further reviewed at this link:

<https://www.pennhighlands.edu/title-ix-policy/>

or by contacting the Title IX Coordinator.

Burden of proof

Burden of proof refers to whom has the responsibility of showing a violation has occurred. It is always the responsibility of Pennsylvania Highlands Community College to satisfy the burden of proof. The respondent does not have the burden to prove that a violation did not occur.

Standard of Proof

Pennsylvania Highlands Community College uses the preponderance of the evidence standard in investigations of complaints alleging violations of this policy and any related violations.

This means that the investigation determines whether it is more likely than not that a violation of the policy occurred.

Resolution following notice and/or filing of formal complaint

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator engages in an initial assessment, which is typically one to five business days in duration.

The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process if they so choose. The parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Pennsylvania Highlands Community College will initiate at least one of three responses:

1. Offering supportive measures because the Complainant does not want to proceed formally; and/or
2. An informal resolution; and/or
3. A Formal Grievance Process including an investigation and a hearing.
 - If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution and may seek to determine if the Respondent is also willing to engage in informal resolution.

Informal Resolution can include three different approaches:

- 1) When the parties agree to resolve the matter through an alternate resolution mechanism;
 - 2) When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process; or
 - 3) When the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.
- If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the alleged misconduct falls within the scope of Title IX. If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address an incident, and/or a pattern of alleged misconduct, and/or a culture/climate issue, based on the nature of the complaint.

This process will include:

- 1) A notification of investigation and allegations to all parties.
- 2) Appointment of trained investigators.
- 3) Appointment of Decision Maker(s).
- 4) Interviewing of Complainant, Respondent, and all relevant witnesses.
- 5) Creation of final investigative report.
- 6) Referral for hearing where applicable.
- 7) Live recorded hearing with cross examination of all parties.
- 8) Appointment of Appeals Officer.
- 9) Appeal.

Please review the Pennsylvania Highlands Community College *resolution process* for alleged violations of the Policy on Non-Discrimination, Harassment, Retaliation on the Basis of Sex found at <https://www.pennhighlands.edu/title-ix-policy/> or by contacting the Title IX Coordinator.

The investigation and grievance process will determine whether the Policy has been violated. If so, Pennsylvania Highlands Community College will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

If it does not, the Title IX Coordinator determines that Title IX does not apply and will “dismiss” that aspect of the complaint and assesses which policies may apply. Dismissing a complaint under Title IX is procedural and does not limit Pennsylvania Highlands Community College’s authority to address a complaint with the appropriate process and remedies.

Pennsylvania Highlands Community College must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Policy hereinabove, even if proved; and/or
2. The conduct did not occur in an educational program or activity controlled by the Pennsylvania Highlands Community College (including buildings or property controlled by recognized student organizations), and/or the Pennsylvania Highlands Community College does not have control of the Respondent; and/or
3. The conduct did not occur against a person in the United States; and/or
4. At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of the Pennsylvania Highlands Community College.

Sanctioning

Upon a finding that a violation has occurred, Pennsylvania Highlands Community College has the authority to impose sanctions upon the respondent. The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by external authorities.

Student sanctions may include:

- Warning
- Required Counseling
- Probation
- Suspension
- Expulsion
- Organizational Sanctions
- Other Actions

Employee sanctions may include:

- Warning – Verbal or Written
- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Demotion
- Suspension with pay
- Suspension without pay
- Termination

Appeals

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within 5 business days of the delivery of the written finding of the Decision-maker. Any party may appeal the findings only under the grounds described below.

An Appeal Decision-maker will be designated by the Title IX Coordinator. Any party may appeal, but appeals are limited to the following grounds:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, failure to correctly apply the evidentiary standard).
- To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
- The sanctions-imposed fall outside the range of sanctions the Recipient has designated for this offense and the cumulative record of the Respondent.

Record Keeping

Pennsylvania Highlands Community College will maintain for a period of seven years, records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the Pennsylvania Highlands Community College's education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. Pennsylvania Highlands Community College will make these training materials publicly available on Pennsylvania Highlands Community College's website, and
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
 - a. The basis for all conclusions that the response was not deliberately indifferent;
 - b. Any measures designed to restore or preserve equal access to the Pennsylvania Highlands Community College's education program or activity; and
 - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Pennsylvania Highlands Community College will also maintain any and all records in accordance with state and federal laws.

Process/Procedures can be found on our website at:

<https://www.pennhighlands.edu/title-ix-policy/>

Effective Date	Policy Number	Document Author	Description of Change
08/16/2022	EXEC 1016-2022	Student Services/Safety & Security/Human Resources	Revised definition of "domestic violence"
08/18/2020	EXEC 1012-2020	Student Services/Safety & Security/Human Resources	Complete policy change due to federal guidelines
05/09/16			Title Changes
12/11/2012	EXEC 1031 - 2012	April Renzi / Trish Corle	Initial Release

	POLICY	Motion No.	EXEC 1022-2014
	Video Surveillance	Effective Date	12/16/2014
		Responsible Department	Security and Safety
		Attorney Review / Date	[Attorney Name] [Date]

PURPOSE

To provide guidelines for surveillance camera installation, surveillance camera use, and the conditions under which images may be viewed.

POLICY

Pennsylvania Highlands Community College may employ video cameras for the purposes of deterring crime, assisting in criminal investigations, protection of the safety and property of the College and assisting in investigating violations of College policies. Video monitoring will be conducted in a professional, ethical, and legal manner.

Surveillance Camera Installation

The Director of Security and Safety oversees the placement of the video surveillance cameras at all College locations with approval of the chief financial officer. Video cameras will be installed in plain view. Signage indicating use of video surveillance will be placed at the main entrance of College facilities with video surveillance.

Video Surveillance Camera Use

- Video surveillance cameras may be used to monitor students, visitors, and employees in public areas.
- Video surveillance cameras may be used for after-the-fact investigation of crimes committed against the College and security incidents.
- Video surveillance cameras may be used to assist in the investigation of policy violations. Video surveillance is not intended to be used as a method of tracking the work habits or productivity of individual employees.
- Video surveillance cameras may be used to monitor facility conditions for maintenance purposes such as parking lot conditions or other facility activity.
- Video surveillance cameras are generally not used to observe employee work areas and are never used in areas where employees would have an expectation of privacy, such as restrooms or locker rooms.
- Video surveillance cameras will not be used as part of an employee's evaluation of work performance.

Video Surveillance Viewing

- Recorded video is not made directly available to employees or the general public. Requests to provide video recordings directly to the general public or employees will not be accommodated.
- Employees should report incidents to the Director of Security and Safety. If the

incident occurred in an area where video surveillance coverage is available, the Director of Security and Safety will review the recorded video and make a determination if any video relevant to the incident is available.

- This video will be used by appropriate senior administrators and/or law enforcement authorities to investigate and resolve the reported security incident. The chief financial officer or President must authorize in writing the use of video surveillance to investigate incidents involving employees.
- Limited video surveillance may be made available to Center Directors, the Executive Director of East Hills Recreation and public safety officials as appropriate.

Limitations of Video Surveillance Systems

Employees should be aware that a security officer is not monitoring the cameras most of the time and employees should not have an expectation that they are under continuous surveillance when they are in the range of a camera. Employees should also be aware that the video surveillance system has cameras that cover only a fraction of the total campus, and even when camera coverage exists, it may not provide the level of detail necessary to spot suspicious activity or identify criminals. The length of time video is stored is dependent on available disk space, generally about thirty days.

Effective Date	Motion Number	Document Author	Description of Change
12/16/2014	EXEC 1022-2014	Cregg Dibert/Lorraine Donahue	Initial Release

	POLICY	Motion No.	EXEC 1003-2021
	Whistleblower Policy	Effective Date	02/16/2021
		Responsible Department	Human Resources
		Attorney Review / Date	[Attorney Name] [Date]

SCOPE

The purpose of this policy is to deter and detect fraud or other illegal or unethical activity by establishing a confidential channel of communication by which employees can report activity that they reasonably consider to be illegal, dishonest, or in violation of College policies.

POLICY

Pennsylvania Highlands Community College is committed to the highest ethical standards and conducts its operations in compliance with federal and state laws and regulations and Board policy. As such, the College encourages employees to report allegations of internal wrongdoing and provides assurance they will be protected from retaliation if reported in good faith.

Wrongdoing may include, but is not limited to, the following: crimes or violations of the law or governmental regulations; purposeful violation of Board policy, fraud or financial irregularity; improper use of College funds, property, or assets; corruption, bribery, or blackmail; and harming College property.

Anyone filing a whistleblower report must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. This policy is not intended and should not be used for personal grievances. Allegations that prove to have been made maliciously or knowingly to be false will be viewed as a serious offense subject to discipline up to and including dismissal from employment.

The College will promptly investigate reports of possible internal wrongdoing and will take appropriate action against any employee found to have engaged in fraudulent or dishonest conduct. Appropriate action may include disciplinary action by the College and/or civil and criminal prosecution.

Parties interested in filing a whistleblower complaint should recognize that:

1. The information on how to file a whistleblower report can be found in the College's intranet and employee handbook.
2. The report should contain sufficient and detailed information so that an investigation can be conducted into the allegations.
3. Concerns may be submitted anonymously if the employee feels that it is the only way he or she can disclose the information safely. However, he or she is encouraged to reveal his or her identify so that an appropriate investigation can be conducted including follow-up questions. Anonymous whistleblowers must provide sufficient corroborating evidence to justify the commencement of an investigation. An investigation of

unspecified wrongdoing or broad allegations will not be undertaken without verifiable evidentiary support.

4. Whistleblower reports will be forwarded to the College President, the Chairperson of the Board of Trustees, and the chief human resources officer.
5. Reports and investigations will be kept confidential to the extent allowed by the circumstances and law. In general, whistleblower complaints will only be shared with those who have a need to know so that the College can conduct an effective investigation, determine what action is to be taken, if any, and, in appropriate cases, contact law enforcement personnel.
6. Should disciplinary or legal action be taken against a person or persons as a result of a whistleblower complaint, such persons may also have the right to know the identity of the whistleblower.
7. An employee who in good faith reports a suspected violation of law or College policy shall not suffer harassment, retaliation, or adverse employment consequence from other employees or the College. An employee who retaliates against someone who has reported a suspected violation in good faith is subject to discipline up to and including termination of employment. Whistleblowers who believe they have been retaliated against may file a written complaint with the chief human resources officer, the College President, and the Chairperson of the Board.

Effective Date	Motion Number	Document Author	Description of Change
02/16/2021	EXEC 1003-2021	HR/President's Office	Complete policy revision
05/06/16			Title Change
6/25/2013	EXEC 1009-2013	Human Resources	Initial Release