



College of the Mainland

2025-2026 Employee Handbook

If you have difficulty accessing the information in this document because of a disability, please
email: hr@com.edu

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Employee Handbook Receipt

Name _____

Campus/Department _____

I hereby acknowledge receipt of a copy of the College of the Mainland Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

College of the Mainland Share point (Human Resources section)

The information in this handbook is subject to change. I understand that changes in college policies may supersede, modify, or render obsolete the information summarized in this document. As the college provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that no modifications to contractual relationships or alterations of at-will employment relationships are intended by this handbook.

I understand that I have an obligation to inform my supervisor or department head of any changes in personal information such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the Human Resources Department if I have questions or concerns or need further explanation.

Signature

Date

Please sign and date this receipt and forward it to Human Resources.

Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all college policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Human Resources.

This handbook is neither a contract nor a substitute for the official college policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of college policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate college office. College policies can be accessed Online at www.com.edu.

College Information

Description of the College

Policies AA, AB, AC Series

Purpose, Role, Mission Statement, Goals, and Objectives

Policy AD

Board of Trustees

Policies BA series and BB series

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

The board of trustees is elected by the citizens of the college district to represent the community's commitment to a strong educational program for students. Board members are elected officials and serve six-year terms. Board members serve without compensation, must be qualified voters, and must reside in the college district.

Current board members include:

- Melissa Skipworth, Board Chair
- Kyle Dickson, Vice Chair
- Dr. Kimberly Dodson, Secretary
- Don Gartman
- Dr. William (Bill) McGarvey
- Wilma Clark Green
- Patti Hanssard

Board Meetings

Policies BD series

The board usually meets the fourth Monday each month at 1:30 p.m. in the COM Conference Center. Special and emergency meetings may be called when necessary. A written notice of regular and special meetings will be posted on the college website and posted at the central administrative office at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held or addition to the board agenda made with a one-hour notice.

The board meeting schedule, agendas, notices, and minutes are posted on the college website <https://meetings.boardbook.org/Public/Organization/2271>

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

Administration

Policies BF series and BG series

College Calendar

<https://www.com.edu/academic-calendar/index.html>

Helpful Contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed in the college directory.

Employment

Equal Employment Opportunity

Policies DAA series, DIAA, DIAB

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

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

The college designates and authorizes the following employee as the Title IX coordinator to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Teclesha Blanchard, JD., Director, Equal Opportunity & Title IX, 1200 North Amburn Road, Texas City, TX, (409) 933-8529, tblanchard5@com.edu.

For the purposes of this policy, College District officials are the ADA/Section 504 coordinators and the College President.

Job Vacancy Announcements

Policy DC

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

Employment after Retirement

Policy DC

An individual receiving retirement benefits from the Teacher Retirement System (TRS) may be employed by the college if the board determines that the employment is in the best interests of the college and the person has been retired for at least one full calendar month before the effective date of employment. An individual who retired under the Texas Optional Retirement

Program also may be rehired and is not subject to a waiting period. Failure to follow TRS rules may result in a reduction or loss of annuity.

Contract and Noncontract Employment

Policy DCA, DCB, DCC

College employees are either issued a contract, receive tenure, or are considered employed at will.

Term Contracts. Select employees, including faculty and administrators, will be employed by contract for a term of up to three years. The terms and conditions of employment are detailed in the contract and employment policies. All contract employees will receive a copy of their contract. Employment policies can be accessed Online or copies will be provided upon request.

At-Will Employment. Employees not issued a contract are considered to be employed at will. Employment is not for any specified term and may be terminated at any time by the employee or the college.

Recertification of Employment Authorization

Policy DC

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

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

Searches and Alcohol and Drug Testing

Policy CR, DHA

No investigatory searches in the workplace including accessing an employee's desk, file cabinets, work area, or college-owned technology to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the college reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if there is reasonable suspicion that an employee is under the

influence of alcohol or drugs in violation of college district policy. The college may search the employee, the employee's personal items, and work areas including college-owned technology resources, lockers, and private vehicles parked on college premises or work sites or used in college business. Disciplinary action, up to and including termination, may result if an employee refuses to submit to testing or is found to violate college policy.

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

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

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

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

Workload and Work Schedules

Policies DEA, DJ

Professional Employees. Faculty, administrators, and other professionals are exempt from overtime pay and are employed according to the work schedules set by the college. Notice of work schedules including start and end dates and scheduled holidays will be distributed each academic year.

Support and Auxiliary Employees. Support employees and some part-time professionals are considered nonexempt workers and receive notification of the required work schedule, hours of work, and holidays for their position on an annual basis. Nonexempt employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

Telework

Policy DJ

ADA Accommodations

Policies DAA, DBB

The college will provide reasonable accommodations to employees with a disability if the accommodation would allow the individual to perform the essential functions of their job, unless doing so would create an undue hardship. An employee or their supervisor may initiate a request for accommodation by contacting Human Resources and identifying an adjustment or change at work that is needed because of a disability. An employee also may submit a request to HR using the ADA Accommodation Request Form, which is available COM Share Point (Human Resources).

Upon receiving the reasonable accommodation request, HR will meet with the employee and conduct an informal, interactive discussion to identify an accommodation that will allow the employee to perform the essential functions of the job effectively. The college may request medical information concerning the employee's disability to assist in determining what accommodation(s) may be available and appropriate. The employee will be responsible for obtaining the information from their health care provider. Medical information received will be confidential and kept separate from the employee's personnel file.

After meeting with the employee and reviewing medical documentation, HR will determine whether the employee is a qualified individual with a disability and develop a reasonable accommodation plan for the employee. Accommodation will be determined on a case-by-case basis. HR will work closely with the employee and supervisor to ensure that reasonable accommodation is provided and effective.

Breaks for Expression of Breast Milk

Policies DG

COM is designated as a Texas Mother-Friendly Worksite. The college supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk.

The college provides a private location(s), that is not a bathroom, is shielded from view and free from intrusion, and is equipped for the purpose of milk expression. A nearby, clean, and safe water source, a sink for washing hands and rinsing out breast pump equipment, and a hygienic storage option for mothers to safely store breastmilk is also available.

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

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

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee notify the college if they believe the college is out of compliance in providing breaks for a nursing mother. The employee must give the college 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact Human Resources at (409) 933-8269 or hr@com.edu.

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) provides consideration of reasonable accommodations to qualified employees who have known mental or physical limitations related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions, unless the accommodation would result in undue hardship. An employee seeking a PWFA accommodation should contact Human Resources to begin the interactive process.

Pregnant and Parenting Students

Policy FFA

COM is the designated liaison for students who are pregnant or the parent or guardian of children under the age of 18 years old. Information and access to resources designed to help students successfully and timely complete a degree or certificate is available from the liaison. Pregnant and parenting students seeking a protection or accommodation should contact the liaison for assistance.

Outside Employment

Policy DBD, DBF

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the college. Disclosure is required at the beginning of the academic year or at any time during the year that the employee begins another job. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

Performance Evaluation

Policy DL series

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

Upon receiving a report, a nursing peer review committee may review a nurse's nursing services, qualifications, and quality of patient care, as well as the merits of a complaint concerning a nurse, and a determination or recommendation regarding a complaint. A nurse

may request, orally or in writing, a determination by the committee regarding conduct requested of the nurse believed to violate the nurse's duty to a patient.

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DE, DEA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The college's pay plans are reviewed by the administration each year and adjusted as needed. All college positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid annual salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek.

Faculty who teach courses in addition to a regular course load and exempt employees who perform supplemental duties may be paid a stipend in addition to their salary according to the college's stipend schedule.

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

Paychecks

All employees are paid monthly. Paychecks will not be released to any person other than the college employee named on the check without the employee's written authorization. Employees are responsible for regularly reviewing the accuracy of their pay statements and should contact the Payroll Department if they have any questions.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

Payroll Deductions

Policy CDDA

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

- Teacher Retirement System of Texas (TRS) or optional retirement program, or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)

- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable
- English proficiency course costs, if applicable

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; higher education savings plans or prepaid tuition programs; and parking fees and permits. Employees also may request payroll deduction for payment of club or recreational fees, eligible state employee organization membership fees, payments to credit union, and certain charitable contributions approved by the board. Salary deductions are automatically made for unauthorized or unpaid leave.

Overpayments. Employees are not entitled to any funds the college overpays. An overpayment occurs if an employee is paid more than the amount the employee should have been paid under the assigned pay grade and applicable supplemental pay.

If an overpayment is reported in the current fiscal year, a payment plan will be developed to recoup the payment. Generally, an overpayment should be paid in one pay cycle but if this creates an undue hardship for the employee, the college has the discretion to develop a plan for regular payroll deductions in the same fiscal year.

An agreement between an employee and the college must be in place in order to deduct any overpayment.

Overtime Compensation

Policies DEAB, DEC

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

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. Monday until 11:59 p.m. Sunday.

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time. Once the limit has been reached, the employee may be required to use the comp time or may receive overtime pay for additional hours.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee is required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and Vice President must give approval. For approved travel, employees will be reimbursed for reasonable and allowable expenses according to the current rate schedule established by the college. Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage. Expenses for meals associated with authorized travel not related to a state or federal grant will be paid on a per diem basis. No receipts are required for expenses paid on a per diem basis.

Health, Dental, and Life Insurance

Policy CKD

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

Employees should contact Human Resources for more information. For full-time employees, the college contributes 100 percent to the employee's premiums and 50 percent to the premiums of the employee's dependents. For part-time employees, the college contributes 50 percent to the employee's premiums and 25 percent to the employee's dependents.

Qualifying adjunct faculty may participate in the program, but the college will not contribute to the employee premiums. Tobacco users are subject to additional premiums that are not covered by the college.

The GBP includes medical, dental, term and accidental life, and short- and long-term disability insurance as well as one routine eye exam. The insurance plan year is from September 1

through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, birth, divorce). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Human Resources for more information.

Supplemental Insurance Benefits

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact Human Resources for more information.

Cafeteria Plan Benefits (Section 125)

Policy CDDA

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, accidental death and dismemberment, cancer and dread disease, dental, and additional term life insurance). A third-party administrator handles employee claims made on these accounts.

New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period.

Workers' Compensation Insurance

Policy CKE

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

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

All work-related accidents or injuries should be reported immediately to College of the Mainland Police Department and Human Resources. Employees who are unable to work

because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

Unemployment Compensation Insurance

Policy CKF

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year, including the summer break, if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Human Resources.

Retirement

Policy DF

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Employees enrolled as students are not eligible for membership based on their student employment.

Full-time faculty may choose to opt out of TRS and enroll in an optional retirement program (ORP). The option to enroll in the ORP must be made no later than the 90th calendar day of the first day of employment. Failure to elect the ORP during the 90-day election period shall be a default election into TRS.

An employee who is eligible to elect the ORP shall only have one opportunity during his or her lifetime, including any future periods of employment in Texas public higher education, to elect the ORP in lieu of TRS. The election may never be revoked. Therefore, new employees are urged to make this decision carefully.

Employees who plan to retire should notify Human Resources as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web (www.trs.texas.gov).

Other Benefit Programs

Policy DEB

Leaves and Absences

Policies CKD, DEC series, DED

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

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

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

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

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

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

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

Vacation

Policy DEC

Full-time employees in positions normally requiring 12 months of service and employed after June 30, 2012, shall earn vacation leave at the rate of eight hours per calendar month. After completing seven years of continuous service with the College District, eligible employees shall earn vacation leave at the rate of ten hours per calendar month. Employees hired on or before June 30, 2012, shall continue to earn vacation leave in accordance with the following:

- Full-time employees in positions normally requiring 12 months of service shall accumulate vacation leave at the rate of one and two-thirds day (13.3 hours) per calendar month of service, which shall equal 20 working days of vacation leave per year.
- Other benefits-eligible employees who are not employed on a full-time basis shall earn vacation leave on a prorated basis.

All accrued vacation leave over 240 hours shall be forfeited if not used by the end of the fiscal year unless an employee is prevented from taking vacation leave for the convenience of the College District. Exceptions to the forfeiture of vacation leave shall only be granted by the College President upon recommendation by the appropriate vice president. The maximum payout for accrued vacation leave shall be limited to 240 hours. An employee terminated for cause shall not be eligible to receive a payout for accrued vacation leave.

Holidays

Policy DED

Official holidays of the College District are as follows:

- January 1 (one day);
- Martin Luther King, Jr.'s Birthday (one day);
- Spring Holiday (one week);
- Memorial Day (one day);
- Juneteenth (one day);
- July 4 (one day);
- Labor Day (one day);
- Thanksgiving (two days); and
- Winter holidays (as determined by the administration).

Specific dates of holidays shall be detailed in the College District's calendar and shall be approved by the Board.

A full-time employee (FTE) who is unable to benefit from a College District holiday because his or her regular work schedule falls outside of a College District holiday shall be eligible to take another day off in lieu of the missed holiday. The employee shall seek prior approval from his or her supervisor regarding arrangements for the alternate day off.

Sick Leave

Full-time employees shall earn paid sick leave in accordance with administrative regulations and based on the date of hire. In general, the following shall apply:

- Employees in positions normally requiring nine months of service shall earn 72 hours per academic year.
- Employees in positions normally requiring ten and one-half months of service shall earn 84 hours per academic year.
- Employees in positions normally requiring 12 months of service shall earn 96 hours per academic year.

Sick leave shall accumulate to a maximum of 960 hours. Sick leave shall only be used for the following:

- Illness of the employee.
- Illness of a member of the employee's immediate family.
- Family emergency.
- Birth or placement of a child when taken within the first year after the child's birth, adoption, or foster placement.
- Contribution to the sick leave bank.

Personal Leave

Full-time employees shall earn 24 hours of paid leave per academic year to conduct personal business in accordance with administrative regulations. Personal leave shall be noncumulative.

Bereavement Leave

An employee shall be granted up to 24 hours of paid bereavement leave upon the death of a member of the employee's immediate family in accordance with administrative regulations. The employee shall provide appropriate documentation in accordance with administrative regulations. Bereavement leave shall be noncumulative.

Sick Leave Bank

The Sick Leave Bank is intended to help an employee who is suffering from a catastrophic illness or injury or who must be absent because an immediate family member is suffering from a catastrophic illness or injury. Leave contributed to the bank shall be solely for the use of participating employees.

In order to be eligible to participate in the College District's SLB, an employee must be employed in a benefit-eligible position and must contribute one day or eight hours of sick leave from his or her own available sick leave. The contribution will be prorated for an

eligible employee who is not considered a 100 percent full-time employee (FTE).

New employees must enroll within the first 30 days of employment. If a new employee does not elect to enroll in the SLB program within this period, he or she must wait until the next open enrollment period, September 1 through September 30, in order to participate.

New enrollees must satisfy a 90-day waiting period prior to being eligible to withdraw leave from the SLB. Existing employees not currently participating in the SLB may enroll only during the open enrollment period

The SLB will consist of hours voluntarily contributed to the pool by College District employees each fiscal year. The SLB Voluntary Contribution Form is available from the Human Resources Department.

An eligible employee:

- May not withdraw time from the SLB except in the case of catastrophic illness or injury of the employee or the employee's immediate family;
- May request and be granted at least five days, up to a maximum of 20 days, equal to that of his or her employment status per fiscal year;
- Will be given a maximum number of five days equal to that of his or her employee status in order to attend to the affairs of a deceased member of his or her immediate family; and
- May receive no more than the lesser of a lifetime total maximum of 90 working days or one-third of the total time in the pool.

During the fiscal year, in the event eligible requests exceed the number of days in the pool, the SLB members may be requested to voluntarily contribute additional days. The SLB administrator will determine the amount of time that an employee may withdraw from the bank. Sick leave contributions to the SLB may not be designated for the use of a particular person.

If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

SLB members may withdraw their SLB membership at any time. However, sick leave hours that were contributed to the pool will not be returned to an employee under any circumstances.

Family and Medical Leave (FML)—General Provisions

The following text is from the federal notice, *Your Employee Rights Under the Family and Medical Leave Act*. Specific information that the college has adopted to implement the FMLA follows this general notice.

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

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

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

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

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

Am I eligible to take FMLA leave?

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

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management

How do I request FMLA leave?

Generally, **to request FMLA leave you *must*:**

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

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

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

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

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

What does my employer need to do?

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

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

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

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

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

Where can I find more information?

Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

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



Local Procedures for Implementing Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured forward from the date an individual employee's first FML begins

Combined Leave for Spouses. Spouses who are employed by the college are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

Intermittent Leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The college does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

Fitness for Duty. If an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the College District will require certification of the employee's ability to perform essential job functions, the College District shall provide a list of essential job functions to the employee with the FMLA designation notice.

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

Failure to Return. If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the college may require reimbursement of premiums paid by the college during the leave. [See DECA(LEGAL), Recovery of Benefit Cost]

College Contact. Employees that require FML or have questions should contact Human Resources for details on eligibility, requirements, and limitations.

Workers' Compensation Benefits

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

An employee eligible for workers' compensation income benefits may elect in writing to use available partial-day increments of paid leave to make up the difference between the employee's income benefits and the pre-injury wage. The employee may choose to discontinue use of the available paid leave in partial-day increments at any time. [See CKE]

Jury Duty

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

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

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

Compliance with a Subpoena

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

Truancy Court Appearances

An employee, who is a parent or guardian of a child and any court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing, may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

Religious Observance

An employee may request to be absent for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the college. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

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

Development Leaves of Absence

A faculty member [see definition at DEC(Local) Development Leaves of Absence] may be granted faculty development leave for study, research, writing, field observations, or other suitable purpose. The leave shall be for one academic year at one-half of the faculty member's regular salary or for one-half academic year at full regular salary, unless the faculty member has held an administrative position at the College District for more than four years. In that case, the Board may grant development leave at the faculty member's full, regular salary for one year.

To qualify for development leave, a faculty member must serve at least three consecutive academic years performing full-time academic duty as an instructor or as an assistant, associate, or full professor, or an equivalent rank. The work need not include teaching. The applicant must also agree to return to the College District following the conclusion of the development leave to serve for a period of time equal to the amount of time the faculty member received for development leave and if not, to repay the College District for any benefits paid to or on behalf of the faculty member during the leave period.

Military Leave

Policy DECB

Paid Leave for Military Service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave when engaged in authorized training or duty orders by proper authority. Paid military leave is limited to 15 days each fiscal year.

Reemployment after Military Leave. Employees who leave the college to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they

are honorably discharged. Employees who wish to return to the college will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact Human Resources within the period of time specified by law. In most cases, the length of federal military service cannot exceed five years.

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

Mental Health Leave for Peace Officers and Licensed Telecommunicators

A College District peace officer or a full-time telecommunicator, as defined by law, who experiences a traumatic event in the scope of employment shall be granted a maximum of five days of mental health leave per traumatic event. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

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

1. Circumstances or reasons under which an eligible employee may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requester;
3. The administrator authorized to approve requests for mental health leave; and
4. Other procedures deemed necessary for administering this provision.

Quarantine Leave for Peace Officers and Emergency Medical Technicians

A College District peace officer or an emergency medical technician on staff shall be granted quarantine leave when ordered by the local health authority or the person's supervisor to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

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

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and

3. Other procedures deemed necessary for administering this provision.

Leave for Emergency Responders

A full-time college employed licensed police officer who regularly serves in a law enforcement capacity in a college police department or an emergency services medical personnel who is a paid employee of the college is entitled to a paid leave of absence (LOA) for an illness or injury related to the person's line of duty. If necessary, the leave shall continue for at least one year.

If unable to return to work at the end of the paid leave and any extension, police officer or emergency medical services personnel may use accumulated sick, vacation, and other accrued leave before being placed on unpaid temporary leave. At the end of the temporary leave, the police officer or emergency medical services personnel will be reinstated at the same rank and with the same seniority the person had before going on temporary leave.

Employee Relations and Communications

Employee Recognition and Appreciation

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

College Communications

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

Complaints and Grievances

Policy DGBA

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

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

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=497&code=DGBA#legalTabContent>

Employee Conduct and Welfare

Standards of Conduct

Policy DH

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

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

All employees should perform their duties in accordance with state and federal law, college policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines including intentionally making a false claim, offering false statements, or refusing to cooperate with a college investigation may result in disciplinary action, up to and including termination. The college holds all employees to the ethical standards below:

As a citizen

An employee shall treat all persons with dignity and respect.

An employee shall accept all rights and responsibilities of citizenship, always avoiding use of the privileges of the employee's public position for private or partisan advantage.

As an Educator

An employee shall strive to help each student realize the student's full potential as a learner and as a human being.

An employee shall by example and action encourage and defend the unfettered pursuit of truth by all persons employed by the College District in the educational enterprise and students supporting the free exchange of ideas, observing the highest standards of academic honesty and integrity, and seeking always an attitude of scholarly objectivity and tolerance of other viewpoints.

An employee shall work to enhance cooperation and collegiality among students, faculty, administrators, and other personnel.

An employee shall maintain competence through continued professional development, shall demonstrate that competence through consistently adequate performance, and shall seek to enhance that competence by accepting and appropriating constructive criticism and evaluation.

As a Colleague

An employee shall recognize and preserve the confidential nature of professional relationships, neither disclosing nor encouraging the disclosure of information or rumor, which might damage or embarrass or violate the privacy of any other person.

An employee shall support the right of all colleagues to academic freedom and due process and defend and assist a professional colleague accused of wrongdoing, incompetence, or other serious offense so long as the colleague's innocence may reasonably be maintained.

An employee shall not support a colleague whose persistently unethical conduct or professional incompetence has been demonstrated through due process.

An employee shall recognize and preserve the confidential nature of professional relationships, neither disclosing nor encouraging the disclosure of information or rumor, which might damage or embarrass or violate the privacy of any other person.

An employee shall support the right of all colleagues to academic freedom and due process and defend and assist a professional colleague accused of wrongdoing, incompetence, or other serious offense so long as the colleague's innocence may reasonably be maintained.

An employee shall not support a colleague whose persistently unethical conduct or professional incompetence has been demonstrated through due process.

As a Member of the College District

An employee shall make the most judicious and effective use of the College District's time and resources.

An employee shall fulfill the employment agreement both in spirit and in fact, shall give reasonable notice upon resignation, and shall neither accept tasks for which the employee is not qualified nor assign tasks to unqualified persons.

An employee shall support the goals and ideals of the College District and shall act in public affairs in such a manner as to bring credit to the College District.

An employee shall not engage in unlawful discrimination or harassment of students or colleagues and shall adhere to the College District's policies on unlawful discrimination and harassment and other conduct.

An employee shall observe the stated policies and procedures of the College District, reserving the right to seek revision in a judicious and appropriate manner.

An employee shall participate in the governance of the College District by accepting a fair share of committee and institutional responsibilities.

An employee shall not travel on official business to foreign adversary nations. Employees who travel to foreign adversary nations for personal reasons must report trip before they travel and submit post travel brief outlining details of trip, including dates and purpose to Human Resources.

Faculty and staff are prohibited from taking part in any foreign recruitment program by a foreign adversary nation, such as the PRC's Thousands Talents Program.

Discrimination, Harassment, and Retaliation on the Basis of Sex

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

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

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

Employees Who Witness Sex Discrimination, Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking. All employees who witness or receive information reasonably believed to constitute prohibited discrimination on the basis of sex, including sexual harassment, sexual assault or other sexual violence, dating violence, domestic violence, or stalking against or by another employee or student, regardless of where or when the incident occurred, must promptly report the incidents to the college's Title IX coordinator: Teclesha Blanchard, JD., Director, Equal Opportunity & Title IX, 1200 North Amburn Road, Texas City, TX, (409) 933-8529, tblanchard5@com.edu. An employee may also report to the college president.

In addition to the report to the Title IX coordinator, a report against the college president or chancellor must also be made directly to the board of trustees.

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

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

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

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

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

Allegations may be reported to the employee's immediate supervisor, to the Title IX coordinator: Teclesha Blanchard, JD., Director, Equal Opportunity & Title IX, 1200 North Amburn Road, Texas City, TX, (409) 933-8529, tblanchard5@com.edu, or the college president. The employee may also report electronically through the college's website at <https://www.com.edu/titleix/index.html> An electronic report may be submitted anonymously.

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

An employee is not required to report the incident to the person alleged to have committed it.

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

It is important that a victim of prohibited discrimination on the basis of sex, including sexual harassment, sexual assault or other sexual violence, dating violence, domestic violence, or

stalking, go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

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

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

Policies and Procedures. Information on the colleges' policy, procedures, and related materials is available at www.com.edu The college's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is reprinted below:

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=497&code=DIAA#legalTabContent>
<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=497&code=FFDB#legalTabContent>

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

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

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

Report of Actions Targeting Employees. An employee who believes the employee or another employee has been discriminated or retaliated against or harassed on the basis of a legally protected characteristic other than sex is encouraged to promptly report such incidents to the employee's supervisor or the college president or chancellor. An employee is not required to report prohibited conduct to the person alleged to have committed it. If the supervisor is the subject of a complaint, the complaint may be directed to the college president or designee. A complaint against the college president or chancellor may be made directly to the board.

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

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

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=497&code=DIAB#localTabContent>
<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=497&code=FFDB#localTabContent>

Reporting Suspected Child Abuse

Policies DH, DHB

All employees are required by state law to report any suspected child abuse or neglect, including improper relationships between an employee and student as defined by Texas Family Code §261.001, to a local or state law enforcement agency, the Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS), or an appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility in which the abuse occurred). Law enforcement agency includes the Texas Department of Public Safety, a municipal police department, a county sheriff's office, or a county constable's office and does not include the college police department.

An employee who is considered a professional under Texas Family Code §261.101(b) must report child abuse or neglect or indecency with a child if the employee has reasonable cause to believe the conduct occurred or may occur within 24 hours after first suspecting the abuse or neglect. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a day care teacher) must be reported to DFPS even if a report is made to law enforcement.

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

Reports to the DFPS can be made to the Texas Abuse Hotline (800-252-5400 or <https://www.txabusehotline.org/Login/Default.aspx>). An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to

conceal the abuse or neglect. An employee may not delegate to or rely on another person or administrator to make the report.

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

Employees who have reasonable cause to believe that a child has been or may be abused or neglected should also report their concerns to COM Police Department. This includes students with disabilities who are no longer minors.

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

The college has established a procedure for addressing sexual abuse and other maltreatment of children, which may be accessed at

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=497&code=DHB#localTabContent>

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

Reporting Misconduct Involving Minors

Policy DH, DHB

A college employee who provides instruction to elementary or secondary students on a school district's campus is considered a service provider employee and subject to reporting by an educational entity of certain misconduct. If a campus principal becomes aware of evidence of an alleged incident of the following misconduct, the principal must notify the superintendent or director within 48 hours:

- Any form of sexual or physical abuse of a minor, or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- Engaged in inappropriate communication with a student or minor
- Failed to maintain appropriate boundaries with a student or minor

The school district superintendent is required to report to such conduct to the Texas Education Agency (TEA) upon learning about the termination or resignation of the employee or the cessation of the employee's services or receiving the notice from the principal. The superintendent is required to investigate the service provider's employee even if the employee resigns or the service provider stops providing services for the entity.

Reporting Crime

Policy DG

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

Technology Resources

Policy CR

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

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

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

Employees are required to abide by the provisions of the acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and/or legal action. Employees with questions about computer use and data management can contact the Information Technology Department.

Information Security

Policy CS

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

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

Personal Use of Electronic Media

Policy CR, DH

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

Employees are responsible for their public conduct even when they are not acting as college employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

- The employee may not set up or update the employee's personal social network page(s) using the college's computers, network, or equipment.

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

Records Retention

Policy CIA,GCB

Employees must retain local government records in accordance with college procedures for the appropriate retention period, which varies depending on the category of record (i.e., the content contained in that individual e-mail message) described in the college's records retention schedule. *Local government record* means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received

by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business. The determination of which category of record applies must be made on a case-by-case basis. If the contents of the record fall in more than one category in the records retention schedule and are not severable, the combined record must be retained for the length of time of the component with the longest retention period.

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

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

Criminal History Background Checks

Policy DC

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

Employee Arrests and Convictions

Policy DH

An employee must notify his or her immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony or offense involving moral turpitude.

Moral turpitude includes, but is not limited to the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation

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

Alcohol- and Drug-Abuse Prevention

Policies DH, DI

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

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=497&code=DH#legalTabContent>
<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=497&code=DI#localTabContent>

Tobacco Products and E-Cigarette Use

Policies DH, GDA

The college prohibits smoking, using tobacco products, or e-cigarettes on all college-owned property, in college vehicles, and at college-related activities. This includes all buildings, parking facilities, and facilities used for athletics and other activities. *E-cigarette* means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking but does include a component, part, or accessory for the device.

Employees are prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on college property or while attending an off-campus college-related activity. Exceptions may be made for smoking cessation products with supervisor approval.

Fraud and Financial Impropriety

Policy CDE

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

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

Conflict of Interest

Policies CAA, DBD, DBF

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

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

Employees should contact their supervisor for additional information.

Gifts and Favors

Policies CAA, DBD

Employees may not accept gifts, favors, services, or other benefits that could influence, or be construed to influence, the employee's discharge of assigned duties. In addition, acceptance of any single item with a value at or above \$50 or items from a single contractor or subcontractor that have an aggregate value exceeding \$100 in a 12-month period is prohibited. Employees also cannot accept gifts from an entity associated with foreign adversary nations. Employees can report being approached by groups representing these countries, that offer gifts or travel, or alleged violations of this ethics policy to Human Resources.

Intellectual Property

Policy CT

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

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

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

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

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

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

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

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

Associations and Political Activities

Policy DGA

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

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

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

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

Safety and Security

Policy CG series

The college has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety and security program includes written guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries.

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

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

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

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

Employees with questions or concerns relating to safety programs and issues can contact COM Police Department.

Annual Security Report

Policy GCC

The college collects information about campus crime statistics and the college's security policies as required by the Jeanne Clery Campus Safety Act. The college's annual security report issued under the Clery Act is distributed to employees through the following methods: COM Police Department

Possession of Firearms and Weapons

Policies CHF

Information pertaining to Concealed Carry, Gun-Free Zones and prohibited weapons can be found online at:

[https://pol.tasb.org/Policy/Download/497?filename=CHF\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/497?filename=CHF(LOCAL).pdf)

Other Topics

General Procedures

Campus Closures

The college may close campuses because of severe weather or emergency conditions. When it becomes necessary to delay or cancel classes, a notice will be posted on the college's website and an every user notification will be sent via email and text message.

Emergencies

Policies CGC

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency. Employees should locate evacuation diagrams posted in their work areas and be familiar with shelter in place, lockdown, and lockdown procedures. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Fire extinguishers are located throughout all college buildings. Employees should know the location of these devices and procedures for their use.

Parking

Policy CHC

Any vehicle parked on college property must be registered with the campus police department and a valid parking permit displayed on the vehicle. Parking permit applications must be submitted to COM Police Department. Employees must provide a license plate number for the vehicle being registered along with a valid driver's license number.

Employees are required to park in the areas designated by the college issued parking permit. Restricted parking areas are clearly marked and employees are prohibited from parking in areas reserved for visitors, no parking areas, marked fire lanes, areas reserved for the disabled, or any area not specifically designed for vehicle parking.

All questions regarding parking should be directed to COM Police Department.

Purchasing Procedures

Policy CF

All requests for purchases must be submitted to the Purchasing department on an official college purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the college can be made without a PO number. The college will not reimburse employees or assume responsibility for purchases made

without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the college's business office. Contact Purchasing department for additional information on purchasing procedures.

Name and Address Changes

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

Personnel Records

Policy DBA, GCA

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

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

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

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

Facilities Use

Policies DGC, GD, GDA

Employees may use college facilities and common outdoor areas for non-work activities, work-related activities, and to invite speakers to campus in accordance with college district policies and established regulations. College district facilities and areas not considered common outdoor areas must be scheduled in advance of use.

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

[https://pol.tasb.org/Policy/Download/497?filename=DGD\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/497?filename=DGD(LOCAL).pdf)

Termination of Employment

Resignations

Policy DMD

Contract Employees. Contract employees may resign their position at the end of the contract term if reasonable notice is submitted. A written notice that includes the reasons for the resignation should be submitted to the college president. Once submitted and accepted, the resignation may not be withdrawn without the consent of the board.

Noncontract Employees. Noncontract employees may resign their position at any time by submitting a written notice of resignation to the college president. Employees should include the reasons for leaving in the letter of resignation.

Dismissal or Nonrenewal of Contract Employees

Policies DM series

Employees on a term contract can be dismissed during the academic year for good cause or nonrenewed at the end of the contract term for any reason according to the procedures outlined in college policies. A contract employee that is dismissed or nonrenewed has the right to grieve the termination following the college process outlined in this handbook when pursuing the grievance.

Alternatively, a faculty member may first present a grievance under Texas Education Code §51.960 to Human Resources. It is recommended that the faculty member file a request to present the grievance within 10 business days after final action on the dismissal proceeding.

Dismissal of Noncontract Employees

Policy DM

Noncontract employees are employed at will and may be dismissed without written notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the college to dismiss any employee for reasons of race, color, religion, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the college process outlined in this handbook when pursuing the grievance.

Exit Interviews and Procedures

Policy DM

Exit interviews will be scheduled for all employees leaving the college. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the college with a forwarding address and phone number and complete a questionnaire that provides the college with feedback on his or her employment experience. All college keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

Reports Concerning Court-Ordered Withholding

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

- Termination of employment not later than the seventh day after the date of termination
- Employee's last known address
- Name and address of the employee's new employer, if known

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