Western Technical College District Board
Planning, Policy, and Instruction Committee
CHAIR: TOM SMITH

Tuesday, November 18, 2014
1:00-2:15pm

Administrative Center
111 Seventh Street N • Room 408 • La Crosse, WI

AGENDA

   • C0102 Anti-Harassment
   • C0201 Nepotism
   • C0207 Political Activity
   • C0400 Worker’s Compensation Payments
   • C0405 Payroll Deductions
   • C0702 Jury Duty
   • C1000 Access to Personnel and Certification Files

2. Enrollment Management – Denise Vujnovich

3. AQIP Action Project: Implement a Key-Results Focused Institutional Research Model – Amy Thornton
Anti-Harassment (Employees)

The College will not tolerate any harassment by anyone, including but not limited to other employees, students, contractors, campus visitors, or other customers of the College. This prohibition includes but is not limited to the use of derogatory comments, names, slurs, epithets, jokes, innuendo, or other forms of harassment based on race, color, sex, sexual orientation, religion, creed, national origin, ethnicity, ancestry, age, disability, marital status, veteran status or military service, genetic information, pregnancy, off campus use or nonuse of lawful products, arrest or conviction record, or any other characteristic protected by federal, state, or local law (herein “Protected Characteristic(s)”).

This prohibition also includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature as well as all forms of verbal, non-verbal, and physical harassment.

Employees are expected to conduct themselves professionally, in a manner befitting the work environment and with respect for co-workers and students. Employees are expected to understand that behavior which one individual considers innocent and harmless may be regarded as harassment by another person. Beyond being in violation of this policy, workplace harassment may be illegal. Harassment can also occur through use or abuse of the College’s electronic communications system and the internet.

HARASSMENT

Although any form of harassment based on a Protected Characteristic(s) is prohibited, sexual harassment differs from other forms of harassment in a number of ways. Sexual harassment is defined as:

- **Quid Pro Quo Harassment**: The harasser makes employment decisions, conditions, or benefits contingent upon sexual cooperation or conduct and forces the victimized individual to choose between suffering personal or professional detriment and submitting to sexual demands.
- **Creation of a Hostile or Intimidating Work or Educational Environment**: There is severe or pervasive verbal or physical conduct of a sexual nature that results in unreasonable interference with an individual’s ability to work or learn and/or creates an intimidating, hostile, or offensive working environment.

Behavior resulting in a perception of sexual harassment can include, but is not limited to, foul language; sexual innuendo; propositions; vulgar or suggestive comments; display of pictures in any medium, calendars, or magazines showing nude or scantily clad people; physical touching; or patterns of conduct that create an intimidating and hostile working environment.

HARASSMENT COMPLAINTS

The key to identifying harassment is determining the behavior is unwelcome and considered undesirable or offensive. If you feel you are being harassed, we recommend that you first try to make it clear to the other person that his/her behavior is unwelcome. Although you are encouraged to do this, you are not required to take such steps before making a harassment complaint.

Any employee who believes s/he has been harassed for reasons based on a Protected Characteristic(s) is urged to report the matter to:

- His/her supervisor
- Any administrator that he/she chooses
- Dean of Students (if conduct is student related)
- Employment, Benefits, and EEO Manager and/or
- Director, Human Resources
Any employee or instructor or staff member receiving such a report must report it immediately to the:

- Dean of Students (if student related)
- Employment, Benefits, and EEO Manager and/or
- Director, Human Resources

The College does not condone any form of harassment. Any employee who engages in such conduct will be subject to disciplinary action up to and including suspension, discharge, or dismissal depending on the specific facts. Any person who engages in such conduct may be banned from the campus.

**Procedure C0102p Anti-Harassment (Employees)**

In any organization where people work together, resolving conflict and complaints, differences of opinion and other forms of conflict will occur. Conflict may occur between co-workers, between supervisors and supervised supervisees, between employees and students, etc. It may occur as a result of an action or decision made by the employee or by the administration. The College recommends that employees report the behavior to the Dean of Students (if the conduct is student related), the Employment, Benefits, and EEO Manager and/or the Director, Human Resources Director; or to another officer or supervisor with whom they feel comfortable. Whether a formal (written) or informal (verbal) complaint is made to these individuals, the following will take place:

- The employee will be asked to describe the incident(s), any statements or actions by the parties, any witnesses, the effects of the incident, and any corroborating documents.
- Although Human Resources will investigate discretely, the College cannot maintain absolute confidentiality while carrying out a thorough investigation.
- A summary report of this meeting will be typed and given to the employee for review and editing as appropriate. This report will include the employee’s signature as confirmation of the content of the complaint and the initial meeting.

Employees are protected from any retaliation by the alleged harasser or other co-worker, supervisor, or manager with respect to any discrimination complaint brought in good faith. Employees also need to be aware that this complaint process does not waive any other complaint rights available internally or any rights they may have under any applicable State or Federal law. [The highlighted words are not proper nouns and do not require capitalization.]

If an employee submits a formal (written) complaint, it should be submitted to the Employment, Benefits, and EEO Manager and/or Director, Human Resources Director or some other HR person in the Administrative Center in person or by mail to:

Director, Human Resources & Employment, Benefits, and EEO Manager
Western Technical College
400 Seventh St [N]
P.O. Box C-0908
La Crosse, WI  54602-0908

Human Resources will take the following steps as soon as is practicable:

**Initial process:**

- Notify the College President in writing that a complaint has been filed;
- Meet with the complainant to obtain his/her statement regarding the incident(s);
- Notify the person(s) against whom the complaint is filed;
- Interview appropriate individuals to review the complaint and obtain a statement as to his/her/their knowledge and recollection of the incident(s);
- Establish individual meetings with any other persons identified as involved in the incident either as a part of the incident or as witnesses;
• Notify the alleged harasser about the prohibition on retaliation against the complainant; if necessary and possible, take steps to separate the alleged victim and alleged harasser;

• If a determination is made that harassment has occurred, recommend appropriate corrective action and disciplinary action, which may range from a written reprimand up to and including discharge.

Employee Disciplined/Terminated Appeal:
If the above results in discipline or termination of an employee, he/she has the right to appeal that decision through:

• Procedure C0101(a)p Employee Complaint Resolution – Discipline, Workplace Safety, and Termination (Handbook – Employment Section)

Victim Appeal:
If, upon the completion of the above procedure, the victim believes the issue has not been resolved adequately, he/she has the right to appeal that decision through:

• Procedure C0101(b)p Employee Complaint Resolution – Regarding College Action in Violation of College Policy (Handbook – Employment Section)

This complaint process does not waive any other complaint rights he/she may have available under any applicable State or Federal law. [These nouns do not require capitalization.]

**Policy C0201 Nepotism**

In selecting persons for employment, the applicant best qualified and available to perform in the position should receive the offer of employment. No restriction is placed on hiring persons related to current employees through marriage or otherwise. However, employees will not become involved in hiring, promoting, assigning, transferring or influencing, in any other way (e.g. direct or indirect influence over the progress, performance, pay or welfare of the employee) an employment related decision on an immediate family member, blood relative, domestic partner or in any of the following employment related capacities: regular full and variable-hour part-time, temporary, part-time, and seasonal employment unless specifically waived by the Human Resources Department with the concurrence of the College President. For purposes of this policy, immediate family member shall mean spouse, child and parent, and blood relative shall mean sibling, grandparent, parent-in-law, sibling-in-law, grandchild, and any person whether related by blood or to whom the employee stood in the mutually acknowledged relation of parent, child or spouse.

Persons hired with the direct-line responsibility area of the employee (e.g. reporting to a subordinate that reports to the employee), for the purposes of this policy, are considered under the "influence" of the employee.

If a change in the relationship between two employees (e.g. marriage or becoming domestic partners), results in a conflict with this policy, the parties will be expected to work out a change in working relationships within a reasonable period of time to eliminate the conflict. Exceptions will be approved by the President and/or District Board.

Where any funding agency has a statutorily acceptable nepotism policy, such policy must be followed with respect to the activity performed with funding from such agency.
Western recognizes the right of employees to take part in the political campaign process while being mindful that activities must be conducted on an individual basis and not as a representative of Western.

In general, the following activities are permissible for all College employees:

1. Making voluntary contributions for political purposes.
2. Participating as a candidate for a non-partisan office, e.g., county board supervisor, if such service will not conflict or interfere with the employee’s performance of his or her District duties and responsibilities.
3. Expressing opinions as an individual privately or publically on political subjects and candidates.
4. Participating as a candidate for a partisan political office providing a leave of absence is taken from his or her District position.
5. Being a member of a political party and participating in party affairs.
6. Engaging in any of the following activities, providing that the employee is off-duty and not on District property:
   a. Soliciting votes in support or in opposition to a candidate for public office or political party office.
   b. Serving as an officer of a political party; [Replace comma with a semicolon to separate items in this list.] [a] member of a national, state or local committee of a political party; an officer or member of a committee of a political club; or being a candidate for any of these.
   c. Directly or indirectly soliciting, receiving, collecting, handling, disbursing, or accounting for assessment, contributions, or other funds for a political purpose.
   d. Taking an active part in managing the political campaign of a candidate for public office or political party office.
   e. Acting as a recorder, watcher, challenger, or similar office at the polls on behalf of a political party or public candidate.
   f. Organizing, selling tickets to, promoting, or actively participating in a fund raising activity of a candidate, political party, or club.
   g. Driving voters to polls on behalf of a political party or candidate.
   h. Serving as a delegate, alternate, or proxy to a political convention.
   i. Addressing a convention, caucus, rally, or similar gathering of a political party in support of or in opposition to a candidate for public office or political party office.
   j. Initiating or circulating a nominating petition.
   k. Endorsing or opposing a candidate for public office or political party office in a political office, in a political advertisement, a broadcast, campaign literature, or similar materials.
   l. Organizing or reorganizing a political party organization or political club.

The following activities are not permissible for College employees:

1. Using governmental authority to interfere or affect nomination or election for any public office or position within any political party.
2. Using governmental authority or influence to intimidate, threaten, or coerce any person to vote contrary to his or her own voluntary choosing.
3. Using governmental authority to directly or indirectly intimidate, threaten, and coerce any person to pay, lend, or contribute anything of value, including services, to any party, organization, group, or individual for political purposes.
4. Using any governmental authority or influence to coerce any individual or group for political action, or to confer benefits or effect reprisals to secure desired political action or inaction.
5. Offering to pay or accept benefits in return for desired political action or inaction.
6. Soliciting a district office by any means, or in any manner concerned in soliciting any assistance, subscription, or support for any political party or purpose from any person holding any position in the District while on District time or engaged in official duties.

7. Using College facilities, equipment, and/or technology for political purposes.

**Policy C0400 Worker’s Compensation Payments**
All employees are automatically covered under the Workers’ Compensation Act which is administered by the Human Resources Department. Any employee covered under the Workers' Compensation Act will be paid those benefits specified by law.

Where an employee receiving sick leave payments is also entitled to worker’s compensation, such workers' compensation payments will be remitted to the College immediately upon receipt. The employee's sick leave entitlement will be charged only for the difference between the sick leave and the workers' compensation payments made calculated on a pro rata basis.

**Policy C0405 Payroll Deductions**
Deductions from pay are legally required for Medicare, social security, and federal and state income tax, and in most cases, the employee’s share of the Wisconsin Retirement System (WRS) contributions. As outlined in the employee handbook, administration may authorize additional payroll deductions that are available to employees.

**Available Payroll Deductions**
Currently, the following payroll deductions are available to employees:

1. Great Rivers United Way
2. An approved private tax deferred annuity
3. Group insurance programs (including any flexible spending accounts)
4. Western Foundation, Inc.
5. Wisconsin Association for Career and Technical Education (WACTE)
6. Parking Permits
7. Wellness Center Memberships
8. Cell Phones
9. Campus Shop Clothing

In addition, a new payroll deduction may be established if approved by the Associate VP, Accounting & Research – VP of Finance and Operations.

**C0702 Jury Duty**
An employee receiving a summons for jury duty must inform the immediate supervisor of the time, date, and court where the employee is to report. The employee selected for jury duty will receive full regular pay during the period of jury duty but must promptly remit to the Business Office the compensation received for the jury duty payments received for mileage can be reimbursed to the employee upon request.] Jury duty time must be recorded as jury duty leave in the leave system. When released from jury duty during one’s normal working hours, the employee is expected to return to work.
**Policy C1000** Access to Personnel and Certification Files

All employee personnel and certification files will be maintained and housed in the Human Resources and Certification Offices and available for employee examination.

**Procedure C1000p** Access to Personnel and Certification Files

Upon advanced request, an employee may schedule a time to review the contents of his/her personnel file, excluding such things as letters of reference or recommendations or confidential memorandums. Such review will be made in the Human Resources Office. Information other than employment dates will not be released without the authorization of the employee, except as may be required by law.

A file on certification matters is maintained for certified employees in the Certification Officer’s Office. Such file may be reviewed in the same manner as stated above.

**Medical Records Inspection**

You (or your designated representative) also have the right to inspect any personal medical records, which Western has on file. If we believe the release of your medical records would be detrimental to you, we can choose, instead, to release them to your doctor or to another doctor designated by you. The doctor may, at his or her discretion, then choose whether to release the records to you or to your family.

**Exceptions to Records Inspection Requests**

Your rights to inspect your records do not apply to:

- Records related to the investigation of possible criminal offenses committed by you.
- Letters of reference written about you.
- Any portion of a test document, although you may request and be given cumulative scores for sections of a test or the total score for the test.
- Materials used by Western for staff management planning, including judgments and/or recommendations concerning future salary increases and other wage treatments, promotions and job assignments or other comments or ratings used for planning purposes.
- Information of a personal nature about another individual which, if disclosed, would result in an unwarranted invasion of that individual's privacy.
- Any records relevant to any other pending claim between you and Western, which may be discovered in a judicial proceeding.

You may also receive a copy of the documents in your records. You will be expected to pay the standard rate for copies as outlined in the Colleges current fees and rates schedule. Before any of your personal information can be released to a third party, you must complete the Information Release form.