

**ATLANTIC CAPE COMMUNITY  
COLLEGE  
EMPLOYEE HANDBOOK**



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# WELCOME TO ATLANTIC CAPE COMMUNITY COLLEGE

Welcome to Atlantic Cape Community College! We are delighted that you have chosen to join our institution and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further Atlantic Cape Community College's goals.

You are joining a College that has a reputation for outstanding leadership, innovation, and expertise. Our employees use their creativity and talent to find new solutions, meet new demands, and offer the most effective educational experience available. With your active involvement, creativity, and support, Atlantic Cape Community College will continue to achieve its goals. We sincerely hope you will take pride in being an important part of Atlantic Cape Community College's success.

Please take time to review the policies contained in this handbook. If you have questions, feel free to ask your supervisor or to contact the Human Resources Department.

*Dr. Barbara Gaba*  
President

# INTRODUCTION

This handbook was prepared to inform all employees, regardless of the date of hire, of the rules of employee conduct and general policies of Atlantic Cape Community College as well as the obligations of its employees. This handbook will serve as a guide and ready reference for your questions about the College and your job, pay, benefits, activities, and responsibilities. Please follow up with your Supervisor or Human Resources if you have any questions. Additionally, ask your Supervisor about any specific departmental rules and policies that may not be included in this handbook. You are responsible for reviewing and understanding this handbook's contents and signing the acknowledgment page. We sincerely hope that you gain satisfaction in your work and that your employment with us is rewarding.

For those employees not covered under a Collective Bargaining Agreement, employment at the College is on an at-will basis, meaning that the College may terminate your employment at any time for any reason, except an illegal one, or no reason without incurring legal liability. Likewise, an employee is free to leave a job at any time for any or no reason with no adverse legal consequences. Staff and Faculty covered under a Collective Bargaining Agreement, please refer to your specific CBA for terms of employment.

Every effort has been made to make this handbook as comprehensive as possible. However, the information in this handbook is for guidance only and is not intended to create an employment contract, either expressed or implied. Nor does it guarantee any fixed terms and conditions of your employment. Should any information in the handbook conflict with a collective bargaining agreement currently in effect, the collective bargaining agreement takes precedence.

Atlantic Cape Community College may modify, rescind, delete, or add to the provisions of this handbook at any time. Please contact Human Resources for the most current version of any policy.

No individual contract of continued employment may be entered into between Atlantic Cape Community College and an employee that in any way deviates, extends, or modifies the provisions in this handbook unless signed by the President. This handbook supersedes any previous employee handbooks. As employment laws change often, any policy in this handbook will be superseded by changes to federal or state law.

# MISSION/VALUES/VISION/GOALS

## MISSION

Atlantic Cape Community College provides inclusive, accessible, and equitable educational programs and services to transform lives and empower students to successfully meet their academic, social, and career goals, while also supporting the diverse needs of our community.

## VALUES

- **Student-Centered:** Removing barriers to maximize student success.
- **Respect:** Dedicated to a culture that celebrates and values diversity, equity, and inclusion.
- **Integrity:** Responsible and ethical use of resources.
- **Excellence:** Provide the highest quality programs and services.
- **Collaboration:** Nurture academic, business, industry, and community partnerships.
- **Innovation:** Encourage creativity, flexibility, and change.

## VISION

**Atlantic Cape Community College provides an innovative, student-centered approach to learning.** The College anticipates and fulfills academic and workforce needs, and strengthens our community's economy and partnerships to create seamless pathways to maximize student growth and success. An integral part of the community, known as a caring institution focused on delivering quality education programs and support services throughout all aspects of the student experience both inside and outside the classroom.

## GOALS

- **Engage:** Ensure high-quality and equitable student, employee, and community stakeholders' experiences.
- **Support:** Provide innovative services designed to bolster student progress and wellness that enhance the educational experience.
- **Educate:** Cultivate an innovative climate for high-quality learning across the college community responsive to both immediate challenges and long-term needs.
- **Achieve:** Eliminate barriers to increase academic, social, and career goal attainment for all students.
- **Excel:** Provide fiscal, physical, human, and technological resources that maximize efficiency while delivering innovative, responsive, and inclusive programs and services that foster excellence.

# ATLANTIC CAPE COMMUNITY COLLEGE HISTORY

In 1947, the President's Commission of Higher Education brought the concept of the community-centered school into reality. The community college movement gained impetus throughout the United States during the 1950s with the burgeoning student population which began following World War II.

In Atlantic County, various groups urged that a college be established in this area with the goals of providing an educational service to the entire community, and discovering and developing individual talents at low cost and easy access. The Citizens Centennial Committee on Adult Education for Atlantic City was instrumental in stimulating interest in a local college. The efforts of such groups, combined with those of educators, legislators, and individuals, resulted in the passage of the New Jersey State law, which established county colleges in 1962.

Following the passage of the New Jersey County College Act, a special committee of County Freeholders and educators prepared a study, which showed the need for such an institution in Atlantic County. In December 1963, the State Department of Education approved the establishment of Atlantic Cape Community College, which became the second college to be organized by the state on April 14, 1964. Atlantic Community College was the first institution of higher education in Atlantic and Cape May Counties.

The site for the college was selected on November 19, 1964, and official ground-breaking ceremonies for its nine-building complex in Mays Landing were held in November 1966. Atlantic Community College opened its doors to students in September 1966, using facilities rented from Atlantic City High School.

In February 1968 the college moved to its present campus at 5100 Black Horse Pike (U.S. Route 322) in Mays Landing. Atlantic Community College was granted only the second license by the Casino Control Commission, after Resorts International, and still operates the Casino Career Institute today.

In the spring of 1982, major work was completed on a two-year, \$7 million expansion project. This project included two new buildings, expanded student service facilities, the Academy of Culinary Arts, and additional classroom and office space. The Academy of Culinary Arts facility features more than 29,000 square feet of space. The entrance opens to an atrium lobby. The building provides teaching kitchens, classrooms, a 70-seat gourmet restaurant with a 25-seat greenhouse room, service and storage areas, and administrative and faculty offices.

In that same year, the former Atlantic City Electric Company building, located in Atlantic City, was purchased by Atlantic County for Atlantic Community College. By 1984, a \$4 million renovation project transformed the aging building into a beautiful modern facility.

In 2004-05, a \$2.6 million renovation provided upgrades to the HVAC system, and building improvements including new sidewalks, fencing, landscaping, and signage.

The William J. Spangler Library was expanded and renovated in 1990, which added a mezzanine level, a computer lab with space for more than 90 personal computers, faculty and administrative offices, small study/meeting rooms, a classroom/meeting room, and typing, video, and audio tape rooms.



## **ATLANTIC CAPE IN CAPE MAY COUNTY**

Since 1973, the College has been the main provider of community college education to Cape May County residents. For many years, Cape May County officials studied ways to bring better higher education opportunities to its residents.

In July 1995, the New Jersey Higher Education declined the county's request for an independent college and recommended that it enter into a partnership with a neighboring community college, citing such benefits of a joint college as a larger population base, economies of scale, immediate availability and accreditation of curricula, and elimination of duplication of efforts and costs.

Cape May County requested joint proposals which were due in February 1997 and, as a result, on January 1, 1999, ACC officially became a joint college between Atlantic and Cape May counties. The Board of Trustees approved a new name for the joint college: Atlantic Cape Community College (Atlantic Cape) in February 1999.

CMCC opened in August 2005. The new 68,000-square-foot facility features a brick façade and two wings that house an “information commons” which includes a combination library and computer lab; a 100-seat lecture hall; a full-service cafeteria; and 19 classrooms-including chemistry and biology labs, three academic computer labs, two continuing education computer labs, and one distance education classroom. In addition, Atlantic Cape provides support services facilities, including counseling, testing, tutoring, and financial aid offices as well as administrative offices at the new campus.

## **ATLANTIC CAPE FOUNDATION**

### **Mission**

To provide funding and support to Atlantic Cape Community College, its students, and educational endeavors, through special event fundraising and community philanthropy.

### **History**

Founded in 1978 as an independent 501(c)(3) non-profit organization, the Atlantic Cape Community College Foundation is dedicated to serving the mission of Atlantic Cape by providing financial support to the college and its students. Foundation funds provide college scholarships to students with financial needs vital for campus improvements, and cultural and educational community outreach programs. In its history, the Foundation has raised well over \$5 million for college scholarships, academic programs, and enhancing the campus environment.

Employees are encouraged to support the Foundation and are given the opportunity to have their contributions made through a payroll deduction. (see Payroll section of this Handbook)



## **Middle States at Atlantic Cape Community College**

The Middle States Commission on Higher Education (MSCHE) is an internationally recognized organization whose offices are located in Philadelphia, PA. MSCHE evaluates degree-granting institutions of higher education and helps these institutions improve their programs and services.

The degrees we grant at Atlantic Cape would have little meaning without the stamp of approval from Middle States. Many of our students transfer to four-year schools and go on for graduate degrees and, because our college is accredited by Middle States, those other colleges and universities do not question the validity of our graduates' credits.

The academic programs and services provided at Atlantic Cape are reviewed every eight years to ensure they are up to the standards set by Middle States for all degree-granting institutions in their geographic region. The Middle States standards are outlined in their publication, *Standards for Accreditation and Requirements of Affiliation Thirteenth Edition* (this can be downloaded from the [Middle States web site](#).)

Middle States reaffirmed Atlantic Cape's accreditation in June 2018 after the College submitted a Self-Study, *Charting a Course for the Next 50 Years*, in February 2018 and underwent an Evaluation Team Visit, conducted by representatives from peer institutions, in April 2018.

Development of the College's Self-Study was charged by the President to the Self-Study Steering Committee, led by a faculty member and an administrator and comprised of co-chairs from eight working groups. Seven of those working groups wrote chapters showing compliance with Middle States' seven standards, and one working group completed the Verification of Compliance with Accreditation-Relevant Federal Regulations.

# NEW EMPLOYEE

## Orientation

All new employees are required to attend a mandatory orientation during the first few weeks of employment with the college. Orientation will include an overview of the standards, policies, and procedures in this handbook as well as other general information important to their specific position.

## Attendance and Punctuality

You are an important member of our team and an integral part of the workforce. Your presence is important for us to succeed each day.

Lateness and absences, or failure to obtain approvals for paid or unpaid time off may result in disciplinary action up to and including termination. An employee who fails to call out and is absent for three (3) days in succession, will be considered to have abandoned their job and voluntarily resigned.

## Absence Reporting

Employees may, on occasion, be late or unavoidably absent because of personal illness or illness of a member of the employee's household. All absences and lateness should be reported to both your supervisor and Human Resources.

Anticipated absences such as vacation, non-emergency personal leave, appointments, and jury duty are to be scheduled in advance utilizing the employee self-serve app./website, leave request. This app/website request must be submitted and approved by your supervisor before the commencement of leave.

In the event of an unanticipated or unscheduled absence, employees are required to report their inability to be present for work before the beginning of their assigned shift to both their immediate supervisor and Human Resources. A message should be left on the College's 24-hour automated Absence Reporting System. Employees covered under a Collective Bargaining Agreement are directed to their respective bargaining unit agreements to determine the amount of notice required to report an unscheduled absence.

Employees shall call (609) 646-5040 and provide their name, department, reason for absence, and expected date of return. Human Resources will promptly confirm with the appropriate supervisor and request a leave request be submitted and approved by the supervisor.

Faculty are expected to inform their area coordinator, Department Chair, Academic Dean, or the Faculty Support Office of absence from the classroom and to arrange for coverage of their classes in advance of the absence. Please refer to the Faculty Handbook for specific instructions regarding reporting absences.

## Bulletin Boards

The College will provide bulletin boards at appropriate locations for the posting of authorized notices of activities and matters of concern to the College community. Information to be posted for employees requires approval of the Human Resources Office. Information to be posted for students or visitors requires approval of the Office of Student Affairs. Unauthorized or inappropriately posted materials shall be discarded.

## **Cellular Phones**

Atlantic Cape Community College utilizes cellular and radio communications for conducting business. Employees will be issued phones as deemed necessary and phone usage policies related to such issuance will be explained upon distribution of the cell phone.

Personal cell phone usage should be kept to a minimum while on College time.

## **Workplace Appearance**

Atlantic Cape Community College endeavors to maintain a workplace environment that presents a professional image to the community we serve. As we strive to deliver the best level of customer service, all Atlantic Cape Community College employees are expected to present a professional, business-like image to clients, visitors, customers, and the public at all times. Acceptable personal appearance, like proper maintenance of our campus and individual work areas, is an ongoing expectation.

To that end, department heads may determine guidelines for workplace-appropriate attire for their areas. Supervisors should communicate any department-specific workplace appearance guidelines to employees during new-hire orientation and subsequent evaluation periods. Any questions about the department's guidelines should be discussed with the immediate Supervisor. Any employee who does not meet these expectations may be asked to leave the premises and return only when the guidelines have been met.

## **Emergency Closings**

In the event of an emergency, including a weather event, that directly affects the operation of one or more campuses, a facilities management problem at any one campus, or a national/state/local emergency, it may become necessary for some or all College operations or a specific campus' operations to close or move to remote status for the safety and/or protection of employees and students.

The College President, with the input of the Chief Business Officer, is responsible for determining when a campus or campuses will close or move to remote operations. The President or their designee will initiate the necessary communication to the campus communities concerning the move to remote operation.

To receive emergency closing alerts, please register your name and phone number on our alert system, which can be found at: [atlantic.edu/textalerts](http://atlantic.edu/textalerts). Emergency Information will be communicated through any of the following outlets:

1. Texts
2. Banner on the homepage of the website
3. College-wide emails
4. Social media posts

## **Identification Cards**

Identification cards are issued to all full-time and regular part-time employees. These cards are necessary for the application of various privileges available to staff personnel. ID Photos are taken at the Registrar's office in Building J on the Mays Landing campus. All new hires will get their photo ID when they come to the Mays Landing Campus to complete the final onboarding paperwork.

Additionally, Employees are issued a nametag in their first few weeks. Employees are expected to wear their nametags while at work on campus or at any time they are representing Atlantic Cape.

Loss of the ID Card or nametag should be reported to the Human Resources Department.

Nametags and identification cards must be returned to the Human Resources Department when an employee leaves the services of the college.

## **Parking**

Parking is available to employees at all Atlantic Cape locations. A valid parking decal must be displayed on the driver's side rear window or the left passenger window. Decals are available at the Public Safety building on the Mays Landing Campus, at the Security desk at the Atlantic City Campus, and at the Security Office at the Cape May County Campus. Employees who do not comply with all parking rules and regulations are subject to corrective discipline.

## **Introductory/Probationary Period**

There is a period of adjustment for any new job at the College. For full-time SSAACCC, and ACCCOSAP staff, the first one hundred eighty (180) calendar days of employment are considered your "Probationary Period." Your Supervisor has the opportunity to assess your overall performance, skills, and abilities in meeting the job requirements during this period. The period is utilized to evaluate your overall performance and adaptability to your job. You will receive your first review at the end of ninety (90) days. Should the employee successfully complete the first ninety (90) days of employment, a second review will be conducted near the end of your Probationary Period. This review is an opportunity for the College to evaluate whether the employment relationship should continue.

For Exempt employees, the first ninety (90) days in a new position is considered an introductory period after which you will receive a review of your performance within those ninety (90) days. This review is an opportunity for you and the College to evaluate whether the employment relationship should change or other changes that may need to be made to continue your employment.

Atlantic Cape Community College may terminate the employment relationship at any time during this probationary period. Supervisors may request additional time for a probationary period which must be approved by the Supervisor's Cabinet member and the Executive Director of Human Resources.

## **Workplace Safety**

Atlantic Cape Community College is committed to providing a work environment free from recognized hazards that may cause injury. Atlantic Cape Community College is committed to providing a safe and healthy workplace through compliance with the Occupational Safety and Health Act ("OSHA").

Any unsafe condition must be immediately reported to the Supervisor. Employees are expected to obey safety rules, follow established safe work practices, exercise caution in all work activities, and report any unsafe conditions to their Supervisor.

Employees at all levels of the organization are responsible for correcting or placing warnings on unsafe conditions within their immediate work area and their control.

Employees are required to identify present and potential health and safety problems and may do so without fear of harassment or reprisal. Employees who fail to observe safety rules and practices may be subject to disciplinary action up to and including termination. Reports may be made to the Chief Business Officer (Risk Manager) or the Director of Security.

# HOURS OF WORK AND PAY

## FLSA Employment Classification

To determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations including the Federal Labor Standard Act (FLSA), Atlantic Cape Community College classifies its employees as shown below. Atlantic Cape Community College may review or change employee classifications at any time.

## Position Classification

All positions are classified per Federal and State regulations.

**Full-time** – Employee who is scheduled to work a regular thirty- five (35) or more hours work week, and faculty teaching under a full teaching load contract. Employees hired as full-time are scheduled to work no less than thirty hours per week.

**Part-time** – Employees hired to work less than thirty (30) hours per week are part-time. Part-time shall not be scheduled to work a normal workweek of more than twenty-six (26) hours. Part-time employees are prohibited from holding an adjunct or secondary position unless pre-approved by the Director of Human Resources.

**Temporary** - Individuals employed temporarily, generally to fill a specific need, to replace an absent employee, seasonal, or to assist during heavy workload periods.

**Student worker** - Part-time, temporary with hours not to exceed 25 hours per week and who are actively registered for classes at the College. Classification ends upon the earlier of employment separation or graduation or other change from active student status.

**Salaried** - Includes employees who are paid on a salaried basis and are not eligible to receive overtime pay. Under the FLSA, they are considered exempt employees as they are exempt from overtime.

**Hourly** - Includes employees who are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked. Under the FLSA, they are considered non-exempt employees as they are overtime eligible.

## Work Week and Hours of Work

For all represented employees, the standard workweek is outlined in your corresponding Collective Bargaining Agreement. The standard workweek for employees not represented by a Collective Bargaining Agreement (Exempt employees) is Monday through Friday 9:00 AM to 5:00 PM with a one-hour lunch break. Individual work schedules may vary depending on the needs of each department.

For payroll purposes, the workweek begins on Saturday at 12:00 a.m. and ends the following Friday at 11:59 p.m.

## **Time Records**

All hourly staff is required to input hours into Self Services. Supervisors are responsible for the hours reported and are required to review and approve hours no later than 10 am on Monday

Part-time staff is required to enter their time every week into the employee self-service app/website. Time must be recorded and submitted by noon on Friday.

Supervisors must approve department time records no later than 10 AM on Monday.

## **Overtime**

When necessary and due to the needs of the department, an employee may be asked to work overtime. Overtime is actual hours worked more than 35 or 40 hours (depending on the position) in a single workweek. Employees will be paid overtime compensation at the rate of one and one-half their regular rate of pay for all hours over 35 or 40 (depending on the position) actually worked in a single workweek. Paid leave, such as holiday, time, vacation, personal time, bereavement time, and jury duty does not apply toward work time unless specifically authorized in a Collective Bargaining Agreement. All overtime work must be approved in advance by a supervisor.

You are required to work all overtime requested. Overtime requests will be made to you through your Supervisor. Overtime must be authorized in advance by your Supervisor. Failure to obtain prior authorization may result in disciplinary action.

Salaried employees are not eligible for overtime.

All employees represented under a Collective Bargaining Agreement are referred to their applicable CBA.

## **Paychecks**

Atlantic Cape complies with all federal, state and local laws and regulations applicable to the payment of wages to employees, and is required to deduct federal withholding taxes, social security taxes, temporary disability premiums and state withholding taxes from an employee's pay. Paychecks are issued, and direct deposits are deposited into accounts on Friday every other week. If the pay date falls on a holiday, payment will be issued on the last business day prior to the holiday.

All new employees will be given an IRS Form W-4 to complete and sign. You may update your information at any time by downloading a new form from the college's website.

You will receive an annual wage and tax statement covering the previous year on IRS Form W-2 on or before January 31. If you believe that the deductions stated are incorrect for any pay period or on the W2, please contact the Payroll Office. W-2s and pay advices can be found on employee self-serve – employee tab.

You may authorize salary deductions to the Atlantic Cape Community College Foundation for the benefit of our students, or other benefit or charitable programs offered through Atlantic Cape Community College. See the Human Resources Department for current programs and forms for authorizing deductions.



## **Deductions from Pay/Safe Harbor Exempt Employees**

The College does not make improper deductions from the salaries of employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

**Permitted deductions.** The FLSA limits the types of deductions that may be made from the pay of an employee. Deductions that are permitted include:

- Deductions that are required by law, e.g., income taxes;
- Wage Garnishments;
- Deductions for employee benefits when authorized by the employee;
- Deductions for Foundation donations when authorized by the employee;
- All deductions allowable within the applicable Collective Bargaining Agreement;
- Unpaid Leave; or
- Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

**Improper deductions.** If an employee believes that an improper deduction has been taken from their pay, the employee should immediately report the deduction to the Human Resources Department. The report will be promptly investigated and if it is found that an improper deduction has been made, the College will reimburse the employee for the improper deduction.

During the week a FLSA exempt employee begins work for the college or during the last week of employment, the employee will only be paid for actual hours worked. In addition, an employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA) or the New Jersey Family Leave Act (NJFLA).

## **Direct Deposit**

Direct deposit is the automatic deposit of your salary or wages into the financial institution accounts of your choice. All employees are strongly encouraged to sign up and can change your direct deposit at any time. Contact the Payroll Office for details. Employees can set-up and change their direct deposit information through the Self-Service site.

# TIME OFF

## Sick Time

Absences over three (3) consecutive days require a doctor's note, which must include: (1) your name, (2) the date you were seen, (3) the time of your appointment, and (4) a stipulation of any period of partial or total incapacity. In the event of excessive absenteeism or suspected abuse, an employee may be required to submit a doctor's note, with the information noted above, on the first day you return to work. The College may also require that you provide a fitness-for-duty certification from your doctor before your return to work.

All full-time non-represented employees will receive eighty-four (84) hours of sick time on July 1<sup>st</sup> of each fiscal year. Unused sick time will carry over each fiscal year. There is no payout of unused sick time at employment separation. Sick time does not count toward overtime.

All employees represented under a Collective Bargaining Agreement are referred to the applicable CBA.

## Volunteer Sick Leave Donation

Under the Volunteer Sick Leave Donation Program, a full-time employee may donate sick leave directly to cover a benefit-eligible employee who may face financial hardship because they have exhausted all of their own paid leave options due to a medical emergency such as an extended catastrophic illness or injury to him/herself.

Employees must have completed a minimum of one year of continuous full-time employment to be eligible to donate and/or receive donated sick time.

Please contact Human Resources to review the complete Volunteer Sick Leave Donation policy and procedures.

## Holidays

The College recognizes the following holidays:

<b>Holiday</b>	<b>Date</b>
New Year's Day	January 1st
Dr. Martin Luther King Day	3 <sup>rd</sup> Monday in January
*President's Day	3 <sup>rd</sup> Monday in February
Good Friday	TBD
Memorial Day	Last Monday in May
Juneteenth	June 19 <sup>th</sup> /TBD
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday in September
*Columbus Day	2 <sup>nd</sup> Monday in October
*General Election Day	1 <sup>st</sup> Tuesday in November
*Veteran's Day	November 11 <sup>th</sup>
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Day After Thanksgiving	4 <sup>th</sup> Friday in November

<b>Holiday</b>	<b>Date</b>
Christmas Day	December 25th

\* The college is open on these dates, see below:

If a holiday falls on Saturday, it will be observed on Friday. If a holiday falls on Sunday, it will be observed on the following Monday.

If a holiday occurs during the vacation or sick leave of an employee, it will not be charged as a day of vacation or sick leave.

It has been a practice that the College closes between Christmas and New Year's Day. To provide pay status for employees during this period, observance of the following holidays is postponed and utilized during this period:

- President's Day
- Columbus Day
- Election Day
- Veteran's Day

Newly hired employees who have not earned these holidays will be placed in no-pay status during the period of college closing or may use any accrued vacation or personal time.

## **Vacation**

Vacation is accrued monthly and accrual for any particular month is credited if an employee is in pay status on or before the 15th day of the month and has been in paid status for more than half of the scheduled workdays of the month.

An employee must take a vacation at a time mutually acceptable to the employee and the supervisor. Vacation pay instead of vacation time will not be paid unless the employee is going off the payroll temporarily or terminating employment. In such instances, employees receive vacation pay for days earned and credited to their leave account. Represented employees should refer to the applicable CBA for vacation payout at termination.

Except in extraordinary circumstances, vacation must be requested and approved in advance of the day of leave utilizing the college self-serve app/website.

At the time of termination, the final paycheck will include days of unused vacation except for that separation during the employee's probationary period will not provide vacation accrual. Employees failing to provide the required two (2) weeks' notice of separation will not be eligible for accrued vacation payment.

All employees represented under a Collective Bargaining Agreement are referred to the applicable CBA.

# HEALTH AND WELFARE BENEFITS

The college's benefit plan provides a foundation for protection against major health care expenses and temporary loss of income due to sickness or accident and retirement by providing retirement income to eligible employees through the PERS or ABP retirement plans and voluntary supplemental 403(b) and 457(b) plans.

The information contained herein regarding insurance or pension benefits is intended as a brief description only. Employees should see visit the [NJ Division of Pensions and Benefits website](#). If there is a conflict between the information in this Handbook and the plan documents, the plan documents govern.

The nature, amount, and terms of all employee benefits are governed by the benefit plan documents or any other governing document and not by this Handbook. Atlantic Cape Community College has the exclusive right to change or modify plans or to change providers for plans.

## Dental Insurance

Dental Benefits are available to full-time employees and their eligible dependents at no premium cost to the employee and are currently under Delta Dental. Copays and an annual deductible may apply. For additional information, please visit [Delta Dental](#). There is also a buy-up option available with enhanced plan coverage.

## Medical Coverage

Health Benefits are available to full-time employees and their eligible dependents under the State of New Jersey School Employees Health Benefits Program (SEHBP). The SEHBP offers a choice of medical plans. Plan descriptions are available on the State's website at [Division of Pensions & Benefits - School Employees' Health Benefits Program](#).

Eligibility - Coverage begins two months from the first day of work provided completed enrollment forms and required supporting documentation for dependents are provided promptly and within the employee's eligibility period. Eligible dependents include your spouse, civil union partner and with required documentation, natural children, stepchildren, and foster children to the end of the year the child turns age twenty-six.

Contributions for Health Coverage - Chapter 78, P.L.2011 established employee contribution requirements towards health benefits coverage for Plans NJ Direct 10 and NJ Direct 15. P.L. 2020, Chapter 44 established the contribution requirements towards health benefits for New Jersey Educators Health Plan (NJEHP) and Garden State Health Plan (GSHP).

Failure to Enroll - If an employee does not enroll within sixty (60) days of when he/she first becomes eligible, he/she must wait until the next Open Enrollment period, usually October, of each year for coverage effective January 1 of the following year.

Waiver of Coverage - SEHBP Coverage may be waived if you are covered as a dependent under a spouse or partner's employer-provided health benefits plan. You may be reinstated into SEHBP if your other health coverage ends by providing proof of loss of the other coverage.

## **Prescription Coverage**

Prescription coverage is included with health benefits coverage. Employees must be enrolled in a medical plan to participate in prescription coverage.

## **Vision Care**

The college provides a vision care program for full-time employees and their eligible dependents. Vision Care Claim Forms and program information can be obtained from the Benefits and Human Resources Office.

## **Termination of Coverage**

When you terminate employment due to retirement, resignation, or a reduction in force, or your hours are reduced so that your status becomes part-time and therefore no longer eligible for employer-paid health coverage, you and/or your dependents may be eligible to continue health benefits coverage (see the health benefits Summary Program Description for a description of eligible dependents). A complete description of eligibility and options for continuation of health benefits may be found at [NJ Treasury - Division of Pensions & Benefits](#).

The following options are available for continuing health benefits coverage depending on your termination status:

- Retired Group coverage
- COBRA.

## **Retired Group coverage**

If you retire from your job and receive a retirement allowance from a State or locally-administered retirement system, you and your spouse, civil union partner, or eligible same-sex domestic partner may be eligible to continue participation in the State of New Jersey School Employees Health Benefits Program (SEHBP) for your lifetime.

To enroll in the SEHBP under the retired group, you must file an Application for Retirement Allowance with the [Division of Pensions & Benefits \(PERS\)](#) or [Division of Pensions & Benefits \(ABP\)](#); after which, you will be mailed a Retired Coverage Enrollment Application by the [NJ State Health Benefits Bureau](#).

## **COBRA**

The Federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA) provides for the continuation of group coverage under the SEHBP for the employee and covered dependents for 18 months if:

- the covered employee is terminated or resigns; or
- the employee's hours are reduced so that the employee and/or dependents no longer meet the
  - SEHBP's eligibility requirements for coverage (also includes leaves of absence).

Coverage may continue for 36 months for dependents if:

- the covered employee dies;
- the covered employee and their spouse divorce;

- the covered employee and their civil union partner or eligible same-sex domestic partner dissolve a partnership;
- or a child no longer qualifies because of attaining age 26.

Complete information regarding health benefits for COBRA enrollees may be found at [NJ Treasury - Division of Pensions & Benefits - COBRA](#)

## **Flexible Spending Account (FSA)**

Atlantic Cape Community College offers a Flexible Spending Account (FSA) Program that allows full-time employees to have pre-tax dollars deducted from their salaries to pay for eligible out-of-pocket medical, dental and dependent care expenses. The pre-tax contributions to your FSA account can be used to pay for non-reimbursed health care expenses and dependent care expenses during the plan year. Participation in the FSA Program reduces your taxable income.

Participation in the Health Care and/or Dependent Care FSA is optional and requires an annual enrollment during October's Open Enrollment month. Participation begins January 1<sup>st</sup>. An FSA is a "use it or lose it" plan and expenses must be incurred during the calendar year you elected.

## **Long-Term Disability Life Insurance and Retirement Benefits**

Long-term disability, life insurance, and retirement benefits are offered through either N.J. Public Employees' Retirement System (PERS) <https://www.state.nj.us/treasury/pensions/pension-active-pers.shtml> or the Alternate Benefit Program (ABP) <https://www.state.nj.us/treasury/pensions/pension-active-abp.shtml>, depending upon eligibility criteria.

### *Long-Term Disability*

An employee medically unable to return to work when a short-term disability claim ends is eligible to apply for long-term disability;

### *Life Insurance*

Full-time employees participating in a State of New Jersey Pension Plan, ABP or PERS, are covered for life insurance equal to three and one-half times base salary or three times base salary, respectively. Detailed information can be obtained on the State's website.

### *Retirement benefits*

Atlantic Cape Community College participates in the State of New Jersey Pension system. Employees will be enrolled in a retirement plan under New Jersey law and the policies disseminated by the State of New Jersey, Department of the Treasury, Division of Pensions and Benefits. PERS is a defined benefit plan, whose criteria for eligibility may be found at [NJ Treasury - Division of Pensions & Benefits - Public Employees' Retirement System](#).

ABP is a defined contribution plan whose membership is available for those who are ineligible to join PERS or who choose to join the ABP despite being eligible for PERS. See [NJ Treasury - Division of Pensions & Benefits - Alternate Benefit Program](#) for a comparison of the PERS and the ABP plans' major provisions, including contributions.

PERS provides retirement benefits, life insurance, and disability coverage and is the N. J. Public Employees Retirement System's defined benefit plan. Employees contribute a plan-mandated percentage of salary to the State of New Jersey on a pre-tax basis. An employee retiring under PERS receives their retirement benefit based on a formula that includes age at retirement, years of participation in the plan, tier assigned for date of enrollment, and an average of the highest years' salary. Vesting is granted after 10 years of participation and entitlement to a deferred retirement benefit commences between ages 60 and 65, depending upon enrollment date whose tier criteria may be found at [NJ Treasury - Division of Pensions & Benefits](#). A detailed PERS retirement formula may be found within the booklet at [NJ Treasury - Division of Pensions & Benefits](#).

ABP provides retirement benefits, life insurance, and disability coverage, which, when combined with Social Security and other tax-deferred plans, can provide security in retirement. In brief, the Alternate Benefit Plan (ABP) is a tax-deferred defined contribution plan whose participants contribute 5% of their base salary. There is an employer contribution fixed at 8% of the base salary, limited to a maximum salary established under Chapter 31, P.L. 2010. The employee selects an investment carrier from within seven participating carriers, determined by the State of New Jersey. Each of the carriers offers contracts with a wide variety of investment options. Vesting requires one (1) year of plan participation.

### **Short-Term Disability**

When due to a medical disability (including the inability to work arising out of or connected with pregnancy or recovery therefrom), an employee shall be granted an extended leave without pay for a period of up to 12 months. The college may require periodic medical certification which shall be submitted to the Human Resources Department that such conditions warrant the leave.

All employees represented under a Collective Bargaining Agreement are referred to the applicable CBA.

### **Worker's Compensation Insurance**

All employees of the College are covered by Workers' Compensation Insurance. Accordingly, employees who suffer job-related injuries and illnesses may be entitled to medical expenses, lost income, and other expenses under the New Jersey Workers Compensation Act.

Reporting Requirements - It is the responsibility of the employee to report work-related illness or injury to their immediate Supervisor and the Public Safety Department as soon as possible but no later than 24 hours after the occurrence. Both the employee and the Public Safety Department are required to complete an Accident Report with details of the accident, injury, and work-related activity.

In the case of a work-related injury or illness, after first aid and/or Public Safety's determination that the employee should be transported to the hospital, all subsequent medical visits must be authorized by the Worker's Compensation carrier.

# LEAVES OF ABSENCE

## **Bereavement Pay**

In the event of a death in the immediate family of an employee, the Employee should immediately contact their supervisor. Fulltime employees will be entitled to a maximum of four (4) scheduled workdays off, with pay, to attend to personal matters associated with the bereavement. Supervisors may authorize additional unpaid time off if circumstances such as travel distances or responsibility for settling the affairs of the deceased warrant such additional time. Employees must use all available personal time accrued for the additional time permitted.

“Immediate family” for the purposes of this policy, is defined as spouse, parents, step-parents, grandparents, step-grandparent, grandchildren, step-grandchildren, children (including legally-adopted children), step-children, siblings, step-siblings, father-in-law, and mother-in-law or domestic partner. Atlantic Cape Community College reserves the right to require employees to provide documentation of the death and/or degree of relation to the deceased.

Employees may request Bereavement leave through the employee self-serve portal.

All employees represented under a Collective Bargaining Agreement are referred to the applicable CBA.

## **Jury Duty**

Employees shall keep their supervisors advised of the probable period of absence related to Jury Duty and shall submit a Leave Request Form.

In unusual cases, the college may request that an employee be excused or deferred from jury duty for a particular period.

## **Military Leave**

Atlantic Cape Community College grants full-time and part-time employees who are members of the United States Uniformed Services leaves of absence to fulfill military obligations and reemployment rights following separation from military service, per Federal law. Employees requiring leave must provide their Supervisor with advance notice of the need for leave unless notice is impossible or prevented by military necessity.

Members of the National Guard or Reserve components of the armed forces will be granted leaves to attend annual training exercises and periodic drills. Employees will receive payment per the laws for military leave. Benefits for all employees covered under College benefits will continue during such leave.

Employees who enlist or are called to active duty in the United States Uniformed Services are entitled to reemployment according to the Uniformed Services Employment and Reemployment Rights Act of 1994, provided that a timely application for reemployment is received, applicable active duty service did not exceed five (5) years, the employee's separation from service was with a disqualifying discharge or under other than honorable conditions.



## **FMLA/NJFLA/NJSA - Federal Family Medical Leave Act, New Jersey Family Leave Act, and The New Jersey Safe Act**

Atlantic Cape Community College complies with the federal Family Medical Leave Act of 1993 (FMLA) which was amended to include Military Family Leave (MFL) on January 16, 2009, and revisions effective February 2013, New Jersey's Family Leave Act of 1990 (NJFLA) and the New Jersey Security and Financial Empowerment Act (NJ SAFE Act), PL. 2013, c.82.

The Family and Medical Leave Act of 1993 and the New Jersey Family Leave Act offer covered employees up to 12 weeks of unpaid, job-protected leave for certain family and medical-related reasons. While both laws provide substantially equivalent coverage, there are some differences. The US Department of Labor's website offers information on the Family and Medical Leave Act of 1993 at: [Family and Medical Leave \(FMLA\)](#) and the State of New Jersey offers information about both the Rights of Employees under the Family and Medical Leave Act of 1993 and New Jersey Family Leave Act in the State statutes at [NJ Treasury - Division of Pensions & Benefits](#).

Employees must provide thirty (30) days advance notice of the need to take FMLA to leave when the need is foreseeable. When thirty (30) days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the College's procedures for reporting absences. In the event, time off is required after FMLA and/or NJFLA is exhausted, employees must use available vacation time.

To trigger FMLA and/or NJFLA leave protections, employees must inform Human Resources of the need for FMLA/NJFLA-qualifying leave and the anticipated timing and duration of the leave, if known.

Employees may do this by either requesting FMLA and/or NJFLA leave specifically, or explaining the reasons for leave to allow the College to determine that the leave is FMLA or NJFLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a healthcare provider;
- the leave is due to a qualifying exigency caused by a covered military member being on active duty or called to active duty status; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or if the family member is a covered service member with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA or NJFLA leave.

If an employee fails to explain the reasons for FMLA or NJFLA leave, the leave may be denied. When employees seek to leave due to FMLA-qualifying reasons for which the College has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave. Employees may also be required to provide a certification and periodic recertification supporting the need for leave.

The NJ SAFE Act (Domestic Violence Leave) provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. Posted notice about this action may be found at [Department of Labor & Workforce Development](#).

Please see a representative of the Human Resources Department to arrange for any of these accommodations.

# **EMPLOYMENT/RECRUITMENT**

## **Employment**

Atlantic Cape makes every effort to be inclusive and to insure a diverse applicant pool and therefore a diverse workforce. All job postings will be posted on websites and job boards that are reflective of this effort.

The Human Resources Department shall make all formal offers to successful candidates for employment at Atlantic Cape Community College. This shall include all full- and part-time teaching and staff positions. In the case of adjunct teaching staff, the appropriate department in close cooperation with the Human Resources Department may make the official offer.

This policy does not include the Federal Work-Study Program. This policy shall also not apply to the re-hire of part-time teachers and employees unless a one-year break in service has occurred since the candidate's prior employment with the college. For this purpose, a lack of summer teaching shall not be considered a break in service for part-time faculty members.

The Human Resources Department shall also be responsible for communications with all unsuccessful candidates for employment. All inquiries by unsuccessful candidates should be referred to Human Resources.

## **Employment of Relatives**

Members of the same immediate family may be employed either on a full- or part-time basis so long as they are not placed in positions where one employee is responsible for the supervision of another or where the handling of confidential information could create an actual or perceived conflict of interest, and/or an inappropriate or unethical situation. Management reserves the right to limit the employment of relatives in situations within the College if a conflict of interest is deemed to exist.

For purposes of this policy, a "relative" is a spouse, domestic partner, parent, grandparent, sibling, child, grandchild, aunt, uncle, niece, nephew or first cousin, parent-in-law, brother or sister-in-law, or any spouse of any of the foregoing. Additionally, relatives are individuals related by blood, marriage, and/or adoption which includes stepchildren, parents, or siblings.

If an employee has or develops a relationship as described above, it is the employee's responsibility to immediately notify Human Resources in writing. Human Resources is responsible for determining through, among other things, employment applications if employees and/or applicants are related to any current employees. Human Resources shall not refer candidates to positions that are inconsistent with the above policy. If there is a question of whether a conflict of interest would be created, Human Resources will contact the appropriate Cabinet-level department head for a determination as to whether the contemplated employment and/or transfer will result in a conflict.

## **Hiring Former Employees**

Only employees who voluntarily terminate employment, and who leave in good standing with a satisfactory work history with the College, will be considered for rehire, provided they apply. If rehired, they will again start as a new employee and must serve the appropriate probationary period, regardless of the time period between employment termination and rehire. No anniversary credit for past service shall be extended to a rehired employee in terms of seniority, benefits, vacations, sick leave, etc.

## **Job Postings**

The Job Opportunity Announcement shall be placed on the college's website. The announcement shall contain the title of the position, the name of the department in which the vacancy will exist, a general statement of duties, and the qualifications required.

Vacancies will be advertised internally and /or externally through the Atlantic Cape Community College website and as picked up by other employment websites. Only the Human Resources Department will place advertising for vacant positions.

Tests of required job-related skills may be conducted by the Human Resources Department and results furnished to the hiring Supervisor along with the resume and employment application.

When a candidate is selected, an offer of employment is made by a member of the Human Resources Department only.

All applications for employment, including those for current employees interested in applying for campus openings, are completed at <http://www.atlantic.edu/employment/index.php>

## **Pre-Employment Physical Examination**

The college requires that all qualified applicants for positions such as custodians, groundskeepers, laborers, maintenance workers, security guards, and central receiving undergo physical examinations to ensure that they satisfactorily meet the physical requirements of the position to which they are to be hired. The examinations are conducted without cost by a physician selected by the college and paid for by the college.

## **Performance Appraisal and Evaluation**

Performance appraisals and evaluations are recognized by the college as an important supervisory responsibility. Correctly undertaken, this activity provides a dual purpose and value. While the process is required as an official record and guide in the decisions for retention, reappointment, tenure, and promotion, it has an equal goal in assisting employees in the improvement of their performance. It facilitates the process of communication and understanding concerning what is expected of the employee and how well the employee is functioning. The college can also expect a better understanding of the types of training and development opportunities that should be provided so that current assignments as well as promotional opportunities will be enhanced.

Generally, Performance Appraisals and Evaluations for full-time and part-time employees will be conducted on an annual basis except where otherwise dictated in a collective bargaining agreement.

## **Personnel Files**

The Human Resources Department maintains a personnel file for each employee of Atlantic Cape Community College. To maintain current records, the department must be immediately notified of any changes in address, telephone number, marital status, emergency contact or number of dependents.

The personnel file contains relevant personnel information, basic employment records, and other pertinent material including evaluations and documents. In any employee hearing, no written material shall be used except that contained in the designated personnel file.

Upon reasonable notice, any employee may review the contents of their personnel file. At such a review, which shall be conducted in the presence of a designated member of the administration, the employee has the right of association representation.

## **Promotions and Transfers**

The viability and vitality of an educational institution depend upon the ability of its faculty to teach and grow and the willingness of its non-faculty members to perform efficiently their separate duties. Each must have the desire to undertake more responsible roles in the administration and operation of the college, and to cope successfully with challenges as they arise. A promotion system exists in large part to invite and reward the service that will meet these needs.

Represented employees may file a request for transfer to another position in the college at the same classification and pay grade by contacting the Human Resources Department and notifying their direct supervisor of the request. Such transfers are for better utilizing the employee's skills and talents by placement in a more advantageous work situation. Transfers also serve to retain competent employees whose employment may otherwise be terminated either voluntarily or because of the elimination of the present position.

Employees will not normally be considered for transfer before the end of their probationary period. Exceptions must be approved by the Human Resources Department.

The current position and status of a satisfactory employee who has applied for a transfer will not be jeopardized.

The effective date of a transfer will be jointly determined by the losing and gaining supervisors. Normal notice is two weeks.

When transferred, an employee normally shall not receive a salary adjustment.

An employee shall not be transferred to a new or revised position until the position has been described, evaluated and approved by the President and subsequently authorized by the Board of Trustees.

Recommendations for promotions and transfers of Exempt employees shall be made by a Cabinet member and must be approved by the Director of Human Resources and the President.

For promotions and transfers for employees represented under a Collective Bargaining Agreement, employees are referred to their applicable CBA.

## **Position Classification/Reclassification**

Position classification provides a basis for compensation and assists in administering wages and salaries for non-faculty positions. Classification is the grouping of positions that consist of similar duties, have approximately the same levels of complexity and responsibility, require similar training and experience at the time of recruitment, and may be compensated by the same general levels of pay.

Whenever an employee and their supervisor believe the duties and requirements of an existing job have changed sufficiently they should take the initial step in the classification procedure by reviewing the Request for Reclassification and its specifications. The specifications are descriptive explanations of the work performed and are used to draw relationships to other similar positions. This form is provided by and returned to the Human Resources Department.

The supervisor must agree to the employee's request for reclassification before submission of the signed form to Human Resources.

Reclassification may result in a higher or lower classification or no change in grouping.

Employees represented under a Collective Bargaining Agreement are referred to their applicable CBA.

## **Separation of Employment**

Employees normally terminate employment from Atlantic Cape Community College in one of four ways:

- Retirement
- Voluntary Resignation
- Lay Off
- Termination

An employee who intends to resign will provide written notice in advance to the immediate supervisor with a copy to the Human Resources Department. The advance notice will be 2 work weeks for support staff and 30 calendar days for all other personnel. Failure to provide the advanced notice will result in forfeiture of accrued vacation and a notation in the personnel file.

Faculty resignation/retirement requirements are governed by the Teachers, Counselors and Librarians Collective Bargaining Agreement.

After giving notice of resignation, employees are expected to assist their Supervisor and co-employees by providing information concerning their current projects and help in training a replacement. The Human Resources Department may schedule a termination conference after receiving the written notice of resignation and arrange for the completion of an exit interview.

All termination procedures must be completed prior to the issuance of the final paycheck. Final paychecks will be processed by the Human Resources Department. At this time, employees should have turned in all college property including keys, books, equipment., etc.

The College may institute layoff or position elimination actions for economic, efficiency, restructuring or other reasons. Employees represented under a Collective Bargaining Agreement are referred to their applicable CBA.

## **Training**

Training is recognized as a necessary activity that plays a large part in determining the effectiveness and efficiency of the college.

Although the new employee at the point of hire may bring the skills and abilities to perform the required activities, each position presents assignments that may be new and unique. It is the responsibility of each supervisor to assure that each new employee is introduced to the assignments, instructed in the operational procedures, and allowed to try out the operation under guidance. Effective training can reduce the learning to reach acceptable performance and help employees increase their level of performance.

Throughout the year, the College will present mandatory and non-mandatory training modules to all employees to complete through the Safe Colleges training software. All mandatory training modules must be completed by all employees within the prescribed time. Failure to complete any training deemed mandatory may result in corrective discipline.

## **OTHER POLICIES**

The successful business operation and reputation of Atlantic Cape Community College are built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of Atlantic Cape Community College is dependent upon our students' trust and we are dedicated to preserving that trust. Employees are required to act in a way toward their fellow Atlantic Cape Community College colleagues and its students that will merit continued confidence.

Atlantic Cape Community College complies with all applicable laws and regulations and expects its administrators and employees to conduct business accordingly and to refrain from any illegal, dishonest, or unethical conduct. Atlantic Cape Community College is committed to environments for all students, employees, and visitors that are free from discrimination and harassment.

Failing to comply with Atlantic Cape Community College policies may lead to disciplinary action, up to and including termination. If a situation arises that makes it difficult to determine the proper course of action, the matter should be discussed openly with your immediate Supervisor and, if necessary, with Human Resources for advice and guidance. Policies and procedures can be found on the College's website. They should be reviewed periodically. Policy questions should be directed to the specific cabinet member responsible for that area or the Board Office.

Atlantic Cape Community College wishes to promote an atmosphere whereby employees may speak freely with members of the management staff. Employees are encouraged to openly discuss with their Supervisor any problems affecting their workplace, for appropriate actions to be taken. If the Supervisor cannot be of assistance, members of the Human Resource Department are available for consultation and guidance. Atlantic Cape Community College is interested in all of our employees' success and welcomes the opportunity to help employees.

### **Business Ethics and Conduct**

All Atlantic Cape employees are paid from Federal, state or county funds and as such, are subject to the following standards:

1. No employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of the employee's duties to the College.
2. No employee shall use their official position to secure unauthorized privileges or advantages for themselves or others.
3. No employee shall act in their official capacity in any College matter in which the employee or an immediate family member of the employee has a direct or indirect financial interest that might reasonably be expected to impair the employee's objectivity or independence of judgment.
4. No employee shall undertake any employment or engage in any business, transaction, service or professional activity, whether compensated or not, which might reasonably be expected to impair the employee's objectivity or independence of judgment in the exercise of their official duties to the College.

5. No employee shall accept, directly or indirectly, any gift, favor, service, or other things of value under circumstances from which it might be reasonably inferred, or which the employee knows or has reason to believe, is offered to influence the discharge of his or her duties to the College.
6. No employee shall knowingly create an impression or suspicion among the public that they may be engaged in conduct violating their trust as a public employee.
7. No employee shall appear on behalf of a party not affiliated with the College, in any matter before the College, or a proceeding involving the College before other public agencies. Nothing contained herein shall preclude an employee from appearing on behalf of a student, employee, or employee organization of the College.
8. No employee shall use, or allow to be used, their public office or employment, or any information not generally available to members of the public, which the employee receives in the course of or by reason of the employee's office or employment, to secure financial gain, unauthorized privileges, advantages or employment for themselves, their immediate family members, or others with whom the employee is associated.
9. No employee shall engage in an amorous relationship with a student for whom the employee has a professional responsibility as a teacher, advisor, evaluator or supervisor.
10. The primary work obligation of a full-time employee of the College is to the College.

## **Academic Freedom**

Academic freedom at Atlantic Cape Community College is viewed as assurance of the following entitlement:

1. Educators are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return shall be based upon an understanding with authorities of the institution.
2. Educators are entitled to academic freedom in the classroom in discussing their subjects, yet they should be careful not to introduce into their teaching controversial matter which has no relation to the subject matter.
3. Educators are citizens, members of the learned profession, and officers of an educational institution. When they exercise rights as citizens, they shall be free from institutional censorship or discipline, yet their special position in the community imposes special obligations. As persons of learning and as educational officers, they should remember that the public may judge the profession and the institution by their utterances. Hence, they should at all times be accurate; should exercise appropriate restraint; should show respect for the opinion of others; and should make every effort to indicate that they are not an institutional spokesman.

## **Adjunct Tuition Waivers**

Adjuncts can enroll for a credit course, tuition free, during any semester they are teaching. They can register on a space-available basis, on the final day of the registration period. There will be no tuition cost, but any fees connected with the course must be paid by the adjunct. Senior Adjunct Instructors not teaching in the summer may enroll in one summer credit course, tuition free, provided they have committed to teaching a credit course in the upcoming fall semester. In all situations, if a grade of "C" or better is not earned in the course, the adjunct shall be responsible to reimburse the College for the full expense of the waived tuition.

## **Affirmative Action Equal Opportunity**

The Board shall continue its commitment to maintaining and promoting affirmative action and equal opportunity throughout the college community.



In recognition of our responsibility to our employees and to the communities in which we operate, the College affirms that this equal employment opportunity statement is meant to and does comply with all federal, state, and local equal employment opportunity/non-discrimination laws. In carrying out this responsibility, we will, to the fullest extent required by applicable law:

- recruit, hire and promote for all job classifications; and
- base all personnel actions (such as compensation, benefits, transfers, return from layoffs, College sponsored training, social and recreational programs, and terminations) based on an individual's job-related qualifications without regard to race; creed; color; sex; gender; pregnancy; gender identity or expression; national origin; nationality; age; ancestry; marital status, domestic partnership, or civil union status; religion; affectional or sexual orientation; atypical hereditary cellular or blood trait; genetic information; liability for military service; protected veteran status; mental or physical disability (including perceived disability, aids and HIV-related illnesses); and any other category protected by law.

### **Americans with Disabilities Act (ADA)**

Atlantic Cape Community College does not discriminate against qualified individuals with disabilities or perceived disabilities. The College provides reasonable accommodation(s), as required by law, to otherwise qualified applicants, employees, and students with disabilities in all work settings, education programs, activities, services, and practices, including application procedures, admissions, course selection, and the awarding of degrees. Educational, employment, or promotion opportunities will not be denied to an employee or student, respectively, because of the need to make reasonable accommodation(s) or modification(s) for the physical and mental impairment(s) of any such individual.

If you have a disability and believe that you need accommodation to perform the essential functions of your position, please immediately inform your Supervisor or Human Resources. Concerns or inquiries should be directed to the Director of Human Resources.

### **Compensation**

The college maintains a wage and salary system subject to labor market conditions, collective bargaining, and available resources.

In addition to providing employee benefits legally imposed on the institution, the Board of Trustees understands the value and integral nature of a meaningful benefits program as part of the total compensation plan. The Board engages in good faith collective bargaining practices that routinely address provisions, such as holidays, vacations, insurance coverage, leaves, educational assistance, and retirement plans.

Salary increases for administrators and support personnel in positions not under Collective Bargaining Agreements shall be given on the recommendation of the President and approval by the Board of Trustees.

Salary increases for employees covered under a Collective Bargaining Agreement are subject to the negotiated increases outlined in the applicable CBA.

## **Compensatory Time**

Support staff personnel in positions eligible for overtime payment may elect to take compensatory time instead of payment for any time worked beyond the regular work week with the consent of the immediate supervisor.

The accumulation of compensatory time will be mutually decided between the employee and the supervisor and approved by the Human Resources Department with such accumulation reported to the Human Resources Department on a Payroll Time Sheet no later than the end of the payroll period in which the time was earned.

The maximum of compensatory time permitted in any contract year is limited to seventy (70) hours. Requests for the use of compensatory time will be processed in advance of the leave period via employee self-service. Only leave duly reported will be permitted to be taken.

All employees represented under a Collective Bargaining Agreement are referred to their applicable CBA.

## **Confidentiality of Information**

College employees by the nature of their positions are frequently charged with privileged information related to the college, its students, and its employees. As such, they are responsible for the confidentiality of such information and its release only to authorized individuals.

In general, only such information on an employee or student which would be provided in the college catalog is to be released upon request. Salary information on an employee or former employee is not to be provided without written permission for its release. Employee information requested to assist a collection agency will not be given.

Requests for information through legal means will be forwarded to the Human Resources Department for the reply. Human Resources will issue a release form to be signed by the employee before the information is provided.

## **Consensual Relationships**

Atlantic Cape Community College recognizes that a consensual amorous relationship between a faculty or employee and a student does not necessarily involve sexual harassment or sexual misconduct. However, the College's educational responsibilities to its students are potentially compromised in all such cases by the likelihood or even the appearance of a conflict of interest. Consequently, this policy prohibits consensual amorous relationships between a faculty or employee and a student whenever the faculty or employee is in a position of professional or supervisory responsibility concerning the student.

Consensual romantic and sexual relationships between supervisors and employees or between faculty and student are strongly discouraged. These relationships may be subject to concerns about the validity of consent, conflicts of interest, and unfair treatment of other students or employees. Further, such relationships can undermine the atmosphere of trust essential to the educational process and the employment relationship. A person involved in a consensual relationship cannot have direct responsibility for evaluating the employment or academic performance or for making decisions regarding the promotion, tenure, or compensation of the other party to the relationship.

A subordinate's "voluntary" participation in a sexual relationship with an individual in a position of power or authority does not alone demonstrate that the conduct was welcome. Accordingly, a supervisor's display of a romantic interest in a subordinate might constitute sexual harassment. Any individual who engages in a consensual romantic or sexual relationship with someone over whom they have supervisory or educational responsibility must inform their immediate supervisor of the consensual relationship so that the College can act to make changes that eliminate the conflict of interest and that impacted employees are recused from making decisions that have an impact, either directly or indirectly, on the individuals involved. In the case of a relationship between two employees in which the College determines it is unable to eliminate the conflict of interest, the employees will be provided with the opportunity to decide which of the two will resign their employment. Failure to give proper notice to the appropriate supervisor may result in the denial of legal representation and indemnification if a lawsuit based on the relationship is filed. In addition, failure to give proper notice to the appropriate supervisor may result in disciplinary action.

## **Disciplinary Actions**

Good supervision requires that supervisors prevent serious personnel problems through open and honest communication with employees. Corrective discipline is an effective approach in dealing with most disciplinary problems while at the same time fostering mutual respect between supervisors and employees and protecting the rights of all concerned.

Before disciplinary measures are imposed, it is essential that the situation be thoroughly investigated so that the facts are made known. Any action taken must be primarily corrective rather than punitive and must be appropriate to the offense.

Where an employee's work performance is unsatisfactory or where an employee has violated college policies and regulations to the extent that disciplinary action is necessary but the employee's continued presence on the job site does not present an issue, the following steps should be taken:

- I. **Oral Warning:** Involves identifying a problem or situation and discussing the behavior or action with the employee in an effort to correct future behaviors or actions.
- II. **Written Warning:** Involves discussion with the employee and a memorandum of confirmation identifying the problem or situation.
- III. **Suspension or Discharge:** Where written warnings are not heeded or where an employee is involved in serious violation of college rules and regulations, the following actions should be taken:
  - A. **Suspension:** Involves removal from payroll for a specific number of days. Before such action is taken, the matter must be discussed with the Human Resources Department. An employee must be informed of the suspension verbally and with a confirmation in writing. A copy of the written statement is to be filed with the Human Resources Department.
  - B. **Discharge:** Before an employee is discharged, the situation must be discussed with the Human Resources Department. If it becomes necessary to discharge an employee, the Director of Human Resources must be involved and a written notice of separation stating the effective date and the reason for separation will be given to the employee.

If the violation is of a nature where the continuation of the employee's presence on the job would cause a threat to other personnel or an interruption of work performance, separation shall be immediate.

## **Dismissals**

The college necessarily reserves the right to suspend or terminate the employment of any employee for reasons of unsatisfactory performance, reductions in force, unavailability for work, elimination of programs, financial exigency, violation of rules, or behavior contrary to the social and ethical standards of the college community. Human Resources must be consulted prior to any determination of dismissal.

## **Drugs and Intoxicants**

Atlantic Cape is a drug free campus and the possession, use, sale or distribution of illegal drugs or narcotics on college property or at any college sponsored function is prohibited.

Employees using prescription drugs that may affect job performance or safety must notify Human Resources.

Violation will result in actions ranging from discipline to termination. The College may, in its sole discretion, allow an employee who tests positive for drugs a single opportunity to complete an approved rehabilitation program. Employees who fail to complete such a rehabilitation program or who test positive for drugs a second time will be terminated.

## **Electronic Communications**

All Communication Media, and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the College. The College can and will, at its pleasure, access, review, audit and disclose all matters entered into, sent over, placed in storage in the College's Communication Media.

All employees are bound by the College's policies regarding electronic resources. As noted in these policies, the College may access and review any information or communication created or stored on electronic equipment provided at or by the College, including but not limited to files, e-mail and communication links.

You specifically agree to this policy at each and every log in, where through you are notified and need to accept this policy before you are granted use of electronic communications.

Violations of this policy will result in discipline up to and including termination.

## **Gifts – Solicitation and Acceptance**

Atlantic Cape may evaluate, accept, acknowledge and carry out the donors' intentions respecting gifts in a manner which provides the greatest benefit to fulfilling the mission of Atlantic Cape while enhancing the college's reputation and attractiveness as a recipient of such gifts. Gift policies and procedures are found on the College's website.

Any gift agreements shall be determined in advance of gift acceptance and approved by the President. All gifts shall be held in the name of Atlantic Cape Community College and not held by an individual, single department, or administration unit of the college. Questions about donations and gifts to the College should be directed to the Foundation office.

## **Grievance Redress - Exempt Personnel**

For employees in positions not under collective bargaining contracts, the first step is to attempt to resolve problems through discussion between the parties involved and /or their superiors. If this is not successful, employees may make a formal complaint by stating in writing, within 7 working days to their supervisor's superior, the facts of the grievance, the people who have participated in the informal discussions and why the outcome of those discussions is not satisfactory to the employee with the grievance.

There shall be a response to this within 7 working days.

An appeal from this response may be made within 7 working days to the President.

The President or their designee shall meet with the grievant within 10 working days of receipt of the appeal.

A response shall be provided within 7 working days of the hearing which will be final.

Employees represented under a Collective Bargaining Agreement are referred to the applicable CBA.

## **Harassment and Non-Discrimination**

Discrimination destroys mutual respect and an environment, can bring substantial personal harm to individuals, and violates individual rights. The College prohibits such behaviors because it is committed to maintaining an environment free of all forms of discrimination. Such commitment is expressed in the College's Non-Discrimination and Anti-Harassment Policy, which can be found in its entirety on the College Website: [Preventing Sexual Harassment](#).

Atlantic Cape Community College is committed to the principles of free inquiry and free expression. Vigorous discussion and debate are fundamental to the life of the College. This policy is not intended to stifle teaching methods or freedom of expression. Discrimination, as prohibited in this policy, is conduct that is neither legally protected as an expression of free speech, nor the proper exercise of academic freedom. Discrimination compromises the integrity of the College, its tradition of intellectual freedom, the trust and respect expected in the College community, and the rights of individuals.

Complaints alleging discrimination, bias intimidation, sexual harassment, or sexual misconduct may be made verbally or in writing, to the Director of Human Resources or to any member of the President's Cabinet. All complaints will be investigated and addressed by the procedures outlined in the full Non-Discrimination and Anti-Harassment Policy which can be found on the College website: [Preventing Sexual Harassment](#).

## **Infectious Diseases**

Atlantic Cape Community College will take proactive steps to protect the College in the event of an infectious disease outbreak. It is the goal of the College during any such period to strive to operate effectively and ensure that all essential services are continuously provided and that students and employees are safe.

Atlantic Cape is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak.

## *Preventing the Spread of Infection in the Workplace*

Atlantic Cape will ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as classrooms, bathrooms, breakrooms, conference rooms, door handles, and railings. An Emergency Management Team will be convened to monitor and coordinate events around an infectious disease outbreak, as well as to create work rules that could be implemented to promote safety through infection control.

We ask all employees to cooperate in taking steps to reduce the transmission of infectious diseases in the workplace. The best strategy remains the most obvious—frequent hand washing with warm, soapy water; covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. We have installed alcohol-based hand sanitizers throughout the campus in common areas.

Unless otherwise notified, the college will operate as normal. Individuals who believe they may face particular challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans.

### *Limiting Travel*

All nonessential travel should be avoided until further notice. Employees who travel as an essential part of their job should consult with college management on appropriate actions. Business-related travel outside the United States will not be authorized until further notice.

### *Telecommuting*

Atlantic Cape Community College believes that the work done on its behalf is best done on the College premises. However, there may be an emergency under an infectious disease outbreak or other emergency situations where temporarily working from home is appropriate. In those situations, the need for telecommuting will be reviewed. The College will advise as to the procedures at that time.

### *Staying Home When Ill*

Many times, with the best of intentions, employees report to work even though they feel ill. We provide paid sick time and other benefits to compensate employees who are unable to work due to illness.

During an infectious disease outbreak, employees mustn't report to work while they are ill and/or experiencing the following symptoms: fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills, and fatigue. Currently, the Centers for Disease Control and Prevention recommends that people with an infectious illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever-reducing medications. Employees who report to work ill will be sent home following these health guidelines. More stringent timelines may come into effect depending on the severity of the flu or other viral outbreak.

### *Requests for Medical Information and/or Documentation*

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your healthcare provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an absence relates to the infection, and to know that it is appropriate

for you to return to work. As always, we expect and appreciate your cooperation if and when medical information is sought.

### *Confidentiality of Medical Information*

Our policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is limited and will be shared when circumstances warrant such disclosure or as required by law.

### *Social Distancing Guidelines for Workplace Infectious Disease Outbreaks*

In the event of an infectious disease outbreak, Atlantic Cape may implement these social distancing guidelines to minimize the spread of the disease among the staff.

*During the workday*, employees are requested to:

1. Avoid meeting people face-to-face. Employees are encouraged to use the telephone, online conferencing, e-mail, or instant messaging to conduct business as much as possible, even when participants are in the same building.
2. If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops, and training sessions.
4. Do not congregate in work rooms, pantries, copier rooms, or other areas where people socialize.
5. Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).
6. Encourage members and others to request information and orders via phone and e-mail to minimize person-to-person contact. Have the orders, materials, and information ready for fast pick-up or delivery.

### *Outside activities*

Employees might be encouraged to the extent possible to avoid recreational or other leisure classes, meetings, activities, etc., where employees might come into contact with contagious people.

## **New Jersey Residency Law**

The New Jersey First Act, N.J.S.A 52:14-7 requires individuals to be residents of New Jersey to hold certain public employee positions.

As such, Atlantic Cape Community College employees hired on or after September 1, 2011 into positions not exempt from N.J.S.A. 52:14-7, must reside in the State of New Jersey or relocate within one year of their hire date unless the position is exempt under the law.

## **Outside Employment**

Professional employees may consult or work outside the college as long as such employment does not interfere with their full-time college duties. The college administration shall be kept informed of any such activity, and it may establish reasonable requirements for avoiding conflicts of interest, and interference with scheduled duties. The college shall also be assured that private part-time activities are not conducted during the regular work day or under the institution's name.

- A full-time employee of the College must complete the outside employment form within 30 days of assuming outside employment and submit it to the appropriate dean.
- Outside employment shall not:
  - constitute a conflict of interest.
  - occur at a time when the employee is expected to perform their assigned duties.
  - diminish the employee's efficiency in performing their primary work obligation at the College.

## **Political Activity**

Employees have identical rights and responsibilities as any other citizen to join political organizations and participate in political activities. Notwithstanding, employees are prohibited from engaging in political activities while performing their job responsibilities and from using College time, supplies, or equipment in any political activity. Any violation must be reported to the appropriate Supervisor.

## **Rule Violations**

Rules and regulations are essential to the effective operation of the college. The following rules are presented for the common guidance of all employees. They are fundamental in character and are for the convenience and protection of all.

Committing any of the following violations will be considered sufficient grounds for disciplinary action, ranging from an oral warning to immediate discharge depending on the seriousness and the frequency of the offense.

Please access the link for examples: [Policy No. 845](#).

## **Sexual Harassment**

Atlantic Cape Community College is steadfastly committed to cultivating and maintaining a working and learning environment that is free from discrimination and harassment based upon membership in enumerated protected classes and/or characteristics as well as from retaliation based upon the exercise of rights under this policy. In keeping with its commitment to provide an environment free from discrimination, the College will not tolerate, condone or allow any conduct by an instructional, supervisory, or administrative personnel, co-workers, independent contractors, vendors or others with whom the College does business, which illegally discriminates against any employee, or student based on an employee's or student's membership in a protected class.

Sexual harassment in any form constitutes prohibited, unprofessional and unacceptable conduct, and is a violation of Title VII of the Civil Rights Acts of 1964 and 1990 as amended, Title IX of the Education Amendments of 1972, the New Jersey Law Against Discrimination, established case law and State policies. The College has a separate document outlining the Internal Complaint Procedures and Investigation Protocols. This policy applies to all areas of the College's operations and programs.

The College will enforce this policy and expects all employees and students to be diligent in preventing, detecting, and reporting any incidents of discrimination. The College expects all members of the College community to avoid any acts or statements that may constitute discriminatory behavior and to ensure that their conduct complies with this policy. This policy supplements the College's policy prohibiting



discrimination and harassment in furtherance of its unrelenting commitment to fostering an environment that is safe, secure, and free from sexual and gender-based discrimination and harassment, and other related misconduct.

The College will not tolerate, condone or allow sexual harassment of any of its students or employees, by any instructional, supervisory, or administrative personnel, coworkers, other students, independent contractors, vendors, or others with whom the College does business. The College will enforce this policy and expects all employees and students to be diligent in preventing, detecting, and reporting any incidents of sexual harassment. The College expects each employee and student to avoid any acts or statements that may constitute sexual harassment and to ensure that their conduct complies with this policy. The College will take appropriate disciplinary action when an investigation reveals that an individual has engaged in any such prohibited conduct.

This policy shall apply to all areas of the College's operations and programs. This policy governs sexual harassment, assault, exploitation, gender-based harassment, and related misconduct allegedly committed by a current College employee (e.g., faculty, staff, and student employees) and/or third parties (e.g., interns, volunteers, vendors, contractors, and subcontractors) that either:

- A. Occurs on College property, or in connection with any College program(s) or activity (ies).
- B. Creates a hostile environment for College employees or students; or
- C. Involves a complaint by a College employee or student arising out of the respondent's employment status with the College or third party's business or relationship with the College.

This policy applies whether the conduct occurs on campus or off campus, and if the continuing effects of the conduct have the potential to unreasonably interfere with or limit an individual's work, academic performance, personal security, or participation in any College activity.

The College's Director of Human Resources or their designee shall serve as the College's central intake officer for all matters involving discrimination, harassment, sexual harassment, and sexual misconduct.

The College prohibits the following conduct, as well as attempts to commit and/or aid or incite others to commit these acts.

**PLEASE NOTE THAT THESE DEFINITIONS ARE BEHAVIORAL DESCRIPTIONS, NOT LEGAL OR CRIMINAL DEFINITIONS.**

A. *Sexual Harassment* includes any unwelcome sexual advances, requests for sexual favors, or other unwelcome written, verbal, or physical conduct of a sexual nature when:

- i. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive environment for that individual's employment, education, or participation in a College activity; or
- ii. Submission to, or rejection of, such conduct by an individual is used as the basis for decisions affecting the individual's academic standing, employment status, or participation in a College activity; or
- iii. Submission to such conduct is made, explicitly or implicitly, a term or condition of an individual's education, employment, or participation in a College activity.

Sexual harassment may be committed by anyone regardless of gender identity and may occur between members of the same or opposite sex.

**B. *Hostile Environment.*** A “hostile environment” exists when unwelcome conduct of a sexual or gender-based nature has the purpose or effect of unreasonably interfering with an individual’s academic or work performance or creating an intimidating, hostile, or offensive environment for that individual’s employment, education, living environment or participation in a College activity. A person does not have to be the target of harassment to complain about it. Harassing behavior toward others may be so offensive, demeaning, or disruptive as to constitute a hostile work or academic environment, even if the harassment is not specifically directed at the observer or individual lodging the complaint. Alleged harassment will be evaluated according to the objective standard of a reasonable person. A single, isolated incident of sexual or gender-based harassment may based on the facts and circumstances, create a hostile environment.

Hostile environment sexual harassment includes, but is not limited to:

- Generalized gender-based remarks and behavior;
- Inappropriate, unwanted, offensive physical or verbal sexual advances and comments;
- Solicitation of sexual activity or other sex-linked behavior by the promise of reward;
- Coercion of sexual activity by the threat of punishment; and
- Gross sexual imposition such as touching, fondling, grabbing, or assault.

The above-referenced conduct committed by any instructional, supervisory, or administrative personnel, co-workers, independent contractors, vendors, or others with whom the College does business constitutes prohibited sexual harassment when a reasonable person of the same sex as the aggrieved individual would consider it sufficiently severe or pervasive to alter the conditions of employment or education or to create an intimidating, hostile or offensive working or educational environment.

It shall be the responsibility of each administrator, support staff, faculty member, and student to:

- Ensure that the college environment is free from acts of sexual harassment by supervisors, employees, non-employees, and students;
- Make all employees and students aware of the policy against sexual harassment and of the procedure for filing complaints when sexual harassment has potentially occurred; and/or
- Immediately report any incident alleging sexual harassment to the Director of Human Resources;

**C. *Gender-based Harassment.*** Gender-based harassment refers to acts of aggression, intimidation, stalking, or hostility based on gender, gender identity, or gender stereotyping. Gender-based harassment can occur if individuals are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must unreasonably interfere with an individual's employment, education, or participation in a College activity, or create an unreasonably intimidating, hostile, demeaning or offensive work, academic, or living environment.

**D. *Sexual Intimidation.*** Sexual intimidation refers to threatening behavior of a sexual nature directed at another person or group that reasonably leads the target(s) to fear for their physical well-being or to engage in sexual conduct for self-protection. Some examples of sexual intimidation are threatening to sexually assault another person or engaging in indecent exposure.

**E. *Sexual Exploitation.*** Sexual exploitation refers to non-consensual abuse or exploitation of another person’s sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. Examples of sexual exploitation include, but are not limited to:

- Observing another individual’s nudity or sexual activity or allowing another to observe nudity or sexual activity without the knowledge and consent of all participants;

- Non-consensual streaming of images, photography, video or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all participants;
- Exposing one's genitals in non-consensual circumstances; or
- Inducing incapacitation for the purpose of making another person vulnerable to nonconsensual sexual activity.

F. ***Sexual Assault or Non-Consensual Sexual Contact.*** Sexual assault or non-consensual sexual contact refers to any one or more of the following acts:

- Touching or penetrating of an unwilling or non-consenting person's intimate parts (under or over a person's clothes);
- Forcing an unwilling person to touch another's intimate parts; or
- Touching or penetrating an unwilling person or non-consenting person with one's own intimate parts.

G. ***Retaliation.*** Retaliation refers to any act of intimidation against an individual who, in good faith, asserts their right to bring a complaint under this Policy, including individuals who file a third-party report, participate in an investigation, or protest the alleged conduct or retaliation. Retaliation can arise in various forms including, but not limited to, sustained abuse or violence, threats, and intimidation. Any individual or group of individuals, not just a Respondent or Complainant, can be liable for retaliation. Retaliation is considered a separate offense from the original complaint, and will be considered independently from the merits of the underlying complaint. Individuals who believe they have been subjected to retaliation should report the conduct to the Director of Human Resources or their designee.

All members of the College community are encouraged to report all conduct prohibited by this policy immediately to the Director of Human Resources or designee so that a thorough and prompt investigation can ensue. If administrators, and/or supervisors receive reports of conduct prohibited by this policy, they are required to refer them immediately to the Director of Human Resources or their designee. Failure to do so may lead to disciplinary action. Administrators, and/or supervisors should not investigate complaints they receive nor evaluate whether the complaint rises to the level of a College policy violation.

An individual does not have to be the direct target of conduct prohibited by this Policy in order to report it. The individual instead may show that other individuals were sexually harassed and that this harassment created a hostile or intimidating work or academic environment. The College is committed to responding to reports and complaints of conduct prohibited by this policy promptly and fairly. Upon completion of the Complaint Process, the College will take appropriate corrective action consistent with the results of the investigation. Disciplinary action, up to and including termination, may be taken against an employee who violates this policy.

The College will maintain confidentiality as to complaints, and the investigation of those complaints, to the extent possible. Only those with a need to know will be informed of the identity of the parties to a complaint. Any supervisor or other employee who violates confidentiality as to a complaint of discrimination and/or harassment will be subject to appropriate discipline. All questions or concerns regarding confidentiality should be directed to the Director of Human Resources or their designee.

Knowingly making a material misstatement of fact may subject the complainant to discipline. Anyone who believes that they have been the subject of a false complaint may meet with the Director of Human Resources or their designee to address the allegations. The filing of a complaint that does not result in a finding of prohibited conduct is not alone evidence of the intent to file a false complaint.

## **Social Media**

Social Media (including personal and professional websites, blogs, chat rooms, and bulletin boards; social networks such as Facebook, LinkedIn, Snapchat, TikTok, Twitter and others; video-sharing sites such as YouTube; and email) are common means of communication and self-expression. At times, online postings may conflict with the interests of Atlantic Cape Community College, and its students, faculty and administration and therefore, the College has adopted the following policy. Breach of this policy may result in counseling and disciplinary action, up to and including termination of employment.

### *Confidentiality and Privacy*

Do not disclose the College's confidential or proprietary information or personal identifying information to anyone outside the College, in online postings or publications. Sharing this type of information, even unintentionally, could result in harm to the College and the individual as well as legal action against you and the College and disciplinary action, up to and including termination of employment.

### *Your Identity Online*

You are personally liable for all communications and information you publish online. The College may be liable for online activity that uses College assets, a College email address or any email address that can be traced back to the College's domain, which is generally any internet address affiliated with the College. Using your name, position, and the College email address may imply that you are acting on the behalf of the College. Social media and networking activities are public, and therefore, the College email address and the College assets should be used only to perform job-related activities.

Your personal participation in social media and networks outside the workplace should never be attributed to the College or appear to be endorsed by, or have originated from, the College. Exercise sound judgment. Comments or posting brought to the College's attention that may reasonably offend others in the workplace or college community may be in violation of the College's Non-Discrimination and Anti-Harassment Policy, or other College policies. If such posts are found to violate College policy, you will be subject to disciplinary action, up to and including termination of employment.

If you choose to disclose your affiliation with the College in an online communication, you must treat all communications associated with the disclosure as professional communications governed by this and other College policies.

### *Limitations on Online Publications*

Never identify any College-community person - student, faculty, staff or Board Member, in an online posting without their prior written permission.

Obey the law and College's Code of rules. Do not post any information or engage in any online activity that violates applicable local, state or federal laws, or professional rules of conduct.

Comply with all copyright laws, including citations and links. When publishing direct or paraphrased quotes, thoughts, ideas, photos or videos, give credit to the original publisher or author.

All requests for references for current or former College employees must be directed to the Human Resources Department. Comments you post about current and former employees have legal consequences, regardless of your belief in the statement's veracity. ONLY the College's Human Resources Department is authorized to speak to employee matters outside of the College.

### *Creating and Managing Content*

The Chief Marketing Officer MUST approve any website, blog, chat room, video-sharing site, bulletin board, or other social media outlet that promotes the College. No employee may incorporate the College logo or other intellectual property in a website, blog, chat room, video sharing site, bulletin board or other social media without the express written permission from the Chief Marketing Officer.

If you have been authorized to maintain a website, blog, chat room, video-sharing site, bulletin board or other social media that promotes the College, you are accountable for reviewing responses to online posts and resolving any concerns about the propriety of the responses before they are posted.

### **Solicitation**

Employees should be able to work in an environment that is free from unnecessary annoyances and interference with their work. In order to protect our employees, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on “working time.” “Working time” is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after his or her shift.

Employees are also prohibited from distributing written materials, handbills, or any other type of literature on working time and, at all times, in “working areas,” which includes all office areas. “Working areas” do not include break rooms, parking lots, or common areas shared by employees during nonworking time.

Nonemployees may not trespass or solicit or distribute materials anywhere on company property at any time.

Nothing in this policy is intended to infringe upon any employee’s rights available under the NLRB or a Collective Bargaining Union’s right to communicate with its members.

### **Substance Abuse and Drug Testing**

Atlantic Cape Community College is committed to maintaining a safe workplace for all of its employees and to protecting the safety and trust of the public. Therefore, Atlantic Cape Community College prohibits the following behavior by employees while on College premises or performing College business at any location:

- Use of illegal drugs or prescription drugs obtained illegally;
- Abuse of legal (prescription or over-the-counter) drugs;
- Sale, purchase, transfer, manufacture or possession of controlled substances; and
- Arrival for work, or working, under the influence of drugs and/or alcohol

An employee may be required to undergo alcohol, drug, or controlled substance testing when the employee's work performance causes a reasonable suspicion that the employee is impaired due to intoxication, drug or controlled substance use or upon cases where employment has been conditioned upon remaining alcohol, drug, or controlled dangerous substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action, up to and including termination.

## **Tuition Reimbursement**

Employees not represented by a Collective Bargaining Unit should refer all questions regarding Tuition Reimbursement to the Director of Human Resources.

Employees represented under a Collective Bargaining Agreement are referred to the applicable CBA.

## **Tuition Remission**

All full-time employees and their eligible dependents are entitled to free tuition in any course of study available at Atlantic Cape Community College provided space is available and they meet the requirements for admission to credit courses.

All part-time employees are entitled to free tuition in any course of study available at Atlantic Cape Community College provided space is available and they meet the requirements for admission to credit courses. This benefit is available for the part-time employee only.

This benefit covers tuition costs only. An employee or eligible dependent (if applicable) is responsible for all associated vendor costs, books and material fees. Previous semester grades and completion must be provided when requesting a new remission. Reimbursement will be calculated based on completed courses with a grade of C or better.

A dependent is a person for whom the employee claims as an exemption under the provisions of the Internal Revenue Service's laws, rules and regulations.

Employees represented under a Collective Bargaining Agreement are referred to the applicable CBA.

## **Use of College Name or Logo**

The College does not permit the use of its name or mark in any announcement, advertisement, publication, or report if such use in any way implies endorsement of any product or service. Any firm or its advertising agency requesting the use of pictures or facilities of the College for sale or advertising purposes, or requesting the use of any copy relating to such pictures or facilities, must be referred to the Chief Marketing Officer.

## **Use of College Property and Facilities**

Employees may use College equipment and supplies for work-related purposes only. College computers, telephones, long-distance access lines, purchasing cards, cell phones, photocopying machines, vehicles, machinery, tools, disposable, and other equipment and materials may not be used for personal activities. College bulletin boards may not be used for private or commercial activities. The College mail service may be used only for College purposes. Unauthorized or personal use of equipment or supplies may be grounds for termination.

College property, including computers, electronic mail and voice mail, should only be used for conducting College business. Employees should have no expectation of privacy related to email, voicemail, and other means of communication supplied by the College or that the College or its designated representatives may access and review this information. Individuals using the College's equipment should also have no

expectation that any information stored on their computer, whether the information is contained on a computer hard drive, computer discs or in any other manner, will be private. Authorization and access codes and numbers must be kept confidential and not shared with another person. The College reserves the right to monitor voice mail or electronic mail messages and to access information contained on College provided property.

## **Whistle Blower Policy**

Atlantic Cape Community College complies with the New Jersey Conscientious Employee Protection Act ("CEPA"), which protects employees who report workplace wrongdoing from retaliatory action.

Employees are encouraged to raise serious, substantiated concerns regarding the business and personal ethics of Atlantic Cape Community College trustees, administrators, faculty and staff in the conduct of their duties and responsibilities.

As a practice, the college seeks to resolve issues through established internal channels; however, this policy reinforces Atlantic Cape's commitment to open communication without fear of reprisal or victimization for raising concerns in good faith.

New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:

- Disclosing or threatening to disclose an employer's violation of a law or state agency rule or regulation.
- Disclosing or threatening to disclose an employer's criminal or fraudulent activity.
- Disclosing or threatening to disclose improper quality of patient care by a healthcare professional.
- Providing information to a public body investigating a possible violation of the law by the employer.
- Objecting to a policy or practice of the employer that the employee reasonably believes violates a law or regulation, is fraudulent or criminal, or violates a public policy.

Employees are protected from retaliation for complaining to employers, unions, OSHA, or other government agencies about unsafe or unhealthy workplace conditions; environmental problems; certain public safety hazards; accounting, auditing or other financial reporting fraud or misrepresentations; certain violations of federal securities fraud provisions; unethical business conduct; and related activities.

## **Workplace Violence**

Atlantic Cape Community College is committed to providing a safe and secure working environment for our employees. Any acts or threats of physical harm, including intimidation, harassment, and/or coercion, which involve or affect the College or any of its employees and occur on College property or are related to the workplace are violations of the College's Non-Discrimination and Anti-Harassment Policy.

Employees should immediately report any workplace violence to local police and their Supervisor, or members of the Human Resources, or Public Safety Departments. Atlantic Cape Community College prohibits retaliation against an employee who reports workplace violence. All reports of workplace violence and retaliation will be thoroughly investigated, and all complaints reported to their Supervisor/Human Resources or Public Safety will be treated confidentially to the extent possible. If Atlantic Cape Community College determines that workplace violence has occurred, the College will take disciplinary action up to and including employment termination.

### *Bullying*

Atlantic Cape Community College prohibits bullying or violent acts or threats of violence against our students, employees, job applicants, clients/customers or vendors. Atlantic Cape Community College does not allow fighting, threatening words, threatening actions or conduct. Employees are prohibited from committing or threatening to commit any violent act against a co-worker, Supervisor, job applicant, client/customer or vendor; this includes discussions of the use of dangerous weapons, even in a joking manner. Bullying behavior is a violation of the College's Non-Discrimination and Anti-Harassment Policy.

### *Recording Devices*

Unauthorized electronic surveillance of employees is disruptive to employee morale and inconsistent with the respectful treatment required of our employees. For this reason, no employee may record the conversation or videotape another employee without their full knowledge and consent.

### *Weapons on Campus*

Atlantic Cape County College is committed to promoting a safe and healthy environment for all individuals within the College community. Therefore, you may not possess, use, or store weapons of any kind on the College campuses, or in areas controlled by the College, including vehicles. All weapons are covered by this policy, including, but not limited to, firearms, firearm ammunition, air pistols, air rifles, fireworks, incendiary devices, lock blade or fixed blade knives with a blade length of four inches or greater (except for the Culinary students and faculty), blackjacks, metal knuckles, throwing stars, darts, crossbows, or any other such weapons of any description. Violation of this policy will result in disciplinary action, up to and including termination.



# ACKNOWLEDGMENT OF RECEIPT - EMPLOYEE HANDBOOK

The information in this handbook is for use as a guideline only and it is not meant to be considered as a contract of any kind. This information can be changed at any time due to limitations of space, ongoing changes within Atlantic Cape Community College and periodic changes in applicable Federal and State laws, the information in this manual cannot be a complete or final statement of College policy. Therefore, employees are directed to the Office of Human Resources for information regarding the applicability of the guidelines in this manual to any particular situation.

Should any information in the handbook conflict with a collective bargaining agreement currently in effect, the collective bargaining agreement takes precedence.

By my signature below, I understand that no one other than the President of Atlantic Cape Community College may modify or change the nature of my employment relationship. Any such modification must be in writing and signed by the President of Atlantic Cape Community College and me.

I have received a copy of the Employee Handbook and understand that this manual contains information that affects me as an employee. I also understand that it is my continuing responsibility to read and know its contents.

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Employee Signature

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Date

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Employee Name (Please Print)