

**FOUNDATION EMPLOYEES PROFESSIONAL DEVELOPMENT /  
EVALUATION PERSONNEL PLAN**

**February 2021**

## Table of Contents

<b>PREAMBLE</b> .....	4
1. INTRODUCTION	5
2. FUNCTIONS	5
3. RESPONSIBILITIES OF INDIVIDUALS	5
4. FOUNDATION EMPLOYEES PROFESSIONAL DEVELOPMENT/EVALUATION PERSONNEL PLAN OBJECTIVES	6
5. BASIC COMPONENTS OF THE PLAN	6
<b>5.1 Classification Structure</b>	6
<b>5.2 Salary Structure and Placement</b>	6
<b>5.3 Salary Administration</b>	7
<b>5.4 Longevity</b>	7
<b>5.5 Doctorate Stipend</b>	7
<b>5.6 Classification Review</b>	7
<b>5.7 Personnel Files</b>	8
<b>5.8 Permanency/Probation and Evaluation</b>	8
<b>5.9 Work Schedule/Overtime/Summer Schedule</b>	9
<b>5.10 Compensatory Time</b>	9
<b>5.11 Temporary Work Above Classification</b>	9
<b>5.12 Transfers</b>	9
<b>5.13 Reassignment</b>	10
<b>5.14 Appointments to Less than Full-Time Positions</b>	10
<b>5.15 Layoff</b>	10
If a layoff should occur, the California Education Code provisions that are in effect at the time shall apply.	10
<b>5.16 Reconsiderations</b>	10
Requests for reconsideration of personnel decisions or reassignments shall be submitted to the appropriate administrator, who shall be responsible for submitting the request to the Superintendent/President whose decision shall be final.	10
<b>5.17 Reclassification</b>	10
6. EXPECTED CONDUCT	11
7. FOUNDATION EMPLOYEES' COMPLAINT PROCEDURE	11
8. EVALUATION PLAN	11
<b>8.1 Performance Conference</b>	12

9.	PROFESSIONAL DEVELOPMENT	12
10.	HEALTH AND WELFARE BENEFITS	13
10.1	<b>Non-contributory Programs</b>	13
10.2	<b>Contributory Programs</b>	14
10.3	<b>Other Contributory Benefit Programs Available</b>	14
10.4	<b>Voluntary Programs</b>	15
10.5	<b>Health Coverage for Retired Employees</b>	15
10.6	<b>Part-time Benefit Eligibility</b>	15
11.	LEAVE BENEFITS	15
11.1	<b>Sick Leave</b>	15
11.2	<b>Extended Sick Leave</b>	16
11.3	<b>Family Illness Leave</b>	16
11.4	<b>Personal Necessity</b>	16
11.5	<b>Critical Illness</b>	16
11.6	<b>Bereavement Leave</b>	17
11.7	<b>Jury Leave</b>	17
11.8	<b>Subpoena Leave</b>	17
11.9	<b>Industrial Illness or Accident Leave</b>	17
11.10	<b>Pregnancy Disability Leave</b>	18
11.11	<b>Family Medical Leave</b>	18
11.12	<b>Military Leave</b>	19
11.13	<b>Unpaid Leave of Absence</b>	19
11.14	<b>Vacation</b>	19
11.15	<b>Holidays</b>	20
12.	NON-DUPLICATION OF BENEFITS	21
13.	FUNDING PLAN	21
14.	FOUNDATION EMPLOYEES' PERSONNEL PLAN MAINTENANCE	21
15.	SAVINGS CLAUSE	21
16.	PROFESSIONAL DEVELOPMENT PROGRAM	22
	APPENDICES	23

## **PREAMBLE**

It has been and will continue to be the policy of the college and its Board of Trustees that discrimination shall not occur in the operation of any of our employment programs and that all employees and applicants shall be guaranteed the right of equal employment opportunity and shall be treated without regard to their race, sex (including gender, gender identity, gender expression, pregnancy, and breastfeeding), sexual orientation, national origin, ancestry, marital status, age, medical condition, genetic characteristics or information, military and veteran status, physical or mental disability or the perception that a person has one or more of the foregoing characteristics.

## 1. INTRODUCTION

The College of the Desert Foundation Employees Professional Development/Evaluation Personnel Plan (herein after referred to as the “Plan”) is designed to cover all Foundation employees of the Desert Community College District (herein after referred to as the “District”) who have been designated as "Foundation Employees." The positions are identified in **Appendix B** of the Plan.

“**Foundation Employees/employee**” means any non-management, District employee whose primary duties are to provide services to the College of the Desert Foundation. Foundation employees shall be excluded from the classified bargaining unit.

The need for a comprehensive and fully integrated plan for Foundation Employees of the District is based upon the following:

- Since Foundation Employees classifications are excluded from collective bargaining, personnel and compensation policies and procedures for these employees are established under the authority of the Board of Trustees and implemented under delegated authority by the Superintendent/President. This structure provides written guidance for this employee group.
- The varying fiscal conditions in the state, coupled with changes in District enrollment patterns, present additional challenges. Flexibility in the use of limited resources is one appropriate response to these ever-changing fiscal conditions.
- An awareness of public policy, educational futures, and changing social conditions, all of which influence the environment surrounding higher education, are matters of major concern.
- As the building of a "Foundation Employees team" is emphasized through the development of individuals, the kinds of personnel and compensation policies that provide incentives that recognize achievement must be provided.
- Finally, as change will continue to erode the effectiveness of past practice, it is appropriate and necessary that existing practices be reevaluated. One central principle is to align authority, responsibility, and compensation.

The Plan is an integrated personnel system covering appointment, evaluation, advancement, compensation, benefits, employment status, education and development, layoff, leaves, personnel rights, and conditions of employment.

Administration and implementation of the Plan are the responsibilities of the Office of Human Resources under delegated authority from the Superintendent/President.

## 2. FUNCTIONS

Foundation employees provide administrative support to the Foundation’s management group.

## 3. RESPONSIBILITIES OF INDIVIDUALS

Responsibilities are set forth in the respective classifications for each Foundation Employee's position.

#### **4. FOUNDATION EMPLOYEES PROFESSIONAL DEVELOPMENT/EVALUATION PERSONNEL PLAN OBJECTIVES**

- To recruit and retain well-qualified persons
- To facilitate and enhance effectiveness and productive efforts of Foundation Employees through evaluation of performance and the recognition of accomplishment
- To provide a system in which the particular abilities, contributions, expertise, and effectiveness of the individual can be considered, along with the level of responsibility of the job performed, in determining appropriate compensation
- To provide flexibility to accommodate the variations in job requirements and performance expectations, which are a normal part of a changing environment in which, the college must operate
- To establish a salary structure that is indexed, both internally and externally, to comparable institutions
- To provide a system of fiscal controls within which the Superintendent/President approves appropriate salaries for Foundation Employee classifications
- To establish a benefits program that complements the salary program, is appropriate for Foundation Employees, and is indexed to comparable institutions
- To provide a Foundation Employee evaluation process that encourages higher levels of performance and recommends specific areas of professional development activities

#### **5. BASIC COMPONENTS OF THE PLAN**

##### **5.1 Classification Structure**

The placement of each classification in a particular level, as reflected in **Appendix B**, is premised on an assessment of the general skills, knowledge, and qualification requirements needed to perform the assigned duties and responsibilities. Additional criteria that have been considered include, but are not limited to, nature and complexity of program or organizational unit; scope of responsibility; and special job demands.

##### **5.2 Salary Structure and Placement**

The salary structure consists of a classification salary schedule with a salary range including steps established for each Foundation Employee position.

For salary comparison purposes, the salary schedule shall be based on a "bench-marking methodology" a salary survey utilizing the fifteen largest-middle sized single community college districts (excluding basic aid districts) based on multiple criteria primarily of which will be the most current funded FTES as well as other factors as deemed appropriate such as budgets and permanent staffing levels.

Foundation employees shall advance to the next step on the appropriate salary schedule as of July 1<sup>st</sup> of each year, providing employment commenced no later than March 31<sup>st</sup> of that year and subject to a satisfactory evaluation.

The Superintendent/President may, at his/her sole discretion, approve salary adjustments other than the salary adjustments provided for in this plan.

### **5.3 Salary Administration**

Foundation Employees are normally expected to have a variation of experience and proven capabilities. In order to provide the Superintendent/President and the Board of Trustees adequate flexibility in the hiring and placement of Foundation Employees in the respective positions, initial salary placement shall be determined through conferred agreement between the Office of Human Resources and the immediate supervisor for approval by the Superintendent/President or designee. Maximum placement shall be at step 7 unless otherwise approved by the Superintendent/President.

### **5.4 Longevity**

Foundation Employees shall be compensated in recognition of accrued continuous time without a break in service and continued satisfactory performance with the District at the following rates:

- 10 full years or more \$55.00 per month
- 15 full years or more \$75.00 per month
- 20 full years or more \$100.00 per month
- 25 full years or more \$135.00 per month
- 30 full years or more \$160.00 per month

Longevity increases are effective July 1, of each year following the anniversary date, beginning in 2021.

### **5.5 Doctorate Stipend**

Upon completion and evidence of an earned doctorate or juris doctorate degree, Foundation employees are eligible for an annual \$2,000 doctorate stipend effective July 1, 2021.

### **5.6 Classification Review**

The District is a dynamic entity and, as such, procedures must be in place that provide an opportunity for adjustment to classifications in order to meet the legitimate needs of the college. The procedures set forth herein will provide for classifications to be reviewed when it can be demonstrated that there has been a significant change(s) in duties/responsibilities and accountability.

Short-term and permanent change(s) must be documented by the Foundation employee and his/her immediate supervisor and forwarded to the Vice President of Human Resources and Employee Relations. In the event the change(s) is both permanent and significant, the Vice President of Human Resources and Employee Relations shall forward the request to the Superintendent/President, for review. If approved, all such changes shall be effective on the first of the month following the Superintendent/President's approval.

Requests for classification review, based upon changed conditions, are to be made on the College of the Desert Classification Analysis Form (**Appendix C**). The request may be initiated either by the Foundation

employee or the Foundation employee's immediate supervisor.

When the job is changed (e.g., upgrade, title change), an incumbent will at no time be expected to apply for his/her incumbent job/position.

## **5.7 Personnel Files**

There shall be one official District personnel file for each Foundation employee. The material in the official District personnel file shall be considered and used as the only official personnel record of the District in any proceeding affecting the status of the Foundation employee's employment with the District. The personnel file shall include, but not be limited to, records of employment with the District and records of professional evaluation. The personnel file shall be kept in a secured environment in the Office of Human Resources. When an employee's file is opened for any purpose other than routine office work, a file utilization form shall show the name of the person opening the file and the date.

A Foundation employee shall have the right at any reasonable time without loss of pay to examine and/or obtain copies of any material from the employee's own personnel file.

All personnel files shall be kept in confidence and shall be available for inspection only to the immediate supervisor and Human Resources, when it is deemed necessary for the proper administration of the District's affairs and the supervision and protection of the Foundation employee. The District shall keep a log indicating the persons who have examined a personnel file as well as the date such examinations were made (other than the regular Human Resources staff).

Any person who places written material of a derogatory nature into a Foundation employee's file will first present a copy of such material to the employee concerned. The employee will have a right of rebuttal within twenty working days of the receipt of such material and have it attached. Under no circumstances will any derogatory information be entered into a personnel file without the Foundation employee's knowledge.

Derogatory material placed in a Foundation employee's personnel file may be sealed and removed upon the request of the Foundation employee when such material is more than two years old, except where prohibited by law. Derogatory material does not include evaluations.

## **5.8 Permanency/Probation and Evaluation**

New Foundation employees will be subject to a probationary period of twelve months and will be evaluated at the end of the fourth and eighth months of employment. Promoted or transferred employees are subject to a probationary period of six months and will be evaluated at the end of the third and fifth months. In the event that the employee does not successfully complete the probationary period in the new position, the employee may be eligible to return to the previous position. Evaluation timelines may be adjusted by the supervisor and the Vice President of Human Resources, or designee.

Permanent Foundation employees shall receive a written evaluation on the form and conference with the immediate supervisor biannually. Foundation employees shall be evaluated using the performance appraisal form (**Appendix G**). Employees shall complete a self-evaluation prior to meeting with the immediate supervisor (**Appendix F**).

Probationary employees may be suspended or dismissed at the discretion of the Superintendent/President or designee. A permanent employee will be suspended or dismissed for reasonable cause only. A permanent



employee who is serving a probationary period and who is found unsatisfactory in the Foundation Employee position shall be reinstated in permanent status in the former classification, unless there is cause for dismissal from the District.

### **5.9 Work Schedule/Overtime/Summer Schedule**

Full-time Foundation employees are normally scheduled a total of forty hours per week, with a regular workday consisting of eight hours, exclusive of a one-hour lunch. The scheduling of hours and workdays shall be at the discretion of the District. One fifteen minute rest period will be allowed at or about the middle of each four-hour work period during the day. Rest periods may not be worked in lieu of a shortened workday or workweek. The scheduling of rest and meal periods is dependent upon the needs of the District. With permission of the immediate supervisor, employees may work a flexible schedule. The immediate supervisor may re-evaluate the decision and ability to permit employee to work a flexible schedule at any time.

The District retains the right to require employees to work overtime. All overtime must be authorized in advanced by the employee's immediate supervisor. Working unauthorized overtime may be cause for discipline up to and including discharge.

All overtime hours shall be compensated at a rate of pay equal to time and one-half the regular rate of pay for the Foundation employee if the work is authorized by the immediate supervisor. Overtime is defined to include any time greater than or equal to fifteen minutes worked in excess of the regular workday and in excess of forty hours in any calendar week, whether such hours are worked prior to the commencement of a regular assigned starting time or subsequent to the assigned quitting time.

4/40 Summer Work Schedule: The District generally observes a 4/40 summer work schedule (Monday – Thursday) ten hours per day, between mid-June and mid-August. Unless otherwise authorized by the appropriate administrator, Foundation employees shall observe the summer work schedule.

### **5.10 Compensatory Time**

A Foundation employee may, with supervisory approval, take compensatory time off in lieu of cash compensation for overtime work. Such understandings shall be put in writing prior to the overtime assignment. Compensatory time off shall be granted at the appropriate rate of overtime pay. Compensatory time shall be taken at a time mutually acceptable to the Foundation employee and the District in accordance with applicable provisions of the California Education Code and the Fair Labor Standards Act.

### **5.11 Temporary Work Above Classification**

Foundation employees, when required and assigned to perform duties above their stated classification for any period of time that exceeds five days within a fifteen calendar day period, shall be compensated at the range for duties performed per the California Education Code, Section 88010. Employees shall be placed at the step that allows for an increase of a minimum of 5% in salary, shall be determined ahead of time by the Vice President of Human Resources or designee with input from the supervisor and Foundation employee.

### **5.12 Transfers**

For the purpose of this Section, a “transfer” shall mean the relocation of a Foundation employee from one department, school, or site to another within the same classification.

The District shall notify Foundation employees of vacant Foundation employee positions, as they become known. Foundation employees desiring to transfer to such vacant positions may request a transfer prior to the position closing date. The transfer request shall be submitted in writing to the Vice President of Human Resources or designee, and shall include a resume, letter of interest, unofficial transcripts, and other necessary documentation.

Prior to creation of a vacancy, a Foundation employee may also request a transfer by filing an appropriate written request with the Vice President of Human Resources or designee. All requests for transfer submitted in this manner shall be kept on file for at least one (1) year from the date of submittal.

If the request has been submitted prior to the closing of the position, the Foundation employee shall be considered for the vacancy before any new employee is considered.

Transfers shall be considered based on minimum qualifications of the position. Each person that applies and meets the minimum qualifications of the position shall be interviewed by the appropriate supervisor. The District reserves the right to approve or disapprove any transfer request.

### **5.13 Reassignment**

Subject to approval of the Board of Trustees, the Superintendent/President may reassign Foundation employees to any classification/duties that the Superintendent/President deems to be necessary to the District's operation and programs. Reassignments shall not be punitive or disciplinary in nature.

### **5.14 Appointments to Less than Full-Time Positions**

Individuals appointed to less than full-time (1.00 FTE) but greater than .75 FTE (30 hours per week) shall be entitled to full health/medical, dental, vision, and life insurance benefits under the Plan. All other benefits provided for under the Plan shall be prorated on the basis of percent of full-time equivalent (FTE) and/or number of months worked.

### **5.15 Layoff**

If a layoff should occur, the California Education Code provisions that are in effect at the time shall apply.

### **5.16 Reconsiderations**

Requests for reconsideration of personnel decisions or reassignments shall be submitted to the appropriate administrator, who shall be responsible for submitting the request to the Superintendent/President whose decision shall be final.

### **5.17 Reclassification**

When supported by the appropriate administrator, Foundation employees covered by this Plan may submit a request to be reclassified to a higher-level position to his/her immediate supervisor to a classification with

a higher salary either within the same level or in a different level. Such promotions must be to classifications that have been officially established and classified. The immediate supervisor will approve or deny the reclassification. The recommendation to reclassify a Foundation employee will be reviewed by the Superintendent/President or designee, who will make a final decision regarding the reclassification request.

## **6. EXPECTED CONDUCT**

All Foundation employee team members are expected to function in accord (abide by):

- a) Board Policy 3050: Code of Ethics Standards of Practice – Employees
- b) Administrative Procedure 3050: Code of Ethics Standards of Practice – Employees
- c) Institutional Code of Ethics (**Appendix D**)

## **7. FOUNDATION EMPLOYEES' COMPLAINT PROCEDURE**

Definitions:

- a) A “complaint” is a formal written allegation by a complainant that he/she has been adversely affected by a violation of District policies and procedures
- b) A “complainant” is a member of the Foundation employee team filing a complaint.
- c) A “day” is any day in which the central administrative office of the Desert Community College District is open for business.
- d) The “immediate supervisor” is the lowest level administrator having immediate jurisdiction over the grievant.

See Complaint Procedure (**Appendix E**).

## **8. EVALUATION PLAN**

Employees in the Foundation Employees group shall be evaluated annually on their anniversary date. Probationary Foundation employees will be evaluated after 4 months and 8 months of service, and thereafter every two years on the Foundation employee’s anniversary date. Evaluation shall form the basis for recommendations for development or other activities related to career development. The District retains the right to conduct special evaluations when performance concerns arise.

The evaluation process shall include a self-evaluation by the Foundation employee and a performance evaluation by the supervisor.

The Foundation employee will evaluate his/her performance in the following areas: responsibilities identified in the position description, professional development activities, special projects, and other unanticipated responsibilities (see **Appendix F**).

The manager will evaluate the performance of the Foundation employee taking into consideration the Foundation employee’s self-evaluation. The evaluation (**Appendix G**) will be comprised of the following components:

- (a) Performance of responsibilities as defined in the position description.
- (b) Optional areas for professional growth.
- (c) Work behaviors
  - Commitment to the District's mission
  - Ability to engage in positive, cooperative relationships
  - Decision-making ability
  - Written and verbal skills
  - Supervisory skills, if appropriate
  - Time and resources management
- (d) Other activities and responsibilities
  - Participation in community organizations and in committees of the college
  - Unanticipated activities
  - Special assignments and projects
  - Budget management including contributions to cost effectiveness

### **8.1 Performance Conference**

The Foundation employee and the manager will agree upon a mutually convenient time to review the Foundation employee's evaluation, no later than the completion date set forth by the District.

The manager and the Foundation employee will review the results together. Originals will be forwarded to the Vice President of Human Resources and Employee Relations, who will arrange to place them in the Foundation employee's personnel file.

## **9. PROFESSIONAL DEVELOPMENT**

Professional development is primarily the responsibility of each Foundation employee. In an era of rapid and continuous change, this must be a high priority for professional Foundation employees.

Professional self-development, improvement, and maintenance of currency in the field, whether or not at District expense, are normal requirements for retention and advancement in Foundation employee classifications. Self-development may take many forms: graduate courses, degrees, certification programs, workshops, professional associations meetings, working with mentors, etc. Foundation employees must conscientiously develop a plan for professional improvement and update it biennially.

The District provides on-going professional development programs for all Foundation employees. The District also supports attendance at professional conferences that benefit the District.

The District provides periodic workshops to assist Foundation employees in coping with critical issues and staying current. The importance of each Foundation employee taking seriously his/her own development and evaluation of currency of skills is of paramount importance. The professional development plan is part of each Foundation employee's biennial evaluation, and each Foundation employee should carefully review the progress of his/her professional development goals.

Full-time Foundation employees who enroll in courses offered at College of the Desert may rearrange their work schedules for not more than five hours per week to attend those classes under the following conditions:

1. Prior to enrolling in the class employees must secure approval from their supervisor to rearrange work hours in order to be released during the time which classes meet, and to make up one half of those hours within the same week, not to exceed a forty hour work week.
2. If reimbursement is requested, the Foundation employee must submit an application (**Appendix H**) to the Management Plan Committee prior to the start of the class session.

## **10. HEALTH AND WELFARE BENEFITS**

**Health and Welfare:** The District provides a variety of benefit programs. Individual programs may be non-contributory (financially supported by the district), contributory (financially supported by both district and employee) and voluntary (solely at the employee's option and expense).

### **10.1 Non-contributory Programs**

**Workers' Compensation** – This program ensures that all employees will be provided benefits per the current State regulations and policies if injured in a work-related accident or illness.

In the event of an industrial injury or illness that occurs while on college property or while in the service of the District, the employee must report the injury or illness promptly to the Office of Human Resources and to the immediate supervisor. If medical treatment is required, the Office of Human Resources will authorize such treatment through a participating provider in the Medical Provider Network, unless the employee has requested to be treated by his/her own physician. (Proper form must be completed and placed in personnel file prior to injury.)

All industrial injuries or illnesses, regardless of the severity, must be reported to the Office of Human Resources.

When an employee has experienced a work-related injury or illness and is released to return to work with restrictions, every effort will be made to find a temporary modified work assignment which will allow the employee to progress to full duty status and is consistent with the work restrictions. A representative from the Office of Human Resources will meet with the employee and immediate supervisor.

If no modified assignments can be found, the employee will be placed on temporary disability, sick leave, or other available appropriate leave until an assignment can be found or until the restrictions are lifted and the employee can return to work.

If an employee refuses a modified work assignment which is consistent with the restrictions imposed by his/her physician, no temporary disability benefits will be paid. If the employee is unable to return to work in any capacity, the District retains the right to request verification from the employee's physician.

**Employee Assistance Program (EAP)** – Employee Assistance Program is a resource for eligible employees and any member of their household. This program offers Foundation Employees help in solving problems that affect personal well-being or job performance.

## **10.2 Contributory Programs**

A Foundation Employee Team member shall be eligible to participate in health benefits on the first day of the month following his/her first day of paid service, provided that first day of paid service is on or before the 15th day of the month. If a Foundation employee provides his/her first day of paid service on the 16th day of the month or later, he/she will be eligible to participate in health and welfare benefits on the first day of the second month following his/her first day of paid service.

**Medical Insurance** - The District offers several medical plans, which provide coverage to all full-time eligible employees and their dependents. Mental health benefits, chiropractic and acupuncture benefits may be included in the medical plans for both employee and dependents. Long-term care and accidental death and dismemberment insurance plans cover eligible employees only. Employees may purchase additional supplemental insurance and care at an additional cost.

**Long Term Care** - Long-term care insurance plans cover eligible employees only. (Eligible family members may purchase long-term care at an additional cost.)

**Dental Insurance** - The District offers two dental plans, which provide coverage for a variety of dental and orthodontic benefits-for eligible employees and dependents.

**Vision Care** - The vision service plan includes an annual routine eye examination, and either eyeglasses or contact lenses for eligible employees and dependents.

**Life/AD&D Insurance** - Employee only group coverage is provided to the employee, up to \$50,000.00.

**Domestic Partner Health Benefits** - The District will make the same premium contribution for an eligible domestic partner as for a legally married spouse. Please note that the value of any employer-paid coverage for a domestic partner is taxable. The district must report the fair market value of the coverage as imputed income on the employee's Form W-2 for federal and state/local tax purposes.

## **10.3 Other Contributory Benefit Programs Available**

**Unemployment Insurance** - The District contributes to the State Unemployment Insurance fund.

**Retirement** - The District provides eligible employees with a defined benefit retirement plan through membership in either the Public Employee Retirement System (PERS) or the State Teachers Retirement System (STRS), depending on their classification (e.g., classified or academic). Eligible Foundation employees may be members of PERS. An eligible employee that has been a PERS member may elect to enroll in the District's plan upon date of hire.

**403(b) Plan** - The District sponsored 403(b) Plan with American Funds offers eligible employees a match of their contributions (up to \$1,200/year) and provides assistance in planning for retirement through our third-party administrator. Foundation employees are eligible to participate in this plan.

#### **10.4 Voluntary Programs**

**Tax Sheltered Annuities** – In addition to the American Funds plan, employees can choose from a variety of other 403(b) and 457(b) plan options that also provide employees with pre-tax, defined contribution investment opportunities designed to enhance retirement.

**Section 125 Plan/Flexible Spending Account (FSA)** – Employees may use pretax dollars for eligible medical, dental, vision and dependent care expenses by enrolling in a flexible spending account (insurance premiums are not eligible expenses).

#### **10.5 Health Coverage for Retired Employees**

The District shall provide Foundation employees who retire with the same contribution towards their medical, dental, vision, life and long-term care coverage as is provided to active eligible employees, until age sixty-five. Employees must be at least fifty-five and have at least ten years of full-time service with the District in order to qualify for coverage. Retirees are subject to tiered rates.

The District shall permit any Foundation employee over the age of sixty-five who has retired from the District to continue coverage in their current medical, dental and vision plans at his/her own expense. The District shall also permit continued enrollment of the surviving spouse or domestic partner of a retiree or active employee of the District at his/her own expense. This section permits enrollment into the District's medical, dental and vision plans only once.

#### **10.6 Part-time Benefit Eligibility**

Foundation employees who work thirty or more hours per week are eligible to enroll in the same health plans as full-time employees.

### **11. LEAVE BENEFITS**

**Definition of Immediate Family:** For the purpose of this section, an immediate family member shall be limited to mother, father, step-mother, step-father, grandfather, grandmother, grandchild, or domestic partner of the employee or of the spouse of the employee and the spouse, son, son-in-law, daughter, daughter-in-law, brother, sister, brother-in-law or sister-in-law of the employee or any relative by blood or marriage living in the immediate household of the employee.

#### **11.1 Sick Leave**

Employees earn one day of leave with full pay for each month of service during the year to be used for purposes of personal illness or injury. Sick leave is posted to each employee's account on July 1st which is the first day of the fiscal year. Foundation employees must report the absence following the illness or injury.

### **11.2 Extended Sick Leave**

Foundation employee team members may be eligible for extended sick leave paid at fifty percent of the employee's regular rate of pay when all accrued full-pay sick leave has been exhausted. Additional sick leave authorized under this category will be exclusive of other paid leaves or holidays to which the employee may be entitled. The additional eighty-eight half days are not accumulative and are added each year.

Employees who wish to use extended sick leave benefits must provide written evidence satisfactory to the Office of Human Resources that the illness, injury, or incapacity requires absence from duty during the period of extended sick leave. The District reserves the right to demand proof of illness and may refer any claims for extended sick leave benefits to the District physician whose decision as to the employee's eligibility will be final. At the beginning of each fiscal year Foundation employees shall be credited with a total of not less than one hundred working days of paid sick leave, including days to which he/she is entitled. Such additional days shall be compensated at the rate of fifty percent of each Foundation Employee's regular salary.

### **11.3 Family Illness Leave**

Employees may use half of the current year's annual accrual of sick leave for illness or injury of a parent, child, or spouse or domestic partner according to Labor Code §233.

### **11.4 Personal Necessity**

The District shall provide seven days of personal necessity leave to be charged against sick leave in any fiscal year. Available days may be used for purposes deemed by the employee to be of a compelling nature, the nature of which cannot be attended to outside of regularly scheduled duty days. Before utilization of personal necessity leave, when the leave is foreseeable, the employee shall arrange leave at a time which is mutually acceptable to the employee and his/her supervisor and attain prior approval.

Purposes for which personal necessity leave may be used include:

- a) Death of a person significant to the employee.
- b) An accident or emergency illness involving the employee's person or property or the person or property of the employee's immediate family.
- c) Urgent personal business which requires presence at or in a time frame which falls within the employee's regular workday, and which cannot be arranged outside of the employee's normal workday.

### **11.5 Critical Illness**



Employees may be granted an absence from service with full salary for a period not to exceed three working days in any one fiscal year for a critical illness in the family. Critical illness shall be defined as one in which the person's life is in danger. This allowance will not affect accumulated sick leave and will not be accumulated from year to year. Critical illness leave is not to be used until all personal necessity leave and family illness leave have been used. It is the employee's responsibility, upon returning to work, to provide written certification from a qualified physician that the illness is critical.

#### **11.6 Bereavement Leave**

Employees are entitled to an absence from work with full salary for a maximum of five workdays for the death of any member of the immediate family. Days need not be taken consecutively. An absence from service with full salary for one working day shall be allowed for the death of any other close relative of the unit member. "Close relative" for the purpose of this Section is defined as "aunt, uncle, niece or nephew" of the unit member or of their spouse or domestic partner. The appropriate administrator or the Office of Human Resources may request verification prior to taking bereavement leave.

#### **11.7 Jury Leave**

Employees shall be granted leave at full pay when required to report for jury duty. The employee shall present proof of service to Payroll. The District shall not discourage employees from accepting jury service. The District reserves the right to discuss with the employee the practicality of seeking exemption or deferment when jury service would materially disrupt District operations. Fees received by employees, excluding travel and subsistence expenses, shall be remitted to the District.

#### **11.8 Subpoena Leave**

Employees shall be granted leave at full pay when subpoenaed as a witness, other than as a defendant or plaintiff, in a criminal or civil trial, which has resulted directly from an incident that took place during the course of conducting regular District business. Such leave shall be restricted to personal appearance under a subpoena issued by a court of competent jurisdiction.

For reasons other than listed above, an employee shall be granted a leave of absence when subpoenaed as a witness and not as a litigant in a court of law. The leave shall be granted for the number of days specified in the subpoena as certified by an authorized officer of the court.

The leave shall not be accumulated from year to year. Compensation for such leave will be made up to a maximum of ten working days per year. The amount of compensation shall be equivalent to but not more than the difference between the employee's regular earnings and any amount received under the subpoena.

#### **11.9 Industrial Illness or Accident Leave**

Foundation employees are eligible for industrial accident leave for personal injury or illness occurring during working hours, which has qualified for workers' compensation benefits. The leave of absence may not exceed sixty working days for the same accident. (See Section 10.1)

### **11.10 Pregnancy Disability Leave**

Upon written request, accompanied by verification from a licensed California physician, maternity leave of absence without pay will be granted to an employee for disabilities caused by pre-pregnancy, miscarriage, childbirth and recovery. Such leave shall be for a term of not more than one calendar year. Employees returning from maternity leave shall provide the District with at least one calendar month notice of their intent to return. Pregnancy Disability Leave should be used in conjunction with earned leave and Family Medical Leave.

### **11.11 Family Medical Leave**

In accordance with Government Code §12945.2 and the Family and Medical Leave Act of 1993 (FMLA), employees shall be eligible for an unpaid leave of absence, not to exceed twelve working weeks (sixty working days) (twenty-six weeks for military caregiver) in a twelve month period for the following purposes and under the enumerated conditions:

Leave because of 1) the birth of a child of the employee, 2) the placement of a child with the employee in connection with the adoption or foster care, 3) the serious illness of a spouse, domestic partner, child or parent of the employee, 4) because of a serious health condition that makes the employee unable to perform the function of the position, or 5) a qualifying exigency or for a military caregiver leave as provided by law.

Employee shall retain all employment rights during the leave period and shall be guaranteed the right to return to the same or similar position at the end of the leave period.

FMLA is to be used in conjunction with and coordinated with available and applicable benefit time.

If the leave provided is used in conjunction with pregnancy disability leave, the maximum duration of the FMLA shall be a period of twelve weeks.

Employees on FMLA shall continue to be eligible for membership in the District health and welfare plans. If the employee fails to return to work when the leave expires for a reason other than the continuation, recurrence of onset of a serious health condition that would entitle that employee to leave under existing law, or other circumstances beyond the employee's control, the District will recover the premium which was paid for maintaining health coverage during the employee's leave.

The District will require certification, which indicates the medical necessity for requesting leave and the expected duration of such leave if the employee is requesting leave because of a serious medical condition.

If the need for the leave is foreseeable, the employee is required to make a reasonable effort to schedule the leave at a time which would least disrupt his/her service to the college. Requests for leave should be submitted within thirty days or as much advance notice as possible.

**11.12 Military Leave**

Employees requesting a leave of absence for military service will be granted as mandated by applicable state and federal law. Requests for military leave of absence should be submitted in writing to the employee's immediate supervisor with a copy of the official order.

**11.13 Unpaid Leave of Absence**

Foundation employees may, at the sole discretion of the District, be granted a leave of absence for purposes satisfactory to the District. If granted, the leave will be without compensation or benefits, and will generally be for a period not to exceed one academic year. Such unpaid leave, if granted, shall not be counted toward seniority or salary advancement. During the duration of the leave of absence, the Foundation employee will be offered COBRA coverage at their expense.

**11.14 Vacation**

Length of Service	Annual Earned Vacation
1 – 3 years	15 days
4 – 10 years	18 days
11 – 20 years	21 days
21 years and over	22 days

Requests for vacation leave must be submitted for approval to the employee's immediate supervisor. Insofar as it is possible, vacation shall be scheduled to the mutual advantage of the employee and the District. Permanent employees may be granted vacation with salary in advance of vacation being earned up to the amount earned in that fiscal year.

Vacation time accrues from the first of the month nearest to the beginning date of employment. Vacation leave is posted to each employee's account at the end of the month in which it was earned.

Part-time employees are eligible to accrue vacation pro-rated based on the number of hours of scheduled work per week in relation to the number of hours for a full-time employee in a comparable position.

A new Foundation employee of the District is not eligible to take more than six days, or the proportionate amount to which he/she may be entitled, until the first day of the calendar month after completion of six months of active service with the District.

The maximum number of vacation days that can be accrued is one year's annual vacation. When the accumulated vacation balance reaches this limit, an employee ceases to earn vacation until such time as the vacation balance is reduced below the maximum earnable.

Upon separation, resignation, retirement, termination, or non-renewal Foundation employees shall be compensated for the amount of vacation earned at the time of leaving employment with the District. If an employee has been granted vacation, which has not yet been earned at the time of termination of his or her services, the District may deduct from the employee's final check the full amount of salary, which has been paid for such unearned days of vacation taken.

**11.15 Holidays**

To qualify for holiday pay, an employee must be in paid status on the day before or the day after the holiday. Holidays are paid at the employee's regular rate of pay.

The following are Trustee approved holidays observed by the District. Sixteen holidays will be observed each year. For those holidays that change annually, the Board will approve specific days to be celebrated and a listing will be distributed to employees.

When a holiday falls on Sunday, the following Monday will be observed as the holiday. When a holiday falls on Saturday, the preceding Friday will be observed as the holiday with the exception of Lincoln's Day which will be observed coinciding with the adopted school schedule in accordance with Education Code §79020. District and Foundation offices will be closed on Trustee approved holidays.

	Legal	Local
Independence Day	1	
Labor Day	1	
Veteran's Day	1	
Thanksgiving Day	1	
Friday following Thanksgiving		1
Winter Break Holiday		1
Christmas Day (celebrated)	1	
In Lieu of Admissions Day		1
New Year's Day (celebrated)	1	
Martin Luther King Day	1	
Lincoln's Day	1	
Washington's Day	1	
Cesar Chavez Day		1
Spring Holiday		1
Memorial Day	1	
Native American Day		1

**Christmas/New Year Holiday Break**

The District and Foundation shall be closed for business during the Christmas/New Year Holiday Break from December 24 – January 1. All Foundation employees will observe the holidays during this period by using three local holidays, two legal holidays and two mandatory vacation days.

### **Local Holidays**

The three Local Holidays which are not being used during the Christmas/New Year Holiday Break will be assigned to the Friday following Thanksgiving and Spring Break Thursday, and Spring Break Friday.

### **Christmas/New Year's Vacation and Holiday Pay**

If a Foundation employee is directed to work on any of the days of the Christmas/New Year Holiday Break, the employee will receive compensatory time, establish a flexible schedule for days off equal to the days worked, or shall be compensated accordingly. Hours worked on the mandatory vacation days, will be compensated at a rate of time and a half. Hours worked during the scheduled holiday shall be compensated at a rate of time and one-half the regular rate of pay in addition to regular pay. Authorization to work must be reviewed and approved by the appropriate District Vice President and/or the Superintendent/President.

## **12. NON-DUPLICATION OF BENEFITS**

No benefits shall be duplicated under this plan and/or any other District plan.

## **13. FUNDING PLAN**

Foundation funds will be allocated to the Foundation Employees' Personnel Plan to support salary adjustments provided for under the plan. The Superintendent/President determines the frequency and amount of salary adjustments based an evaluation of merit, contribution evaluation, and value to the College. The Vice President, Human Resources is charged by the Superintendent/President with monitoring the operation of the plan. All salary adjustments for Foundation employees, as provided for under the plan, are subject to the approval of the Superintendent/President.

## **14. FOUNDATION EMPLOYEES' PERSONNEL PLAN MAINTENANCE**

The District's Management Personnel Committee, chaired by the Vice President of Human Resources, shall meet periodically to review the Foundation Employees' Personnel Plan. The Superintendent/President or his/her designee shall be an ex-officio member of the committee. The committee shall consist of a District or Foundation Management team member from each level: Executive, Administrative, Manager and Supervisor, and is selected by the Superintendent/President. .

## **15. SAVINGS CLAUSE**

If during the life of this Plan, there exists any applicable rule, regulation, or order issued by government authority other than the District which shall render invalid restrain compliance with or enforcement of any provisions of this Plan, such provision shall be immediately suspended and be of no effect hereunder so long as such law, rule, regulation, or order shall remain in effect. Such invalidation of a part or portion of this Plan shall not invalidate any remaining portions, which shall continue in full force and effect.

## **16. PROFESSIONAL DEVELOPMENT PROGRAM**

The Professional Development Program is designed to provide an incentive for members to further their education, skills and training as it relates to their current work assignment.

- Improve the standard of service
- Improve on-the-job performance
- Promote technological advancements
- Provide opportunities for personal growth
- Provide opportunities for advancement

The Role of the Management Personnel Committee: All Professional Development Applications shall be reviewed by the Committee. See **Appendix H** for application guidelines.

In addition to employee Professional Development Program, a Foundation Employees may apply for themselves, their spouse, and their child(ren) to receive reimbursement of up to \$1,200, for enrollment in classes at College of the Desert. Reimbursable costs covered will be tuition, books, and registration. Children must be between the ages of 17 and 24 and must be birth, adopted, or stepchildren of the employee. A child must maintain a grade of “C” or better in all courses taken to be eligible to take another class covered by this program. See **Appendix H** for application.

## **APPENDICES**

### **Table of Contents**

	<u>Page</u>
Appendix A Foundation Salary Schedule.....	24
Appendix B Foundation Employees Classification.....	26
Appendix C Classification Analysis Form.....	27
Appendix D Institutional Code of Ethics.....	28
Appendix E Complaint Procedure .....	30
Appendix F Foundation Employees Self-Evaluation .....	32
Appendix G Foundation Employees Employee Evaluation.....	33
Appendix H Professional Development Guidelines & Application Form.....	34

Foundation Salary Schedule 2019-2020



Range	Salary	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
Range 1	Hourly	142,716	148,711	154,960	161,465	168,247	175,316	182,678	190,350	198,347	206,679
	Monthly	2,675,922	2,788,325	2,905,491	3,027,474	3,154,638	3,287,171	3,425,210	3,569,069	3,719,005	3,875,229
	Annual	32,111,064	33,459,900	34,865,892	36,329,688	37,855,656	39,446,052	41,102,520	42,828,828	44,628,060	46,502,748
Range 2	Hourly	178,399	185,892	193,702	201,836	210,312	219,147	228,352	237,940	247,936	258,350
	Monthly	3,344,973	3,485,478	3,631,912	3,784,434	3,943,345	4,108,999	4,281,591	4,461,376	4,648,799	4,844,058
	Annual	40,139,676	41,825,736	43,582,944	45,413,208	47,320,140	49,307,988	51,379,092	53,536,512	55,785,588	58,128,696
Range 3	Hourly	214,076	223,073	232,440	242,202	252,377	262,976	274,019	285,529	297,518	310,015
	Monthly	4,013,931	4,182,610	4,358,251	4,541,286	4,732,064	4,930,803	5,137,854	5,353,674	5,578,455	5,812,783
	Annual	48,167,172	50,191,320	52,299,012	54,495,432	56,784,768	59,169,636	61,654,248	64,244,088	66,941,460	69,753,396
Range 4	Hourly	249,761	260,247	271,183	282,566	294,435	306,801	319,687	333,118	347,107	361,687
	Monthly	4,693,017	4,879,636	5,084,674	5,298,118	5,520,665	5,752,514	5,994,131	6,245,970	6,508,251	6,781,626
	Annual	56,196,204	58,555,632	61,016,088	63,577,416	66,247,980	69,030,168	71,929,572	74,951,640	78,099,012	81,379,512
Range 5	Hourly	285,440	297,428	309,920	322,937	336,500	350,632	365,361	380,701	396,695	413,357
	Monthly	5,351,997	5,576,779	5,810,991	6,055,076	6,309,382	6,574,341	6,850,523	7,138,149	7,438,023	7,750,445
	Annual	64,223,964	66,921,348	69,731,892	72,660,912	75,712,584	78,892,092	82,206,276	85,657,788	89,256,276	93,005,340
Range 6	Hourly	321,118	334,609	348,663	363,302	378,565	394,462	411,029	428,291	446,283	465,022
	Monthly	6,020,967	6,273,910	6,537,425	6,811,918	7,098,089	7,396,158	7,706,801	8,030,457	8,367,806	8,719,171
	Annual	72,251,604	75,286,920	78,449,100	81,743,016	85,177,068	88,753,896	92,481,612	96,365,484	100,413,672	104,630,052
Range 7	Hourly	356,796	371,783	387,400	403,673	420,624	438,292	456,697	475,880	495,865	516,694
	Monthly	6,689,923	6,970,935	7,263,742	7,568,878	7,886,691	8,217,974	8,563,063	8,922,754	9,297,474	9,688,013
	Annual	80,279,076	83,651,220	87,164,904	90,826,536	94,640,292	98,615,688	102,756,756	107,073,048	111,569,688	116,256,156
Range 8	Hourly	392,481	408,964	426,142	444,038	462,689	482,121	502,371	523,469	545,454	568,365
	Monthly	7,359,020	7,668,066	7,990,164	8,325,721	8,675,410	9,039,773	9,419,457	9,815,051	10,227,256	10,656,844
	Annual	88,308,240	92,016,792	95,881,968	99,908,652	104,104,920	108,477,276	113,033,484	117,780,612	122,727,072	127,882,128



Foundation Salary Schedule 2019-2020



Range	Salary	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
Range 9	Hourly	428.159	446.139	464.879	484.403	504.747	525.947	548.039	571.058	595.042	620.030
	Monthly	8,027.990	8,365.104	8,716.481	9,082.563	9,464.011	9,861.512	10,275.732	10,707.345	11,157.039	11,625.567
	Annual	96,335.880	100,381.248	104,597.772	108,990.756	113,568.132	118,338.144	123,308.784	128,488.140	133,884.468	139,506.804
Range 10	Hourly	463.837	483.320	503.622	524.774	546.812	569.778	593.707	618.641	644.630	671.702
	Monthly	8,696.945	9,062.246	9,442.915	9,839.520	10,252.728	10,683.329	11,131.997	11,599.525	12,086.811	12,594.411
	Annual	104,363.340	108,746.952	113,314.980	118,074.240	123,032.736	128,199.948	133,583.964	139,194.300	145,041.732	151,132.932
Range 11	Hourly	499.516	520.500	542.359	565.139	588.877	613.608	639.381	666.231	694.212	723.372
	Monthly	9,365.926	9,759.378	10,169.232	10,596.351	11,041.435	11,505.155	11,988.389	12,491.834	13,016.479	13,563.230
	Annual	112,391.112	117,112.536	122,030.784	127,156.212	132,497.220	138,061.860	143,860.668	149,902.008	156,197.748	162,758.760
Range 12	Hourly	535.201	557.675	581.101	605.504	630.935	657.439	685.048	713.820	743.800	775.044
	Monthly	10,035.012	10,456.415	10,895.653	11,353.207	11,830.036	12,326.972	12,844.853	13,384.131	13,946.259	14,532.071
	Annual	120,420.144	125,476.980	130,747.836	136,238.484	141,960.432	147,923.664	154,135.836	160,609.572	167,355.108	174,384.852
Range 13	Hourly	570.879	594.856	619.839	645.875	673.000	701.263	730.717	761.409	793.389	826.709
	Monthly	10,703.981	11,153.546	11,621.984	12,110.164	12,618.754	13,148.683	13,700.952	14,276.426	14,876.043	15,500.796
	Annual	128,447.772	133,842.552	139,463.808	145,321.968	151,425.048	157,784.196	164,411.424	171,317.112	178,512.516	186,009.552
Range 14	Hourly	642.236	669.211	697.319	726.605	757.124	788.924	822.058	856.588	892.560	930.051
	Monthly	12,041.920	12,547.714	13,074.734	13,623.849	14,196.073	14,792.329	15,413.588	16,061.020	16,735.494	17,438.458
	Annual	144,503.040	150,572.568	156,896.808	163,486.188	170,352.876	177,507.948	184,963.056	192,732.240	200,825.928	209,261.496
Range 15	Hourly	-	-	-	913.400	951.760	991.737	1,033.388	1,076.787	1,122.012	1,169.136
	Monthly	-	-	-	17,126.256	17,845.506	18,595.062	19,376.027	20,189.750	21,037.717	21,921.303
	Annual	-	-	-	205,515.072	214,146.072	223,140.744	232,512.324	242,277.000	252,452.604	263,055.636

**APPENDIX B**

**FOUNDATION EMPLOYEES CLASSIFICATION**

<b>Position</b>	<b>Classification Range</b>
Director of Development, Planned Giving, Grants and Donor Relations	XI
Director of Development, Fund Development, Annual Giving and Memberships	XI
Director, Alumni Engagement	VII
Database Manager	VI
Executive Assistant to the Executive Director	VI
Foundation Accountant	VI
Resource Development Specialist	V
Accounting Specialist	IV
Scholarship Administrative Specialist	IV
Administrative Specialist	III

**APPENDIX C**

**COLLEGE OF THE DESERT  
FOUNDATION EMPLOYEE CLASSIFICATION ANALYSIS FORM**

- I. Present a statement (two pages maximum) outlining:
- A. The reasons for the requested change in classification. Include a summary of current job duties and how they have changed.
  - B. How those changes have affected your job (e.g., scope of responsibility, required skills, knowledge and abilities, complexity, accountability, supervision given or received, impact of decisions, scope and effect, etc.)

---

Employee's Signature

Date

- II. Statement of Immediate Supervisor (mandatory). In order to insure that any recommendation proposed is consistent with organizational resources, goals and objectives provide comments, concerns and recommendations regarding this request.

III.

---

Supervisor's Signature

Date

**Institutional Code of Ethics**

The Desert Community College District (hereinafter “District”) recognizes the District’s responsibility and obligation to the public to conduct its business with honesty, integrity, professionalism, and quality in the performance of those operations and functions necessary to achieve its established mission and philosophy as described in Board Policy. To that end, the District is committed to public accountability and transparency.

The Institutional Code of Ethics applies to all employees of the District. Employees of the District share the fundamental responsibility to always act with integrity and in a manner that reflects the best interests of the District and its students.

Employees of the District shall conform their conduct to the following standards:

District resources shall not be used for other than their intended purpose. Employees of the District shall manage the District’s resources prudently and shall not improperly convert such resources to personal use or for the personal use of another. The District’s resources shall not be offered to another in order to obtain unfair advantage or otherwise offered in a manner or under circumstances that would constitute a violation of law.

Employees of the District who have a financial interest in a firm under consideration for business transactions with the District, excluding publicly traded firms, must disclose the relationship to appropriate District personnel. Such employees shall recuse themselves from participation in decisions related to District business with the firm. In addition, such employees shall disclose the relationship in writing, to the District’s legal counsel to determine that the proposed activity is fair to the District and will not result in the District foregoing revenues, or incurring costs in excess of the costs that would be incurred for goods, property, or services of like quality if acquired from another source.

Under no circumstances may a person described in the above section approve a relationship with, order or authorize purchase from, or approve or make payments to an affiliated firm or person on behalf of the District. For the purposes of this paragraph, the terms “person” and “affiliated person” includes an individual’s immediate family members, spouse, and others living within such individual’s household.

Executive administrative personnel and other designated personnel subject to the provisions of the Political Reform Act of 1974 as set forth in Government Code Section 18000 have additional responsibilities with reference to contracts and financial decisions made by the District as described in applicable conflict of interest laws, which include the following: Contractual Conflicts: Executive administrative personnel and other designated personnel are prohibited from having a controlling financial interest in any contract made by the District or in any contract entered into in their official capacity. As such, they are prohibited from making, participating in making or in any way attempting to use their official positions to influence a District decision when it is foreseeable that their personal financial interests may be affected by those decisions. If an executive administrator or other designated person determines that he or she has a conflict of interest at some point in the contract-making process, this determination shall be disclosed and he or she shall immediately disengage from the contract process.

Obligation to Resolve Conflicts: Executive administrative personnel and other designated personnel have an obligation to examine any situation in which they believe they have a conflict of interest and take steps to resolve the conflict.

Disqualification: When a conflict of interest exists, an executive administrator or other designated person who has declared or who has been found to have a conflict of interest in a matter shall refrain from participating in consideration of the matter.

No employee of the District shall receive or solicit anything of value in return for influencing or exercising his/her discretion in a particular way on a District matter. In addition, employees of the District are prohibited from accepting or soliciting any gratuity or thing of value (for which a fair market price has not been paid) for or because of any official act performed or to be performed in his/her official capacity with the District.

This provision does not prohibit the acceptance of an item having a nominal value or ceremonial gifts received by employees of the District in their official capacity.

The accounts and records of the District are maintained in a manner that provides for an accurate and auditable record of all financial transactions in conformity with generally accepted accounting principles, established business practices, and all relevant provisions of controlling law. No false or deceptive entries may be made, and all entries must contain an appropriate description of the underlying transaction.

To the extent not required for daily operating transactions (e.g., petty cash transactions), all District funds must be retained in the appropriate District accounts with appropriately designated financial institutions and no Desert Community College District undisclosed or unrecorded fund or asset shall be established or maintained for any purpose.

All reports, vouchers, bills, invoices, payroll information, personnel records, and other essential business records must be prepared with care and honesty, and access to such data shall be closely controlled. Employees of the District who improperly access District accounts and records or who improperly convert these records and accounts for their own personal purpose or for the personal purpose of another, or who wrongfully disclose such records or accounts will be subject to appropriate sanctions by the District.

Employees of the District who may have access to confidential information relating to students, job applicants, employees, and other information of a sensitive nature are expected to take appropriate measures to safeguard confidential or sensitive information and not disclose such information except in the course of their official duties to those who have a legitimate business need to know.

Employees of the District are expected to conform their actions to the requirements of the law and District policy related to their positions and areas of responsibility, and to ethically and effectively carry out their responsibilities. No employee of the District shall engage in any employment practice that is a violation of law or District policy, or use his or her position to intimidate subordinate employees or exact personal favors or things of value (for which a fair market price has not been paid) from subordinate employees.

Employees of the District are expected to treat other members of the District and members of the public with courtesy, honesty, professionalism, and civility.

**COMPLAINT PROCEDURE**

*Definitions*

- a) A “complaint” is a formal written allegation by a complainant that he/she has been adversely affected by a violation of District policies and procedures.
- b) A “complainant” is a member of the Foundation Employee team filing a complaint.
- c) A “day” is any day in which the central administrative office of the Desert Community College District is open for business.
- d) The “immediate supervisor” is the lowest level administrator having immediate jurisdiction over the grievant.

The following levels will be followed in complaint resolution:

*Informal Level*

Before filing a formal written complaint, the complainant shall attempt to resolve it by an informal conference with his/her immediate supervisor.

If the complaint is not resolved as a result of the informal procedure identified above, a two-track formal grievance procedure is available. The Foundation employee may select the procedure, which more appropriately meets his/her needs (option one or option two). The complainant having chosen either of the options may select the other alternate at any point in the process.

*Formal Level*

***Option One***

(1) Step One

(a) Within fifteen (15) days after the occurrence of the act or omission giving rise to the complaint, or within fifteen (15) days after which the complainant could have reasonably been expected to have known of the act or omission giving rise to the complaint, the complainant must present his/her complaint in writing on the appropriate form to his/her immediate supervisor. This statement shall be a clear, concise statement of the complaint, the circumstances involved, the decision rendered at the informal conference, and the specific remedy sought.

(b) The immediate supervisor shall communicate his/her decision in writing to the employee within ten (10) days after receiving the complaint. If the immediate supervisor fails to respond within the time limits, the complainant may appeal to the next step.

(c) Within the above time limits, either party may request a person conference with the other in an attempt to resolve the problem and end the matter. At any time, the complainant may wish to do so, he/she may withdraw the complaint.

(2) Step Two

(a) In the event the complainant is not satisfied with the decision at Step One, he/she may appeal the decision on the appropriate form to the next higher supervisor as identified in the organizational chart. This statement should include a copy of the original complaint, the decision rendered, and a clear, concise statement of the reasons for the appeal.

(b) The next higher supervisor shall communicate his/her decision in writing to the employee within ten (10) days after receiving the appeal. If the next higher supervisor fails to respond within the time limits, the complainant may appeal to the next step.

(c) Within the above time limits either party may request a personal conference with the other in an attempt to resolve the problem and end the matter. At any time, the complainant may wish to do so, he/she may withdraw the complaint.

(3) Step Three

(a) If the complainant is not satisfied with the decision at Step Two, he/she may within ten (10) days after receipt of the decision appeal the decision on the appropriate form to the Superintendent/President or designee. This statement shall include a copy of the original complaint and appeal, the decisions rendered, and a clear, concise statement of the reasons for the appeal.

(b) The Superintendent/President shall communicate his/her decision in writing to the complainant within ten (10) days.

*Option Two*

A Foundation employee desiring to use a less structured complaint procedure may do so by filing a written statement with the Management Personnel Committee. One or more of the members of the Committee will meet with the complainant for the purpose of considering appropriate alternative designed to achieve resolution. A representative(s) of the Management Personnel Committee will assist the leadership employee in the resolution of the complaint.

Complaint File

A record of individual complaints and decisions relating thereto will be maintained in a file separate from the employee's personnel file.

**APPENDIX F**

**COLLEGE OF THE DESERT  
FOUNDATION EMPLOYEE SELF-EVALUATION  
\_\_\_\_\_ ACADEMIC YEAR**

Position: \_\_\_\_\_

Foundation Employee: \_\_\_\_\_

Date: \_\_\_\_\_

- A. Position Description
- B. Professional Development
- C. Other Activities & Responsibilities
- D. Narrative Summary
- E. Commendations
- F. Recommendations

---

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Manager Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**APPENDIX G**

**COLLEGE OF THE DESERT  
FOUNDATION EMPLOYEE EVALUATION  
\_\_\_\_\_ ACADEMIC YEAR**

Please check:

- Probationary Evaluation, 4 months
- Probationary Evaluation, 8 months
- Regular Evaluation
- Special Evaluation

Employee Name: \_\_\_\_\_

Colleague ID#: \_\_\_\_\_

Department: \_\_\_\_\_

Evaluation Period (From/To): \_\_\_\_\_

Position: \_\_\_\_\_

A. Performance of responsibilities identified in the position description:

B. Optional areas for professional growth:

C. Work behaviors:

- Commitment to District's mission
- Ability to engage in positive, cooperative relationships
- Decision-making ability
- Written and verbal skills
- Supervisory skills, if appropriate
- Time and resources management

D. Unanticipated responsibilities:

- Participation in community organizations and committees of the college
- Unanticipated activities
- Special assignments and projects
- Budget management including contributions to cost effectiveness

E. Commendations:

F. Recommendations:

---

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Manager Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX H

### PROFESSIONAL DEVELOPMENT GUIDELINE & APPLICATION FORM

#### Application Guidelines

The Professional Development Program is designed to provide an incentive for Foundation employees to further their education, skills and training as it relates to their current work assignment.

All Professional Development Applications shall be reviewed by the Personnel Management Committee.

- The Committee shall be responsible for review of all applications for reimbursement and make recommendations for such reimbursement.
- The Committee shall review the process and recommend revisions in forms or process as necessary.

**Funding:** Annually there will be an allocation for the Professional Development Fund. Applicants for this program must have identified the activities they desire to participate in their Professional Development Plan. Funds are disbursed on a first come, first serve basis. Examples of expenses include reimbursement for verified costs of tuition, fees, books and supplies for approved credit classes of study at College of the Desert or any other accredited college or university.

**Reimbursement:** To qualify for reimbursement of educational expenses, a Foundation Employee must be employed full-time and:

- Complete the Management Professional Growth Application (reverse side)
- Receive approval of the Management Personnel Committee for a planned course of study leading to improving skills related to the unit member's present position or which prepares the unit member for advancement to a position with the District, or prepares the unit member for a new career;
- Receive advanced Committee approval and enroll in a class which is a part of the approved plan
- Submit a transcript from the institution attended evidencing completion of the class with a grade of "C" or better, or the equivalent;
- Submit documented proof of expenses related to the completed class to the Office of Human Resources for reimbursement.

**Number of units:** There shall be no limit to the number of units which a Foundation employee may take during a given semester or year as long as they fit within the above guidelines. However, no more than the prescribed \$1,200 per employee shall be reimbursed in any fiscal year.

**Children:** A Foundation employee may apply for their children to receive reimbursement for enrollment in classes at College of the Desert. Reimbursable costs covered will be tuition, books, and registration. Children must be between the ages of 17 and 24 and must be birth, adopted, or stepchildren of the employee. A child must maintain a grade of "C" or better in all courses taken to be eligible to take

another class covered by this program. Reimbursement will be a part of the overall allocation of \$1,200 described above.

**Foundation Employee Professional Development Application Form**

Employee: \_\_\_\_\_ Name of Child (if applicable): \_\_\_\_\_

Job Title: \_\_\_\_\_ Application Date: \_\_\_\_\_

<b>Course Title: (Attach Catalog description)</b>	<b>Course Number:</b>	<b>Timeline:</b>	<b>Category: (Graduate, Undergraduate)</b>	<b>Number of Units: (Specify Quarter, Semester)</b>	<b>Institution:</b>

Estimated Expenses:    Fees/Tuition    \$ \_\_\_\_\_  
                                   Books                    \$ \_\_\_\_\_  
                                   Total                     \$ \_\_\_\_\_

**Maximum reimbursement allowable per fiscal year is \$1,200.00**