

Section: Classified Employees
Title: Employment of Classified Employees
Adopted: August 26, 1973
Revised: January 24, 2007

504. EMPLOYMENT OF CLASSIFIED EMPLOYEES

The Western Area Career & Technology Center Joint Operating Committee recognizes the role of qualified and competent classified employees in the effective operation of the school.

The Joint Operating Committee shall approve the employment and fix the compensation for all classified personnel. It shall also establish the term of employment and other conditions that may reflect the difference between full-time and part-time employment

Such approval shall be given to those candidates for employment recommended by the Director. All personnel to be employed are to appear on an agenda for Joint Operation Committee action.

All applications for employment shall be referred to the Director.

No person shall be employed who is related to any member of the Joint Operating Committee, as defined in statute, unless such person receives the affirmative vote of a majority of all members of the Joint Operating Committee other than the member related to the applicant.

Any employee's misstatement of fact regarding qualifications for employment or the determination of salary shall be considered by the Joint Operating Committee to constitute grounds for dismissal.

No candidate shall be employed until such candidate has complied with the mandatory drug screening and background check requirements for criminal history and the Director has evaluated the results of that screening process.

The Director shall develop procedures for the recruitment, screening, and recommendation of candidates for employment in accordance with the following guidelines:

- Candidates shall be recruited and recommended in accordance with Joint Operating Committee policy, and state and federal law.
- The administration may have administered such screening tests as may bear upon the candidate's ability to perform the tasks for which s/he is being considered.
- The administration shall seek such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Such records shall be retained confidentially and for official use only.

Section: Classified Employees
Title: Pre-Employment Drug Testing
Adopted: January 24, 2001
Reviewed: January 24, 2007

504.1. PRE-EMPLOYMENT DRUG TESTING

Abuse of alcohol and controlled substances in the workplace is a danger to the safety and health of employees, volunteers, and students of the Western Area Career & Technology Center. The responsibility for maintaining an alcohol and drug-free workplace is entrusted to the Joint Operating Committee. An alcohol and drug-free workplace ensures the safety of all employees and volunteers and ensures their fitness to fulfill job responsibilities.

Furthermore, because Board-approved volunteers and employees of Western Area Career & Technology Center are engaged in activities which include direct involvement with students, it is the desire of the Joint Operating Committee that its Board-approved volunteers and employees provide a role model to its students in furtherance of the school's Drug-Free Workplace Policy. As such, the following pre-employment drug testing procedures shall be implemented.

As a condition of employment and/or volunteer work, the Joint Operating Committee will not hire nor permit to volunteer anyone who tests positive on the drug screening, unless the drug has been prescribed by a licensed physician and/or there is a bona fide medical reason for using the drug.

1. All drug testing will be conducted by a PA Department of Health certified medical testing laboratory that is approved by Western Area Career & Technology Center. All testing shall be performed and positive test results will be verified using approved methodologies. An appropriate chain of custody procedure should be developed to ensure continuity in specimen collection, handling, transfer and storage.
2. A listing of the approved testing centers will be maintained in the office of the Director.
3. Testing Procedure
 - A. An Employee/Volunteer Informed Consent form will be signed by each applicant when the specimen is required.
 - B. Prior to approval by the Joint Operating Committee as a Board-approved volunteer or employee of the school, every individual applying for a position in the school shall, at the school's cost and expense, submit to a urinalysis to determine whether such applicant is under the influence of, or uses or has used, any form of narcotic, depressant, stimulant, or hallucinogenic which is prohibited by law.
 - C. As part of the screening process, every applicant for employment or Board-approved volunteer position shall be informed at least forty-eight (48) hours in advance of the administration of a urinalysis.

- D. At least forty-eight (48) hours in advance of the administration of actual testing, every applicant shall be informed of his/her right to withdraw his/her application.
 - E. In the event that said urinalysis results in a positive determination of the conduct referred to above, such determination shall be grounds for the school's refusal to hire said applicant.
 - F. Every applicant shall be notified at least forty-eight (48) hours in advance of the actual testing, the testing site, and the identity of the testing entity.
 - G. Upon request, a copy of the test results shall be provided to the applicant.
4. The Joint Operating Committee may adopt such other rules and regulations as may be desired to carry out the function of this resolution so long as the same are not inconsistent with this resolution or the provisions of the applicable law.

Western Area Career & Technology Center

Section: Classified Employees
Title: Employment of Substitute and Short-Term Classified Employees
Adopted: January 24, 2007

505. EMPLOYMENT OF SUBSTITUTE AND SHORT-TERM CLASSIFIED EMPLOYEES

The Western Area Career & Technology Center Joint Operating Committee recognizes the role of qualified and competent substitute and short-term classified employees and establishes the following employment guidelines.

The Joint Operating Committee will approve annually the names of potential substitute classified personnel and the positions in which they may substitute, except that additional names may be added to the list of substitute personnel during the school year following approval.

Substitutes shall be compensated at a rate set annually by the Joint Operating Committee for the various categories of regular employees.

The Joint Operating Committee shall approve the employment, fix the compensation and establish the period of employment for each short-term classified employee. Such approval shall normally be given to those candidates for employment recommended by the Director.

All applications for employment shall be referred to the Director. Any employee's misstatement of fact regarding qualifications for employment or the determination of salary shall be considered by the Joint Operating Committee to constitute grounds for dismissal.

No person shall be employed who is related to any member of the Joint Operating Committee, as defined in statute, unless such person receives the affirmative vote of a majority of all members of the Joint Operating Committee other than the member related to the applicant.

As previously established, no candidate shall be employed until such candidate has complied with the mandatory drug screening and background check requirements for criminal history and the Director has evaluated the results of that screening process.

The Director shall develop procedures for the recruitment, screening, and recommendation of candidates for employment in accordance with the following guidelines:

- Candidates shall be recruited and recommended in accordance with Joint Operating Committee policy, and state and federal law.
- The administration may have administered such screening tests as may bear upon the candidate's ability to perform the tasks for which s/he is being considered.
- The administration shall seek such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Such records shall be retained confidentially and for official use only.

Section: Classified Employees
Title: Employment Contract
Adopted: January 24, 2007
Revised: May 27, 2009

508. EMPLOYMENT CONTRACT

The Western Area Career & Technology Center Joint Operating Committee believes that for the mutual benefit and protection of each regularly classified staff member and the school there shall be established by contract or Joint Operating Committee resolution the specifics of such employment.

The Joint Operating Committee has the authority under law to prescribe employment conditions for the personnel of the school. Willful misrepresentation of facts material to the employment and determination of salary level shall be considered cause for disciplinary action or dismissal of the employee.

Each employment contract or resolution shall specify the salary at which the person is employed, the conditions of the probationary period, and such other matters as may be necessary to a full and complete understanding of the contract or resolution.

Each newly employed classified employee shall serve a 30-day probationary period. The probationary period may be extended by the Director, if deemed necessary, but at no time shall the probationary period be longer than 90 days.

Should an employee terminate without giving the contractually specified notice, the employee shall be paid only for the days worked.

WACTC

Western Area Career & Technology Center

Section: Classified Employees
Title: Assignment and Transfer
Adopted: January 24, 2007
Revised: September 22, 2010

509. ASSIGNMENT AND TRANSFER

The Western Area Career & Technology Center Joint Operating Committee understands that the successful functioning of the school depends in large measure on the proper placement of qualified and competent personnel.

The Joint Operating Committee shall approve the initial assignment of classified personnel at the time of employment.

The Director shall provide for a system consistent with the above of assignment or reassignment that includes voluntary transfers and promotions and in which vacancies shall be publicized to all appropriate classified employees.

Section: Classified Employees
Title: Suspensions or Layoffs
Adopted: January 24, 2007

511. SUSPENSIONS OR LAYOFFS

Maintenance of classified staff appropriate to effectively operate the educational program of the school is a Joint Operating Committee responsibility. The purpose of this policy is to establish the manner in which necessary reduction of that staff shall be accomplished.

Consistent with law, the Western Area Career & Technology Center Joint Operating Committee has the authority and responsibility to determine when suspensions and layoffs will be made.

The abolishment of classified positions may be brought about by many facts, such as decline in student enrollment, utilization of new techniques and technology, changes in the physical facilities of the school, or the need for operating economies.

The Director shall implement administrative procedures that provide for determination of seniority.

All suspensions and/or layoffs will be consistent with local, state and federal regulations in inverse order of seniority within the school.

Section: Classified Employees
Title: Evaluation of Classified Employees
Adopted: January 24, 2007

512. EVALUATION OF CLASSIFIED EMPLOYEES

The Western Area Career & Technology Center Joint Operating Committee aims to implement a plan for regular evaluation of all classified personnel employed by the school.

The goals of the evaluation plan for classified personnel are to identify and improve skills, attitudes and abilities which enable an employee to be effective and improve those weaknesses which prevent an employee from effectively carrying out assigned duties.

The evaluation plan shall provide a procedure for ensuring that appropriate evaluation of performance takes place during probationary periods of employment, identifying and commending effective performance, counseling and assisting employees where improvement is desired, and dismissing an ineffective employee when counseling and assistance fail to produce effective performance.

The Director shall prepare procedures for employee evaluation which shall include:

- Setting of specific job objectives by the Director and his designee;
- Establishment of reasonable performance standards;
- Use of evaluation statements based on observable and verifiable facts, note of an employee's strengths and weaknesses, and employee opportunity to review evaluation records and to append a written statement;
- Provision for improving unsatisfactory performance by suggesting experiences and/or resources that can aid the improvement effort;
- Provision of an improvement plan and scheduling follow-up conferences to assess change.

Section: Classified Employees
Title: Physical Examination
Adopted: August 26, 1973
Revised: January 24, 2007

514. PHYSICAL EXAMINATION

The Western Area Career & Technology Center Joint Operating Committee recognizes its responsibility to certify the fitness of employees to discharge efficiently the duties which they will be performing and to protect the health of students and staff from the transmission of communicable diseases.

For purposes of this policy, a physical examination shall mean a general examination conducted by a licensed physician.

Therefore, physical examinations of all employees will be required prior to employment.

All candidates for employment, prior to being placed on the rolls of the school, shall undergo a medical examination, as required by law. The Joint Operating Committee may require an employee to undergo subsequent physical examination(s) at its request and at its expense. Such information shall be provided by the school to its Health Care Professional for reporting purposes.

The Joint Operating Committee requires that all employees undergo a tuberculosis examination upon initial employment in accordance with the regulations of the PA Department of Health.

The Joint Operating Committee will accept an affidavit in lieu of an examination where circumstances warrant such action.

The results of all required medical examinations shall be made known to the Director on a confidential basis and discussed with the employee. Such medical records shall be kept in a file separate from the employee's personnel file. In the event of an unsatisfactory report, the Director shall follow Joint Operating Committee policy 415 relating to Disqualification by Reason of Health.

Section: Classified Employees
Title: HIV Infection
Adopted: January 24, 2007

514.1. HIV INFECTION

The Western Area Career & Technology Center Joint Operating is committed to providing a safe, healthy environment for its students and employees. The purpose of this policy shall be to safeguard the health and well-being of students and employees while protecting the rights of the individual.

This policy is based on current evidence that the HIV virus is not normally transmissible by infected individuals within the school setting, except as noted in this policy.

Definitions

HIV Infection – Refers to the disease caused by the HIV or human immunodeficiency virus.

AIDS – Acquired Immune Deficiency Syndrome

CDCP – United States Public Health Service Centers for Disease Control and Prevention.

Infected Employee – Refers to employees diagnosed as having the HIV virus, including those who are asymptomatic.

This policy shall apply to all employees in all programs conducted by the school

The Joint Operating Committee directs that established school policies and procedures that relate to illness among employees shall also apply to infected employees.

The Joint Operating Committee shall not require routine screening tests for HIV infection in the school setting, nor will such tests be a condition for employment.

The Director shall be responsible for handling and releasing information concerning infected employees.

All school employees shall maintain a respectful working climate and shall not participate in physical or verbal harassment of any individual or group, including infected employees.

All employees shall be required to consistently follow infection control/universal precautions in all settings and at all times. Employees shall notify the school's Health Care Professional of exposure to bodily fluids.

The building Supervisor shall notify school employees, students and parents/guardians about current Joint Operating Committee policies concerning HIV infection and shall provide reasonable opportunities to discuss the policy and related concerns.

Infected employees whose employment is interrupted or terminated shall be entitled to available medical leave and medical disability benefits. Such employees shall be informed by the Director of benefits, leave, and alternatives available to them through state and federal laws, school policies, the collective bargaining agreement, and the retirement system.

School employees with knowledge of an infected employee's condition shall not disclose that information without prior written consent of the employee, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act.

Universal precautions shall be followed for exposure to bodily fluids. Employees shall treat all body fluids as hazardous and follow universal precautions.

The school shall maintain reasonably accessible equipment and supplies necessary for infection control.

All school employees shall participate in a planned HIV education program.

Designated school employees shall receive additional, specialized training appropriate to their positions and responsibilities.

Section: Classified Employees
Title: Disqualification by Reason of Health
Adopted: August 26, 1973

515. DISQUALIFICATION BY REASON OF HEALTH

Consistent with law with respect to equal opportunity and nondiscrimination, it is the policy of the Western Area Career & Technology Center Joint Operating Committee to ensure that programs are supported by classified employees who are physically and mentally fit to perform their assigned duties.

A classified employee may be placed on sick leave or retired for physical or mental disability to perform assigned duties.

In the case of a classified employee who, in the opinion of the Director, is unfit to perform assigned duties by reason of physical or mental condition, the following procedure shall be followed:

1. The Director shall present to the Joint Operating Committee reasons for questioning the condition of the employee.
2. Should the Joint Operating Committee determine that the reasons given constitute sufficient cause to order the employee to be examined, said employee shall be given written notice of the need for such examination and an opportunity to appear before the Joint Operating Committee, or a committee of the Joint Operating Committee, or a hearing officer designated by the Joint Operating Committee, within ten (10) days to explain why such an order will not be followed.
3. Should a hearing ensue, the hearing shall be conducted in accordance with Sections 1127 and 1128 of the School Code if dismissal is indicated or the following rules if a dismissal is not indicated:
 - The hearing will be privately held.
 - Staff members may present witnesses on their behalf.
 - Witnesses will be called individually and excused after making their statement.
 - Witnesses need not present testimony under oath and will not be subject to cross-examination, but may be questioned by the person conducting the hearing.
 - Staff members may be represented by counsel or an individual of the employee's own choice.
4. Should the Joint Operating Committee, following a hearing, order an examination, said examination may be conducted by a physician(s) selected by the employee from a list provided by the Joint Operating Committee.
5. The examination shall be conducted within ten (10) days following the hearing.
6. If as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on mandatory sick leave for such period as may be indicated and with such compensation to which s/he is entitled until proof of recovery, satisfactory to the Joint Operating Committee is furnished.
7. Should an employee refuse to submit to examination following the exhaustion of proper appeals, the Joint Operating Committee shall consider such refusal as cause for dismissal.

Section: Classified Employees
Title: Disciplinary Procedures
Adopted: January 24, 2007

517. DISCIPLINARY PROCEDURES

The Western Area Career & Technology Center Joint Operating Committee believes that effective operation of the school requires the cooperation of all employees, working together under a system of policies and rules applied fairly and uniformly. The orderly conduct of the school's business requires uniform compliance with these policies and procedures, as well as uniform penalties and disciplinary procedures for violations.

There shall be established procedures whereby classified employees shall be informed regarding disciplinary measures considered appropriate and their application for violation of school policies and procedures.

The Director shall prepare and promulgate disciplinary rules for violations of school policies and procedures which provide progressive penalties including, where appropriate, verbal warning, written reprimand, suspension, and/or dismissal.

In the event it is necessary to demote or dismiss, a hearing shall be provided as required by statute.

When charges are filed against a classified employee pursuant to the School Code, after hearing the case in accordance with the procedures established, the Joint Operating Committee may vote to discharge any such employee or authorize a lesser punishment short of discharge such as a suspension without pay or lesser degrees of punishment.

WACTC

Western Area Career & Technology Center

Section: Classified Employees
Title: Penalties for Tardiness
Adopted: January 24, 2007

518. PENALTIES FOR TARDINESS

The Western Area Career & Technology Center Joint Operating Committee believes that punctual and reliable attendance by classified employees is essential to the proper operation of the school.

Timely attendance by district employees is a matter of primary concern to the Joint Operating Committee.

It shall be the responsibility of the Director to implement progressive disciplinary measures and assess penalties when a classified employee fails to meet punctuality and attendance requirements.

Whether tardiness is excusable shall be determined by the building Supervisor. Records of tardiness shall be retained in the employee's personnel file.

Section: Classified Employees
Title: Outside Activities
Adopted: January 24, 2007

519. OUTSIDE ACTIVITIES

The Western Area Career & Technology Center Joint Operating Committee recognizes that members of the staff have private lives and may associate with others outside of school for political, economic, religious, cultural or personal reasons. The Joint Operating Committee and its supervisory staff, however, have a responsibility to evaluate staff members in terms of their faithfulness to, and effectiveness in discharging school duties and responsibilities. Therefore, when non-school activities threaten a staff member's effectiveness within the school system, the Joint Operating Committee reserves the right to evaluate the impact of such activities upon a professional employee's responsibilities to the students and to the school's programs.

The Joint Operating Committee authorizes the Director to promulgate guidelines so that staff members may avoid situations in which their personal interests, activities, and associations may conflict with the interests of the school.

The following guidelines are provided for the information and direction of staff members:

- Do not utilize school material for personal gain. Copyrights to materials or equipment developed, processed, or tested by school employees in the performance of school activities in fulfillment of the terms of their employment, reside with and may be claimed by the school.
- Do not use school property or school time to solicit or accept customers for private enterprises.
- Do not campaign on school property in behalf of any candidate for local, state, or national office.
- Do not use school time for outside activities when there is no valid reason to be excused from assigned duties.
- Refrain from making public statements about private associations or interests during school hours, if such remarks are likely to violate community standards of propriety.

Western Area Career & Technology Center

Section: Classified Employees
Title: Freedom of Speech in Non-Instructional Settings
Adopted: January 24, 2007

520. FREEDOM OF SPEECH IN NON-INSTRUCTIONAL SETTINGS

The Western Area Career & Technology Center Joint Operating Committee acknowledges the right of its classified employees, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the school system and its programs, however, an employee's freedom of expression must be balanced against the interests of the school.

The following guidelines are adopted by the Joint Operating Committee to help clarify and therefore avoid situations in which the employee's expression could conflict with the school's interests. In situations in which a staff member is not engaged in the performance of duties, that employee should:

- refrain from expressions that would interfere with the maintenance of discipline by school officials;
- refrain from making public expressions known to be false or made without regard for truth or accuracy;
- make no threats against co-workers, supervisors or school officials.

Violations of these guidelines may result in disciplinary action.

Section: Professional Employees
Title: Political Activities
Adopted: January 24, 2007

521. POLITICAL ACTIVITIES

The Western Area Career & Technology Center Joint Operating Committee recognizes and encourages the right of its employees, as citizens, to engage in political activity. School property and school time, paid for by all the people, may not be used for political purposes.

The Joint Operating Committee adopts the following guidelines for those staff members who intend to engage in political activities:

- No shall engage in political activities upon property under the jurisdiction of the Joint Operating Committee unless permission has been granted for that purpose through the "Use of Facilities" policy of the Joint Operating Committee.
- Political circulars or petitions may not be posted or distributed in school.
- The collection of campaign funds and/or the solicitation for campaign workers is prohibited on school property.

Employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Joint Operating Committee.

The following situations are exempt from the provisions of this policy:

- The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, such as history, current events, and political science;
- The conduct of student elections and campaigning connected therewith; and
- The conduct of employee representative elections.

Violation of any of the foregoing rules shall, at the discretion of the Joint Operating Committee, constitute cause for reprimand, penalty or dismissal.

WACTC

Western Area Career & Technology Center

Section: Classified Employees

Title: Gifts

Adopted: January 24, 2007

522. GIFTS

The Western Area Career & Technology Center Joint Operating Committee considers the acceptance of gifts by staff members a generally undesirable practice and discourages this practice.

It is the policy of the Joint Operating Committee that staff members may accept gifts of a consumable nature or a nominal value only from students or parents/guardians.

The Joint Operating Committee shall consider as appropriate letters to staff members by parents/guardians expressing gratitude or appreciation for outstanding performance.

The Director may approve acts of generosity to individual staff members in unusual situations and shall report such instances to the Joint Operating Committee on a timely basis.

Section: Classified Employees
Title: Personnel Files
Adopted: January 24, 2007

524. PERSONNEL FILES

It is necessary for the orderly operation of the school to maintain a file for the retention of all papers bearing upon an individual's duties and responsibilities as an employee of the school.

The Western Area Career & Technology Center Joint Operating Committee requires that sufficient records be maintained to ensure an employee's qualifications for the job held, compliance with federal and state statutes, local benefit programs, and conformance with school rules and evidence of completed evaluations.

The Joint Operating Committee delegates the establishment and maintenance of official personnel records to the Director.

The Director will oversee a comprehensive and efficient system of personnel records under the following guidelines:

1. A personnel folder for each employee will be accurately maintained in the administration office.
2. In addition to the application for employment and references, such folders will contain records and information relative to compensation, payroll deductions, evaluations, and such other information as may be considered pertinent.
3. All personnel records of individual employees of the Joint Operating Committee will be considered confidential. They will not be open for public inspection. The Director and his/her designees shall take the necessary steps to safeguard against unauthorized use of all confidential material.
4. Each employee will have the right, upon request, to review the contents of his/her own personnel file, with the exception of pre-employment information, references, and recommendations.
5. Lists employees' names and addresses shall be released only as required for official reports.

Any employee shall have the right to request an appointment to review the contents of his/her personnel file excluding all information compiled prior to the official date on which the employee was hired. Such appointment shall be granted within a reasonable amount of time.

No material derogatory to an employee's conduct, service, character or personality shall be placed in his/her personnel file unless the employee shall acknowledge that s/he has had the opportunity to review such material by affixing his/her signature and the date to the copy to be filed with the express understanding that such signature in no way indicates agreement with the contents thereof. The employee shall also have the right to submit a written answer to such material, and his/her answer shall be reviewed by the Director or his/her designee and attached to the file.

Section: Classified Employees
Title: Dress and Grooming
Adopted: January 24, 2007

525. DRESS AND GROOMING

The Western Area Career & Technology Center Joint Operating Committee believes that school employees set an example in dress and grooming for their students to follow. All employees should present an image of dignity and encourage respect for authority. Compliance with reasonable standards for dress and grooming has a positive effect upon the school's operation and programs.

The Joint Operating Committee has the authority to specify reasonable dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. All staff members shall, when assigned to duty, be physically clean, neat, and well groomed and dress in a manner reflecting professional assignment.

WACTC

Western Area Career & Technology Center

Section: Classified Employees
Title: Wage and Salary Determination
Adopted: January 24, 2007

528. WAGE AND SALARY DETERMINATION

The Western Area Career & Technology Center Joint Operating Committee directs that there be an approved wage and salary guide for classified employees. Employees shall be placed on said guide in accordance with this policy.

The Joint Operating Committee is authorized to recommend credit for placement on the wage or salary guide past service of an applicant for employment in this school.

WACTC

Western Area Career & Technology Center

Section: Classified Employees
Title: Substitute Compensation
Adopted: January 24, 2007

529. SUBSTITUTE COMPENSATION

In order to ensure reliable assistance in the absence of regular classified personnel, compensation to qualified substitutes shall be in accordance with this policy.

Substitutes for classified employees will be paid on a per diem basis at a rate set annually by the Western Area Career & Technology Center Joint Operating Committee for the various classes of employees or at the time of employment.

Section: Employees
Title: Overtime
Adopted: January 24, 2007
Updated: November 20, 2019

530. OVERTIME

In order to ensure consistent treatment of all affected employees and compliance with applicable federal law regarding payment of overtime, the Joint Operating Committee adopts this policy.

In accordance with federal law and this policy, applicable collective bargaining agreement, or individual contract, overtime shall be paid for work in excess of forty (40) hours in a workweek for each classification of support employees.

No overtime shall be scheduled or worked without prior approval of the administration. Should the need arise, and no employee is willing to work extra or vacant shifts, mandatory overtime may be assigned by the administration.

Nonexempt employees are entitled to receive one and one-half times (1-1/2) their regular hourly rate of pay for time worked in excess of forty (40) hours in any workweek.

Paid and unpaid absences including but not limited to accrued time off, holiday leave, sick leave, vacations, FMLA, military leave, jury duty, bereavement leave, etc., are not counted as time worked for the purposes of computing overtime. For purposes of computing overtime, credit shall be given only for hours worked, as recorded in Western Area CTC records and provided by law.

Exempt employees are paid a salary for the performance of their work and are not eligible for compensatory time off or overtime pay for any time worked in excess of their standard workweek.

29 U.S. Code § 207
29 CFR § 553.23
29 CFR § 553.25

Section: Classified Employees
Title: Job Related Expenses
Adopted: January 24, 2007
Revised: January 28, 2015

531. JOB RELATED EXPENSES

Employees who travel on school business are required to exercise the same economy as a prudent individual would exercise in traveling on personal business. Payment of the actual and necessary expenses, including travel, meals, and lodging incurred in the course of performing services for the school, shall be made in accordance with this policy and will be limited to actual and necessary amounts paid for by the individual.

The Director will determine the validity of payments for job-related expenses. Each reimbursement request shall set forth expenditures and shall itemize expenses. Original receipts for expenditures are required.

Employees attending meetings or conferences will travel by an approved mode of transportation that takes into consideration the least expense to the Western Area Career & Technology Center and the minimum amount of travel time for the employee. Reimbursement for travel will not be made for personal travel or side trips during a conference, meeting, seminars, etc.

For travel to certain common locations, employees will be reimbursed pursuant to established mileage tables contained in the Western Area Career & Technology Center Faculty Handbook.

The use of a personal vehicle shall be considered a legitimate job expense if travel is for the purpose of responsibilities to which the employee is assigned and is reimbursable at the applicable Internal Revenue Service rate. Compensation is not authorized between home and school.

Actual and necessary expenses incident to attendance at functions outside the school shall be reimbursable to the employee if approval has been obtained in advance from the Director. If, in these instances, an employee chooses an alternative method of transportation, including use of a personal vehicle, reimbursement will be made at the lowest rate. Only school-related expenses shall be considered reimbursable.

Under normal conditions, employees traveling on official business shall provide themselves with sufficient funds of their own for ordinary expenses.

Travel shall be by the most direct and economical route. For certain activities and/or lengthy trips, and when economically appropriate, the Director may require use of a school vehicle, common carrier, or rental vehicle.

For official travel by other than automobile, the school shall assist in the purchase of transportation tickets in advance.

Reimbursable expenses related to the employee's job duties include, but are not limited to, telephone calls, fax fees, computer access fees and/or conference materials. The Director may grant reimbursement for educational materials obtained at conferences and/or meetings. Such materials become the property of the Western Area Career & Technology Center.

Overnight Travel

Employees attending an overnight meeting or conference will be reimbursed up to \$50 per day for breakfast, lunch and dinner, which is to include tips.

If an employee is accompanied by a spouse/guest on a trip, the employee is responsible for all expenses incurred on behalf of the spouse/guest. Western Area Career & Technology Center will pay for the accommodations of the employee at a single-room rate basis. The difference between the double-room rate and the single-room rate will be incurred by the employee.

Attendance at meetings or conferences that are not first approved by the Director and/or Joint Operating Committee will not be reimbursed by Western Area Career & Technology Center.

Non-Allowable Expenses

Under no circumstances are entertainment expenditures reimbursable.

Under no circumstances are alcoholic beverages reimbursable.

Individual travel insurance is considered a personal matter and the cost will not be reimbursed by Western Area Career & Technology Center.

Expenditures for laundry, valet service, barber, and similar services are considered personal expenses and are not reimbursable.

Section: Classified Employees
Title: Working Periods
Adopted: January 24, 2007

532. WORKING PERIODS

The periods of work required of the classified staff shall be clearly specified in accordance with the following guidelines.

The Western Area Career & Technology Center Joint Operating Committee has the authority and responsibility for determining hours of school operation and hours of work for employees.

The Director shall develop procedures which shall apply uniformly throughout the school. Except as otherwise provided, the following schedules shall apply for classified employees:

- The work week for secretaries, custodians and other support staff employees will be forty (40) hours, exclusive of time for lunch.
- Daily time schedules for the various employees will be established by the Director, together with building administrators and other supervisory staff.

Section: Classified Employees
Title: Sick Leave
Adopted: August 26, 1973
Revised: September 22, 2010

534. SICK LEAVE

The Western Area Career & Technology Center Joint Operating Committee recognizes the need for a sick leave policy for classified employees. Such a policy shall ensure that classified employees receive no less than the minimum sick leave provided under law.

Sick leave is defined as leave taken by a regular, full-time employee of the school who is absent from assigned duty because of personal disability due to illness or injury, or because s/he has been excluded from school by a physician as a result of contagious disease or other condition that creates a hazard for students and other employees.

The school shall provide a specified number of days annually for sick leave of which all shall be cumulative and subject to the same rules, restrictions and benefits as provided to professional employees.

The Joint Operating Committee reserves the right to require of any employee claiming sick leave pay sufficient proof, including a physician's certification, of the employee's illness or disability. The Joint Operating Committee shall consider the application of any eligible employee for an extension of sick leave, pursuant to law where applicable, when the employee's own accumulated sick leave is exhausted.

Employee whose leave was occasioned by a serious health condition or injury that made the employee unable to perform his/her duties must provide present certification from the employee's health care provider that the employee is able to resume work and to perform all essential functions of the employee's position without any job modifications except as otherwise required by the Americans With Disabilities Act.

The Executive Director shall report to the Joint Operating Committee the names of those employees absent for on-compensable cause or whose claim for sick leave pay cannot be justified. The misuse of sick leave shall be considered a serious infraction and subject to disciplinary action.

A sick leave day shall commence when the employee or authorized agent of the employee reports the absence. A sick leave day, once commenced, may be reinstated as a working day only with the approval of the Executive Director.

Regardless of the claimed disability, no day of absence shall be considered to be a sick leave day on which the employee has engaged in or prepared for other gainful employment, or has engaged in any activity which would raise doubts regarding the validity of the sick leave request. Such doubts shall include patterned absences before and after weekends or vacations. The Principal shall monitor sick leave of this type and counsel employees accordingly. Under no circumstances shall sick leave be used as vacation time.

Any employee absent on sick leave may be required to submit a physician's written statement certifying his/her disability in accordance with the collective bargaining agreement. Such statements may not be presumed to conclusively establish the employee's disability.

Any employee absent on sick leave may be required to submit a physician's written statement certifying his/her disability in accordance with the collective bargaining agreement. Such statements may not be presumed to conclusively establish the employee's disability.

Upon the expiration of all then currently earned and accumulated sick leave, the Joint Operating Committee may grant unpaid leave for the remainder of the school year.

The personnel records of professional employees shall show the attendance of each employee, and such days as that employee may be absent shall be record with the reason for such absence noted. A record shall be made of the unused sick leave days accumulated by each employee, which shall be made available to the employee in accordance with law.

Section: Classified Employees
Title: Family and Medical Leave
Adopted: September 28, 1994
Reviewed: January 24, 2007

534.1. FAMILY AND MEDICAL LEAVE

FMLA Leave Entitlement

Employees who have worked for the Western Area Career & Technology Center for a total of twelve (12) months and have worked at least 1250 hours during the 12-month period preceding the commencement of the leave period shall be eligible for a total of up to 12 weeks of unpaid family and medical leave ("FMLA leave") per year for the following:

- Birth of the employee's child
- Placement of a child with the employee for adoption or foster care
- When the employee is needed to care for a child, spouse, or parent with a serious health condition
- When the employee is unable to perform the functions of his or her position because of a serious health condition

Definitions

- The 12-month period in which the twelve weeks of leave entitlement occurs shall be measured forward from the date any employee's first FMLA leave begins.
- The term child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*, who is (1) under 18 years of age, or (2) 18 years of age or older and incapable of self-care due to mental or physical disability.
- The term parent means the biological parent of an employee or an individual who stood in *loco parentis* to an employee when the employee was a child. The term does not include a parent-in-law.
- The term serious health condition means an illness, injury, impairment, or physical or mental condition that involves (1) inpatient care in a hospital, hospice, or residential facility, or (2) continuing treatment by a health care provider.
- The term health care provider means (1) a doctor of medicine or osteopathy authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices, or (2) any other person determined by the United States Secretary of Labor to be capable of providing health care services.

Leave for Birth, Adoption, or Foster Care Placement

The entitlement to leave for a birth, adoption or placement of a child shall expire at the end of the 12-month period beginning on the date of such birth or placement.

Intermittent Leave

Intermittent leave will be provided where medically necessary when the employee is need to care for a child, spouse, or parent with a serious health condition, or when the employee is unable to perform the functions of his or her position because of a serious health condition.

If intermittent leave is requested, Western Area Career & Technology Center may require the employee to transfer temporarily to an equivalent, alternative position which better accommodates recurring periods of absence or a part-time schedule.

Substitution of Paid Leave

FMLA leave is unpaid leave, as provided in this policy. If an employee requests leave because of their own serious health condition, any accrued paid vacation, personal leave and/or sick leave will first be substituted for an unpaid family/medical leave.

If an employee requests leave because of a birth, adoption, foster care placement of a child, or to care for a covered relative with a serious health condition, any accrued paid vacation and/or personal leave will first be substituted for any unpaid family/medical leave.

The substitution of paid leave time for unpaid leave time does not extend the 12-week FMLA leave period.

Dually Employed Spouses

In the event that spouses are employed by the school, the aggregate number of weeks of leave to which both are entitled is limited to twelve weeks if such leave is taken for the birth of a child, the placement of a child with the employees for adoption or foster care, or for the care of a sick parent with a serious health condition.

Notice of Leave

In any case in which the necessity for FMLA leave is foreseeable based on an expected birth or placement of a child, the employee shall provide the Western Area Career & Technology Center with not less than thirty (30) days notice before the date the leave is to begin, of the employee's intention to take FMLA leave, except that if the date of the birth or placement requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

In any case in which the necessity for FMLA leave is foreseeable based upon planned medical treatment required by a serious health condition of the employee or his/her spouse, child or parent, the employee shall make a reasonable effort to schedule the treatment so as not to unduly disrupt operation of the Western Area Career & Technology Center, subject to the approval of the health care provider of the employee or his/her spouse, child or parent, as appropriate; and the employee

shall provide the Western Area Career & Technology Center not less than thirty (30) days notice, before the date the leave is to begin, of the employee's intention to take such leave, except that if the date of the treatment requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

Failure to provide notice as herein required may be grounds for delay of leave. Where the need for leave is not foreseeable, employees are expected to notify Western Area Career & Technology Center at least within one (1) to two (2) business days of learning of the need for leave, except in extraordinary circumstances.

Medical Certification

Western Area Career & Technology Center may require medical certification and second opinions by health care providers in accordance with the Family and Medical Leave Act.

Health Care Benefits

During the period of FMLA leave, Western Area Career & Technology Center will maintain the same group health care benefits provided to the employee prior to taking FMLA leave. The Western Area Career & Technology Center shall have no obligation to maintain other benefits except that the taking of FMLA leave shall not result in the loss of any benefits accrued by the employee prior to the date on which the leave commenced. Although the taking of FMLA leave shall not result in the loss of any benefits accrued by the employee prior to the date on which the leave commenced, benefit entitlements based upon length of service will be calculated as of the last paid workday prior to the start of FMLA leave and will not accrue during the period of FMLA leave except to the extent required by applicable federal or state law.

As used herein, group health care benefits include any hospitalization, major medical, vision or dental insurance provided to the employee prior to the FMLA leave. Group health care benefits do not include life insurance, disability or income protection insurance, or other insurance presently or hereafter provided by Western Area Career & Technology Center, although the employee may maintain any such insurance for which he or she was eligible prior to the FMLA leave during the period of his/her FMLA leave by remitting the premiums for such insurance to the Western Area Career & Technology Center at least five (5) business days in advance of the premium payment due date.

Reporting While on Leave

If employees take leave because of their own serious health condition or to care for a covered relation, the employee must contact Western Area Career & Technology Center, through the Business Manager, on the first and third Tuesday of each month regarding the status of the condition and their intention to return to work.

Return From Leave

Upon completion of leave, an employee is entitled to be restored to the same or an equivalent position held by the employee when the leave commenced. An employee shall be entitled to such reinstatement only if and to the extent that the employee would have retained such a position had the FMLA leave not been taken. In the event the employee fails to return to work, Western Area Career & Technology Center shall be entitled to recover the amount expended on benefits during any unpaid period of an FMLA leave unless the reason the employee does not return is due to the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control.

Intermittent Leave or Leave on a Reduced Schedule

Subject to compliance with the notice requirements hereinabove provided, in any case in which the necessity for FMLA leave is foreseeable based upon planned medical treatment required by a serious health condition of an employee employed principally in an instructional capacity or his/her spouse, child or parent, and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, Western Area Career & Technology Center may require such employee to elect either (1) take leave for a period of a particular duration not to exceed the duration of the planned medical treatment, or (2) transfer temporarily to an available alternative position offered by Western Area Career & Technology Center for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the regular employment position of the employee.

Instructional Employees – Periods Near the Conclusion of an Academic Term

The following rules apply with respect to periods of leave near the conclusion of an academic term in the case of any eligible employee employed principally in an instructional capacity:

- Leave More Than Five Weeks Prior to End of Term. If the eligible employee begins FMLA leave more than five (5) weeks prior to the end of the academic term, the Western Area Career & Technology Center may require the employee to continue taking leave until the end of such term if (1) the leave is of at least three (3) weeks in duration, and (2) the return to employment would occur during the three-week period before the end of such term.
- Leave Less Than Five Weeks Prior to End of Term. If the eligible employee begins FMLA leave for reasons other than his/her own serious health condition during the period that commences five (5) weeks prior to the end of the academic term, Western Area Career & Technology Center may require the employee to continue taking leave until the end of such term if (1) the leave is of greater than two (2) weeks duration, and (2) the return to employment would occur during the two-week period before the end of such term.
- Leave Less Than Three Weeks Prior to End of Term. If the eligible employee begins FMLA leave for reasons other than his/her own serious health condition during the period that commences three (3) weeks prior to the end of the academic term, and the duration of the leave is greater than five (5) working days, Western Area Career & Technology Center may require the employee to continue to take such leave until the end of such term.

Pregnancy Disability Leave

Pregnancy disability leave is applicable to that period during which an employee is physically incapacitated, due to pregnancy, childbirth and/or recovery therefrom, of performing her duties.

The beginning date for a pregnancy disability leave shall be determined jointly by the employee's physician and the employee upon the employee's physician's certification of disability with a written notification to Western Area Career & Technology Center of the beginning date of the leave. The employee shall notify Western Area Career & Technology Center of her pregnancy as promptly as practical so that staffing can be secured. Western Area Career & Technology Center shall retain the authority to have the employee examined by its physician to determine disability.

The pregnancy disability leave shall be for an unpaid period of at least eight (8) weeks. If in the event that the employee's disability continues for some reason related to pregnancy or childbirth, the unpaid leave of absence may be extended upon proper written, medical certification for up to twelve (12) months from the beginning date of the leave, inclusive of any sick leave, personal leave, accrued vacation or leave granted pursuant to the Family and Medical Leave Act. If the employee wishes to return to work prior to the expiration of the pregnancy disability leave and her physician or the Western Area Career & Technology Center's physician certifies her ability to assume her duties, she may do so. The employee, when returning to her employment prior to the expiration of the pregnancy disability leave, shall notify Western Area Career & Technology Center at least thirty (30) days prior to her returning to work.

Notwithstanding the foregoing, during the period of pregnancy disability leave, employees may use accumulated sick leave, personal leave, and vacation time. Sick leave may be taken prior to or subsequent to the birth of the child only in the case of physical incapacity or illness which must be verified by a sufficiently detailed doctor's statement stating, at least, when such disability commenced, the probable duration of the disability, the appropriate medical facts regarding the disability, and a statement of the planned medical treatment.

Except for that period covered by sick leave, personal leave and/or accrued vacation, during the period of the pregnancy disability leave, the employee shall receive no salary, retirement benefits or credit for seniority. During that period covered by sick leave, personal leave and/or accrued vacation, Western Area Career & Technology Center will maintain all insurance benefits for which the employee is eligible. During that period covered by Family and Medical Leave Act, insurance coverage will be maintained in accordance with such statute and the Western Area Career & Technology Center Family and Medical Leave Act policy. Except as hereinabove provided, during the period of pregnancy disability leave, the Western Area Career & Technology Center will not be obligated to provide or to maintain insurance coverage, although such coverage may be maintained during such leave at the employee's expense by remittance of the premiums for such insurance to the Western Area Career & Technology Center at least five (5) business days in advance of the premium payment due date.

The employee returning from pregnancy disability leave as set forth above shall be returned to the same or equivalent position she occupied prior to the leave. An employee shall be entitled to a position with the Western Area Career & Technology Center following a leave only if the employee would have retained such a position had the leave of absence not been taken.

Pregnancy disability leave shall be subject to change only by mutual agreement between the employee and Western Area Career & Technology Center in a written statement signed by the Director.

Section: Classified Employees
Title: Personal Necessity Leave
Adopted: August 26, 1973
Revised: September 22, 2010

536. PERSONAL NECESSITY LEAVE

This policy provides for a classified employee's absence for personal necessity when not otherwise covered by sick leave or disability policies.

The Western Area Career & Technology Center Joint Operating Committee has the authority to establish reasonable guidelines under which personal leave may be granted, the type of situations in which such leave will be permitted, and the total number of days which may be used in any school year for personal leave.

Personal/Emergency/Bereavement Leave

The total number of days used for personal leave with pay in any school year shall not exceed the provisions of the applicable collective bargaining agreement.

Requests for personal leave shall be made to the building Director or designee. The Director shall grant such leave.

No personal leave shall be granted on the workday immediately preceding or following any school holiday, except in the case of an emergency situation, which must be properly reported. An emergency situation shall be deemed to be so by the Director.

Unused personal leave shall be accrued as provided to professional employees.

Personal leave of an unpaid nature of up to five (5) days may be granted by the Director and in emergency situations only. An emergency situation shall be deemed so by the Director

Bereavement leave may be taken in the event of death of a member of the employee's immediate family and condition for such, including duration, shall be the same as provided to professional employees and consistent with Joint Operating Committee policy and state and federal law.

Compensation for bereavement leave shall be in full.

Western Area Career & Technology Center

Section: Classified Employees
Title: Vacation
Adopted: November 19, 1995
Updated: September 26, 2018

537. VACATION

Classified employees shall be provided vacations in accordance with the following guidelines.

The Western Area Career & Technology Center Joint Operating Committee has the authority and responsibility to establish reasonable guidelines that specify the conditions under which vacation may be taken.

Each **12-month** employee shall receive vacation time with pay during the period of July 1 through June 30 for vacation earned during the previous calendar year. Vacations shall be according to the following schedule:

- Five (5) days after completion of one (1) year
- Ten (10) days after completion of two (2) years
- Fifteen (15) days after completion of eight (8) years

A maximum of ten (10) unused vacation days may be carried over from one school year to the next but must be used by December 31. Every effort is to be made by the classified employee to use vacation days during the summer break. The scheduling and length of vacations is subject to standing regulations and the Executive Director's approval. The Executive Director will have discretionary power to make changes in schedules to provide for necessary services during the summer months.

Western Area Career & Technology Center

Section: Classified Employees
Title: Benefits for Regularly Employed Part-Time Personnel
Adopted: January 24, 2007

541. BENEFITS FOR REGULARLY EMPLOYED PART-TIME PERSONNEL

Benefits for regularly employed part-time personnel shall be determined in accordance with the following guidelines.

Whenever regularly employed part-time classified personnel are to be entitled to fringe benefits normally provided for full-time, or essentially full-time, classified employees, such benefits and the manner of proration will be established at the time of employment at the discretion of the Western Area Career & Technology Center Joint Operating Committee.

Part-time personnel shall be included in the School Employees' Retirement System upon reaching either 500 hours or 80 days of employment in accordance with law.

WACTC

Western Area Career & Technology Center

Section: Classified Employees
Title: Jury Duty
Adopted: January 24, 2007

542. JURY DUTY

The Western Area Career & Technology Center Joint Operating Committee believes that regularly scheduled classified employees should be protected against loss of pay occasioned by jury duty.

Should a regularly scheduled employee be called for jury duty, s/he shall report same to the appropriate administrator.

Employees called for jury duty shall normally be permitted to serve and will not be penalized in any way for doing so. They shall receive normal pay for the period of jury duty, but any compensation received from such duty that is in excess of actual expenses shall be credited against such pay.

While on jury duty, employees shall report their schedule for the following day to the building Supervisor.

Time spent on jury duty will not be charged against personal leave and will count as time on the job.

Employees must submit to the Supervisor official documentation of the number of days served.

The Joint Operating Committee reserves the right to request the Court to release and relieve any employee from jury duty.

WACTC

Western Area Career & Technology Center

Section: Classified Employees
Title: Paid Holidays
Adopted: August 26, 1973
Revised: January 24, 2007

543. PAID HOLIDAYS

The Western Area Career & Technology Center Joint Operating Committee recognizes the fact that paid holidays for classified employees are routinely included in negotiated contracts.

Paid holidays for regularly employed classified employees shall be determined in accordance with their respective appropriate contracts, unless otherwise specified by the Joint Operating Committee.