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**1:30 BOARD MEETING AGENDA REVIEW**

**1:45 BOARD DEVELOPMENT**

- Mission & Vision Development

**2:45 P.M. Adjourn**

## **1000.050 FORMAL HEARING PROCEDURE**

### **~~A. FORMAL HEARING POLICY (000.050)~~**

~~The model rules of procedure adopted by the chief administrative law judge pursuant to [RCW 34.05.250](#) are adopted for use at this college. Those rules may be found in [Chapter 10-08 WAC](#). Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules now or previously adopted by this college, the model rules prevail.~~

### **~~BA. APPOINTMENT OF PRESIDING OFFICERS~~**

~~The board or its designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, the president or designee shall designate one person to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.~~

### **~~CB. METHOD OF RECORDING~~**

~~Proceedings shall be recorded by a method determined by the presiding officer, among those available under the model rules of procedure.~~

### **~~DC. APPLICATION FOR ADJUDICATIVE PROCEEDING~~**

~~An application for adjudicative proceeding shall be in writing. An application shall include the signature of the applicant, the nature of the matter for which an adjudicative proceeding is sought, and an explanation of the facts involved.~~

~~Application forms are available at the following address:~~

~~Wenatchee Valley College~~

~~1300 5th Street~~

~~Wenatchee, WA 98801~~

~~Written application for an adjudicative proceeding should be submitted to the above address within twenty calendar days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.~~

### **~~ED. BRIEF ADJUDICATIVE PROCEDURES~~**

~~This rule is adopted in accordance with [RCW 34.05.482 through 34.05.494](#), the provisions of which are adopted by reference. Brief adjudicative procedures shall be used in all matters related to:~~

- ~~1. Residency determinations.~~
- ~~2. Challenges to contents of education records.~~
- ~~3. Student conduct proceedings.~~
- ~~4. Parking violations.~~
- ~~5. Outstanding debts owed by students or employees.~~
- ~~6. Loss of eligibility for participation in college-sponsored events.~~

### **~~FE. DISCOVERY~~**

Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall refer to the civil rules of procedure. The presiding officer may control the frequency and nature of discovery permitted, and order discovery conferences to discuss discovery issues.

**GF. PROCEDURE FOR CLOSING PARTS OF THE HEARINGS**

Any party may apply for a protective order to close part of a hearing. The party making the request shall state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten working days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons in writing within twenty working days of receiving the request.

**HG. RECORDING DEVICES**

No cameras or recording devices are allowed in those parts of proceedings that the presiding officer has determined shall be closed under Section GF above except for the method of official recording selected by the college.

*Originally approved by the president's cabinet: 3/28/01*

*Renamed and approved by the president's cabinet: 8/1/07*

*Revised and approved by the president's cabinet: / /*

*Presented to the board of trustees: 10/17/07,  / /*

*Last reviewed: / /*

Procedure contact: [Human Resources](#)

**Related policies or procedures**

000.050 Formal Hearing Policy

## **1500.360 PART-TIME HOURLY LEAVE PROCEDURE**

To the extent that this policy addresses terms or provisions covered under collective bargaining agreements for represented employees, the terms of the collective bargaining agreement will control for those represented classified employees.

This procedure outlines the requirements of [Chapter 296-128-600 through 296-128-770](#) of the Washington Administrative Code (WAC), which allows part-time hourly (including student) employees to accrue paid sick leave to care for their health and the health of their family members. This procedure provides guidance to staff and supervisors in addressing employee's time away from work. This procedure is to be used in conjunction with the WAC, applicable RCWs and college policies and procedures.

### **A. SICK LEAVE ACCRUAL**

Part-time hourly employees accrue paid sick leave at a rate of one hour for every 40 hours worked.

### **B. SICK LEAVE REQUEST, APPROVAL, REPORTING AND VERIFICATION**

1. Use of sick leave is subject to the supervisor's approval. Where the need to use sick leave is foreseeable, as for medical appointments, the employee must notify the supervisor of the need to use sick leave as soon as the need becomes known. The employee will use the college's leave request process. Where the need to use sick leave cannot be foreseen, the employee must notify the supervisor of the need to use sick leave no later than the start of the shift on which the employee is scheduled to work, and each day after, unless there is mutual agreement to do otherwise. If an employee is in a position where a relief replacement is necessary if they are absent, he or she will notify the supervisor at least two hours prior to the scheduled time to report to work (excluding leave taken for emergencies in accordance with the Domestic Violence Leave Act).
2. For absences exceeding three days, the college may require verification that the employee's use of paid sick leave is for an authorized purpose listed under sick leave use below.
3. An employee returning to work after any sick leave absence may be required to provide written certification from his or her health care provider that the employee is able to return to work and perform the essential functions of the job with or without reasonable accommodation.

### **C. SICK LEAVE USE**

Sick leave may be used for the following:

1. Employee's mental or physical illness, injury, or health condition.
2. Preventative care such as medical, dental, or optical appointments, and/or treatment.
3. Care of a family member with an illness, injury, health condition, and/or preventative care such as a medical, dental, and/or optical appointment.
4. Closure of the employee's place of business or child's school/place of care by order of a public official for any health-related reasons.

5. If the employee or employee's family member is a victim of domestic violence, sexual assault, or stalking. Authorized use of sick leave for domestic violence, sexual assault, or stalking includes:
  - a. Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employee's and their family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking.
  - b. Seeking treatment from a medical provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking.
  - c. Attending health care treatment for a victim who is the employee's family member.
  - d. Obtaining, or assisting the employee's family member(s) in obtaining services from: a domestic violence shelter, a rape crisis center, or a social services program for relief from domestic violence, sexual assault, or stalking.
  - e. To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking
  - f. Participating, for the employee or for the employee's family member(s), in: safety planning, or temporary or permanent relocation, or other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking

#### **D. DEFINITION OF FAMILY MEMBERS**

"Family member" is defined as a child or parent (including biological, adopted, foster, step, or legal guardian), a spouse, registered domestic partner, spouse's parent, grandparent, grandchild or sibling.

#### **E. PAID SICK LEAVE ACCRUAL YEAR**

For purposes of paid sick leave for part-time and student employees, Wenatchee Valley College's accrual year is January 1<sup>st</sup> to December 31<sup>st</sup>.

#### **F. CARRYOVER OF PAID SICK LEAVE HOURS**

There is no cap on the number of paid sick leave hours that may be accrued in a year, however, at the end of the accrual year, only unused paid sick leave balances 40 hours or less will carry over to January of the following year. Any hours in excess of 40 will be eliminated.

#### **G. INCREMENTS OF USE OF PAID SICK LEAVE USE**

Part-time hourly employees may use paid sick leave in increments of .25 of one hour.

#### **H. DOCUMENTING PAID SICK LEAVE TIME**

Part-time hourly employees will submit paid sick leave as appropriate on the part-time employee/student timesheet.

#### **I. HOUR LIMITATIONS STILL APPLY**

Part-time hourly employees must not go over the maximum hours per week or month that their supervisors have assigned, including any paid sick leave time submitted.

#### **J. RATE OF PAY WHEN USING PAID SICK LEAVE**

Paid sick leave hours will be compensated at an employee's regular rate of pay. Paid sick leave hours will not count towards the calculation of overtime or towards accruing additional sick time.

## **H. SHARED LEAVE**

Part-time hourly and student employees are not eligible to participate in the shared leave program.

## **I. UNPAID LEAVE TYPES**

Unpaid leave for protected use as stated below is to meet legal obligations of regulations or applicable laws. Part-time hourly and student employees are required to notify their supervisor as appropriate for any unpaid leave absences, but they do not need to submit these absences formally on the part-time employee/student timesheet. Unpaid leave types include civil duty leave, faith and conscience leave and domestic violence, sexual assault, or stalking leave (not covered by compensable sick leave).

## **J. SEPARATION FROM EMPLOYMENT**

If an employee separates from employment, there will not be a financial or other reimbursement to the employee for accrued, unused paid sick leave at the time of separation.

## **K. REINSTATEMENT OF EMPLOYMENT**

If an employee leftleaves employment and is rehired within 12 months of separation, any accrued, unused paid sick leave will be reinstated to the employees paid sick leave balance.

## **L. RETAILIATION PHOHIBITED**

Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is not allowed. Employees will not be disciplined for the lawful use of paid sick leave.

If an employee feels they are being discriminated or retaliated against, the employee may contact the director of human resources, or designee.

If an employee is not satisfied with the college's response, the employee may contact the Washington State Department of Labor & Industries.

Website: [www.lni.wa.gov/WorkplaceRights](http://www.lni.wa.gov/WorkplaceRights)

Phone: 1-866-219-7321 (toll-free)

E-mail: [ESgeneral@lni.wa.gov](mailto:ESgeneral@lni.wa.gov)

## **M. QUESTIONS?**

Contact human resources with any questions.

*Approved by the president's cabinet: 1/2/18*

*Presented to the board of trustees: 1/17/18*

Last reviewed: / /

Procedure contact: Human Resources

## **Related policies and procedures**

400.450 [Student Employment Policy](#)

1400.450 [Student Employment Procedure](#)