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RIVERSIDE COMMUNITY COLLEGE DISTRICT

Classified Personnel Handbook

President's Message

This handbook is designed to clarify procedures and responsibilities, present some of the proper forms necessary to the transaction of District business and identify certain Board of Trustee policies of immediate interest to most classified employees. It is, in fact, a statement of administrative policy.

It is important to note that any edition of the handbook reflects policies in effect at the time of publication, changes in State law, or matters of precedent not overturned by policy. Revision is necessary to continue to update the information in the handbook to keep it current and consistent with changes in Board policies and College practices. It is also important to recognize that in those cases where handbook statements are in conflict with Board Policy, established precedent, or other substantiated reasons for procedure, such handbook statements must be regarded as either invalid or subject to interpretation.

It would be helpful if errors or suggestions for improvement were brought to the attention of the Department of Human Resources.

Salvatore G. Rotella
President

INTRODUCTION

This handbook has been prepared for the use of members of the classified service. Its contents represent an accumulation of policies and procedures provided in the Education Code, local Board Policies and practice.

The rights and responsibilities of bargaining unit members are herein defined. The better these rights and responsibilities are known and understood, the more effective each employee will be.

This handbook will be revised as required by institutional and legal changes.

Nothing in this handbook is intended to contradict that which appears as part of the contract agreed to with the Riverside Community College Classified Employees Association and the District. Should there be cases where such contradictions occur, the intent of the contract supersedes that of the Classified Handbook.

For additional information about matters related to classified employees, it is recommended that employees review the Board Policy Manual and the contractual agreement between Riverside Community College District and Riverside Community College Classified Employees, CSEA Chapter #535. Contract references in this handbook are excerpts only.

Abbreviations used are "B. P." for Board Policy and "E. C." for Education Code.

FACTS ABOUT THE COLLEGE DISTRICT

Riverside Community College District was formed in March, 1916, and offered classes for the first time in September of that year. It currently serves the school districts of Alvord, Corona-Norco, Jurupa, Moreno Valley, Riverside, and Val Verde. The Moreno Valley and Norco-Corona campuses were completed and opened for course offerings in March 1991. The District is governed by a five-member Board of Trustees elected at large by the voters of the District. Meetings of the Board are open to the public.

Riverside Community College is a single college, multi-campus District. The Riverside City Campus is located in the city of Riverside, which is the county seat of Riverside County, and is one of the state's fastest growing communities. The Norco-Corona campus service area spans approximately 38 square miles in the southwest corner of the Riverside Community College District. The District's third campus is located in the incorporated city of Moreno Valley, one of the fastest growing communities in the country.

The Riverside Community College District offers a wide variety of courses, degrees, and certificate programs that are transferable to four-year institutions of higher education. Numerous vocational programs are also available for those students who wish to prepare themselves with occupational skills in order to enter the job market. The College serves people of all ages from pre-school age children in the Child Development Center to senior citizens enrolled in many programs.

**RIVERSIDE COMMUNITY COLLEGE DISTRICT
CLASSIFIED PERSONNEL HANDBOOK**

DEFINITIONS

Agreement

The agreement between the Riverside Community College District and the Riverside Community College classified Employees, Chapter 535, CSEA and as amended by all Memoranda of Agreement signed by the District.

Cause

Relating to disciplinary actions against classified employees, “cause” means those grounds for discipline, or offenses, enumerated in the law or the Board Policies of the Riverside Community College District. No disciplinary action may be maintained for any “cause” other than as defined herein. (E. C. Section 88001)

Classification

Each position in the classified service shall have a designated title; a regular minimum number of assigned hours per day, days per week, and months per year; a specific statement of the duties required to be performed by the employees in each such position; and a regular monthly salary range for each such position. (E. C. Section 88001).

Classified Service

All employees in the service of the District, employed in regular authorized positions not requiring certification qualifications, whether permanent or probationary, full-time or part-time, are members of the classified service, except the following:

Substitute:

Any person employed to replace any classified employee who is temporarily absent from duty. (E. C. Section 88003). Such service shall be less than 75% of the school year. 75% of the school year means 195 working days, including holidays, sick leaves, vacation and other leaves of absence, irrespective of the number of hours worked per day.

Short-term:

Any person who is employed to perform a service for the District, upon the completion of which, the service required or similar services will not be extended or needed on a continuing basis. Such service shall be less than 75% of the school year. 75% of the school year means 195 working days, including holidays, sick leaves, vacation and other leaves of absence, irrespective of the number of hours worked per day (E. C. Section 88003).

For purposes of Article XXIII, calculation of Fringe Benefits, short-term positions shall mean those positions designated by the Board not to continue for more than 60 consecutive working days.

Professional Expert:

A person employed on a temporary basis for a specific project, regardless of length of employment.

Students:

Full-time students employed part-time, and part-time students employed part-time in any college work-study program, or in a work experience education program conducted by the District.

Restricted Employees:

Specially funded positions which restrict the privileges of all citizens to compete for employment. (E. C. Section 88005).

Disciplinary Action

Includes any action whereby an employee is deprived of any classification or any incident of any classification including dismissal, suspension, demotion, or any reassignment, without the employee's voluntary consent, except a layoff for lack of work or lack of funds. (E. C. Section 88001).

Layoff for Lack of Funds or Layoff for Lack of Work

Any reduction in hours of employment or assignment to a class or grade lower than that in which the employee has permanence. May be voluntarily consented to by the employee, in order to avoid interruption of employment. (E. C. Section 88001).

Permanent

As used in the phrase "permanent employee," includes tenure in the classification in which the employee passed the required probationary period, and includes all of the incidents of that classification. (E. C. Section 88001).

Reclassification

The upgrading of a position to a higher salary classification as the result of the gradual change in the required level of the functions being performed by the employee. (E. C. Sections 88001).

Higher Classification

A classification which provides a higher salary range.

Regular

As used in the phrase "regular classified employee" or any similar phrase, refers to a classified employee who has probationary or permanent status. (E. C. Section 88001). A regular position is one authorized by the Board of Trustees, whether full-time or part-time, which has been established on a continuing basis where the required days of service are seventy-five percent or more of a school year. Seventy-five percent of a school year consists of 195 working days, including holidays, sick leave, vacation and other leaves of absences, irrespective of number of hours worked per day. (E. C. Sections 88003, 88005).

Confidential Employee

"Confidential employee" means any employee who, in the regular course of his or her duties, has access to, or possesses information relating to, his or her employer's employer-employee relations. [Government Code, Section 3540.1 (c)]. "Confidential Employees" are designated by the District.

Section I - CLASSIFIED EMPLOYMENT

100 Application

Applications for all classified positions shall be filed at the District Human Resources Office. (B. P. 4001).

200 Notice of Job Vacancies

Job vacancies for positions in the classified service shall be advertised both on campus and in the community. (B. P. 4099). Such openings refer to bona fide vacancies for which no regular employee is available.

300 Examinations

Applicants for classified positions may be required to take written, oral, or performance type examinations. A physical examination, at District expense, also may be required. (B. P. 4001; E. C. Section 88021).

400 Employment Requirements

The primary criteria for employment shall be training, experience, and ability to perform the job, regardless of race, creed, color, sex, disability, or national origin. In order to be employed, the applicant must:

- A. be a citizen of the United States or have a permit from the United States Department of Immigration and Naturalization which allows the applicant employment in keeping with the job announcement.
- B. be able to understand written and oral instructions in English.
- C. be willing to be fingerprinted at District expense. (B. P. 4001; E. C. Section 88024).
- D. not have been convicted of a sex offense or determined to be a sexual psychopath or not have been convicted of using, possessing or selling a controlled substance offense. (E. C. Sections 88022; 880023).
- E. be willing to undergo a physical examination by a doctor of the District's choice, if required. This examination shall be at District expense. (B. P. 4001; E. C. Section 88021).
- F. meet all job standards and qualifications required by the District.

500 Oath of Allegiance

Prior to the first day of service as an employee of the District, the applicant shall sign the following Oath of Allegiance: (Appendix A)

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

(Government Code Sections 3100 through 3109, inclusive).

600 **Transfer**

- A. For purposes of this section, a transfer shall mean a change of location or supervisor within the same classification.
- B. Classified employees may be transferred by the District to any position at any time such transfer is in the best interest of the District. However, no transfer shall be made for arbitrary or capricious reasons. An employee affected by a transfer shall be given notice as soon as administratively practical, and upon request, a conference will be held to discuss the reason for the transfer.
- C. A classified employee may request a voluntary transfer at any time. Such a transfer may take place only if an opening for transfer is available and the District determines that such a transfer will serve the District's best interest.
 - (a) If the District and the receiving supervisor approve, a classified employee requesting voluntary transfer need not go through the screening, evaluation and interview process normally used in evaluating non-employee applicants for a position. Otherwise, such process shall be followed. All other factors being equal, the District employee shall be given preference. All transfers must be approved by the District.
 - (b) When three or more District employees apply for a transfer and all possess the requisite qualifications for the job, the District shall select one of such District employees for the job. Such selection shall be at the sole discretion of the District and shall not be grievable under this Agreement.
- D. No employee shall be overtly or indirectly pressured by the District to seek a voluntary transfer.
- E. If a voluntary transfer is denied, the classified employee shall be provided with specific reasons for the denial within 10 working days.
- F. Notwithstanding the definition of transfer in Section A above, provisions of this section shall be applicable to employees voluntarily seeking a lateral change of classification in the same salary range, or a voluntary demotion to a classification in a lower salary range.
- G. All applicants eligible for voluntary transfer consideration who meet the employment standards for the position open for transfer can be given the same type of test that would normally be given to applicants for this same position. If the employee has taken a written or skills test within the 12 months preceding the closing date of transfer application, this score, at the employee's option, can be used. The employee does not have to retake the tests if the same type of tests taken within the preceding 12 months are used for the transfer vacancy. The employee may elect to retake whatever written and skills tests are being given. The best test score of tests taken within the preceding 12 months will be used.

700 **Probationary and Permanent Status**

- A. The probationary period for all classified employees shall be nine (9) calendar months in duration. The Associate Vice-President, Human Resources may extend the probationary period up to three (3) additional calendar months, not to exceed a total of twelve (12) calendar months.

- B. A probationary employee may be demoted, suspended, or dismissed at any time during the probationary period at the discretion of the District, and such action shall not be subject to the grievance procedure or any other District review procedure.
- C. An employee who is promoted shall serve a probationary period of six working months in the higher classification.
- D. A permanent employee who is serving a probationary period as a result of promotion and who is found unsatisfactory in the higher position shall be reinstated in permanent status in the former classification, unless there is cause for dismissal from the District. Any decision to reinstate an employee to his or her former classification shall not be grievable or subject to any other District review procedure.

800 Work Year

- A. The District shall set the starting and ending days for each classified employee's work year.
- B. When it is necessary to assign employees not regularly so assigned to serve between the end of one academic year and the commencement of another, such assignment shall be made on the basis of qualifications for employment in each classification of service which is required. When such assignment is necessary, offers of assignment shall be made to qualified employees in order of their seniority within the classification, but no employee shall be required to accept such assignment. An employee performing such assignment shall receive, on a pro rata basis, not less than the compensation and benefits which are applicable to the classification during the regular academic year.

900 Hours of Work

- A. Subject to C below, the length of the normal workday for classified employees who have their time assigned to full-time positions shall be eight hours per day, exclusive of a lunch break. The length of the normal workweek for classified employees assigned to full-time positions shall be forty hours. The District may designate certain positions in which service shall be for less than eight hours per day or forty hours per week.
- B. The District shall establish the daily beginning and the ending times for all classified employees. The beginning time for any employee while assigned to a particular classification shall not be changed by more than two hours unless there is either mutual agreement between the District and the employee or layoff procedures are followed.
- C. Subject to applicable education code provisions, the District may classify certain employees for assignment to ten-hour-per-day, four-day-per-week positions. Employees serving in such positions shall be entitled each year to the same number of total hours and authorized leaves of absence, vacation hours, holiday hours, and fringe benefits as granted to an employee who works a regular eight-hour, five-day week.
- D. Classified employees regularly assigned six or more hours per day shall be allowed two fifteen-minute rest periods during each day, to be set by their supervisor; one such rest period to be taken during the first half of the shift, and one to be taken during the second half of the shift. Rest periods are not cumulative nor can they be combined with the meal breaks to shorten the workday. Employees working less than six hours shall be entitled to one fifteen-minute rest period during each day.
 - 1. All employees regularly assigned five or more hours per day shall be entitled to an uninterrupted lunch period. The lunch period shall be unpaid and shall be for

at least thirty minutes. The lunch period shall be scheduled near the midpoint of the employee's workday.

2. Those employees who are authorized to work on a day other than their normal scheduled work day shall take the lunch period unless the employee's supervisor specifically authorizes the employee in advance to work through the lunch period and leave early.

1000 Promotional Opportunities

When three (3) or more District employees within the bargaining unit apply for a promotion for a job within the bargaining unit, and all possess the requisite qualifications for the job, and have not had an overall evaluation of unsatisfactory on their most recent evaluation, the District shall select one of such District employees for the job as long as such employee is as qualified as any applicant. For the purpose of this section, a promotion shall mean a movement upward of at least one range and the provisions of Article XVII, Sections C and D of the Agreement shall apply. The selection of which of the three (3) District employees for the job shall be at the sole discretion of the District and shall not be grievable under the Agreement. (Article XI, Section D of the Agreement)

1100 Layoff and Reemployment

- A. Classified employees shall be subject to layoff for lack of work or lack of funds. The order of layoff within the class shall be determined by length of service in the District. The employee who has been employed the shortest time in the class plus higher classes shall be laid off first. See Bumping Rights and Procedures. (E. C. Sections 88117, 88127).

B. Definitions

1. Length of Service

- a. Seniority shall include all hours of regular service in class plus higher classes. Overtime work shall not be included in computing seniority credits. All service performed in the class shall be calculated on hours of actual service while in a paid status.
- b. Time spent on approved leaves of absence with pay, such as sick leave and vacation, and time spent on military leave of absence, shall count toward seniority. Breaks in continuity of regular paid service that occur in the summer for nine-, ten-, and eleven-month employees, shall not count toward seniority. If the work year of nine-, ten-, and eleven-month employees is extended in his/her class or in a higher class, such service shall count toward seniority.
- c. If employees have equal seniority credits within the class, the employee with the longest total service with the District shall be considered senior. If a tie remains, it shall be broken by the casting of lots.

2. Classification

Classification defines groups of positions similar in duties and responsibilities within the same salary range, with substantially the same requirements of education, experience, knowledge and abilities demanded of incumbents and of applicants. Positions within the title funded from Federal or State sources may be considered as separate classes with regard to procedures described in this section.

3. **Higher Class** (Article XI of the Agreement)
4. Higher class is a class that provides a higher salary classification.

C. **Layoff Procedures**

1. Prior to layoff, a seniority list shall be prepared by the District Human Resources Office for the employees to review.
2. When classified employees are laid off for lack of work or lack of funds, layoff shall be made in inverse order of seniority in the class in which the layoff occurs. The employee who has been employed the shortest time in class plus higher classes shall be considered to have the least seniority and, therefore, shall be laid off first.
3. The names of permanent and probationary employees thus laid off shall be placed upon the reemployment list for the class from which they were laid off. Names on the reemployment list shall be in the relative order of seniority.
4. No regular employee shall be laid off from any position while there is a substitute or temporary employee serving in a position in the same class, unless the regular employee declines assignment to the temporary position.
5. A substitute or temporary employee shall be laid off without regard to the procedures set forth in these rules, and without reemployment rights.
6. An employee must be notified in writing by the District Human Resources Office of that employee's impending layoff at least thirty days before the effective date of layoff.

D. **Bumping Rights and Procedures**

1. A permanent employee who is laid off from a class and who has previous service in an equal or lower class shall have the right to bump an employee with less seniority in the lower class.
2. A permanent employee who is subject to a layoff for lack of work or lack of funds despite the exercising of bumping rights in order to avoid layoff, may accept a voluntary demotion to a vacant position in a lower class or transfer to an equal class, provided the employee is qualified to perform the duties thereof and provided, further, that the Board of Trustees approves the voluntary demotion. An employee who has been demoted in lieu of layoff shall be placed on that salary range of the lower class that is closest to the employee's present salary in the class from which the employee was demoted.
3. The number of assigned months of work per year shall have no bearing or effect upon bumping rights. For example, a twelve-month employee may displace a ten-month employee and vice versa.
4. A probationary employee has bumping rights in a lower class in which permanency has been established.
5. Temporary, restricted or substitute employees shall have no bumping rights.
6. In a class that has varied hours in assignment, a displaced employee may bump an employee with lesser seniority assigned the same number of hours.

E. **Reemployment Rights (E. C. Section 88117)**

1. The names of all regular classified employees who are laid off shall be placed on reemployment lists by class and in order of seniority.
2. Reemployment shall be in order of seniority, with the most senior reemployed first.
3. No new employees shall be hired in a class if eligible class members remain on reemployment lists. Regular employees who are laid off in accordance with these rules shall be eligible for reemployment for a period of thirty-nine months from date of layoff and shall have the right to apply for promotional opportunities. (E. C. Section 88117).
4. An employee who has accepted demotion or reduction in assigned time in lieu of layoff for lack of work or lack of funds shall be reemployed in accordance with the employee's seniority in the former class. (E. C. Section 88117). Intervening reassignment to other classes shall not abrogate that right.
5. An employee reemployed from a layoff list shall be fully restored to his/her position with all rights to permanent status restored. No seniority shall be earned during periods of separation from service of the College District.
6. Acceptance of Substitute or Short-Term Employment:
 - a. The District shall attempt to provide substitute or short-term employment to those on a reemployment list in accordance with their seniority.
 - b. An employee who has been laid off for lack of work or lack of funds and who is on a layoff reemployment list, may be employed as a substitute or short-term employee in the original class or any other class for which qualified, and such employment shall in no manner jeopardize or otherwise affect the employee's status or eligibility for reemployment.
 - c. Refusal of an offer of temporary or substitute employment shall not affect the standing of any employee on a layoff list.

1200 Reclassification

Position reclassifications shall be reviewed once each year upon written request of the employee or the employee's management supervisor. Requests must be filed in the Office of Human Resources prior to September 30 of each year. The requests shall be reviewed by a committee as defined in the established classification review procedures. The effective date of implementation of employee initiated reclassification is April 1 of the fiscal year in which the reclassifications were approved by the Board. The procedures and criteria used to determine reclassifications are provided in Board Policy 4045. The District may modify the classification procedures in Board Policy 4045 for the purposes of testing and evaluating new procedures for improvement of the classification review program.

1300 Performance Evaluation

The performance of confidential employees shall be reviewed and evaluated periodically. Permanent employees shall receive a written evaluation at least once each year that shall normally occur during the month of the employee's anniversary date. One additional evaluation may be requested by the employee each year.

Probationary employees shall receive written evaluation at the end of the second month and each third month thereafter during the probationary period.

For additional information about the requirements and procedures relative to performance evaluations, see Article XII of the Agreement.

1400 Affirmative Action-Staff Diversity

The Riverside Community College District is an affirmative action, equal opportunity employer committed to the concept and principles of affirmative action and staff diversity. This commitment applies to every aspect of education, personnel policies and practices, and to the general public. (Appendix C)

1500 Prohibition of Sexual Harassment

It is the policy of the Riverside Community College District to provide and maintain the District's facilities as a place of work and/or study for all employees and students, free of any form of sexual harassment, exploitation, intimidation, or discrimination. Such actions perpetrated on the basis of sex are a violation of Title VII of the Civil Rights Act of 1964, Title IX of the 1972 Education Amendments, and Board Policies 3110, 4110 and 4101.

Employees, students and non-employees who are under some form of control of the District are prohibited from committing any act of sexual harassment against any employee or student. Disciplinary action shall be taken against any such person who violates this policy. (Appendix D)

1600 Prohibition of Sexual Discrimination

It is the policy of the Riverside Community College District that there shall be no discrimination in recruitment, hiring, promotion, considerations for tenure, demotion, transfers, layoff, application of nepotism policy, as to any employee based on sex. No person shall on the basis of sex be excluded from participation in or denied the benefits of any academic, extra curricular, research, occupational training program or activity (Appendix E).

1700 Drug-Free Workplace

It shall be the policy of the Riverside Community College District, in order to comply with the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990, to provide a drug-free workplace for its employees. The unlawful manufacture, distribution, dispensing, possession or use of any controlled substance in the workplace, including but not necessarily limited to any building, property, facility, or satellite center of the District, is strictly prohibited. Violators of this policy shall be disciplined (Appendix F).

1800 Compliance Information and Assistance

Employees seeking information and assistance regarding compliance matters may contact the District's Affirmative Action Officer as follows:

Monica Flores
Director of Affirmative Action, Diversity & Equity
Riverside Community College District
4800 Magnolia Avenue
Riverside, CA 92506
Telephone: (909) 222-8039

1900 Steps In Hiring Classified Employees (Excerpt from Board Policy Affirmative Action and Staff Diversity)

1. Position Identification

- a. The appropriate area manager and/or department chairperson(s) will identify the potential vacancy in relationship to the area needs and District affirmative action goals.
- b. The recommendation will be forwarded to the Vice President and/or Provost for approval.
- c. The Vice President and/or Provost will forward approval documents for the position vacancy to the Human Resource Office for processing.
- d. The manager and/or designee will develop the job description, in consultation with the Affirmative Action Officer and the Associate Vice President of Human Resources. The Associate Vice President of Human Resources will consult with the CSEA President regarding the job description.
- e. Before positions are announced, the Affirmative Action Officer and the Associate Vice-President, Human Resources, will review the job announcements and committee composition to ensure conformity with the District's affirmative action and non- discrimination commitments.

2. Hiring Process

- a. The initial screening process will be conducted by a screening committee. The screening committee, appointed by the District President or designee, shall be composed of the appropriate manager and/or supervisor and a minimum of two other staff members, including a female and an ethnic minority. The District President or designee may appoint a student to the screening committee whenever it is deemed appropriate. The composition of the committees will be reviewed by the Affirmative Action Officer and the Associate Vice President of Human Resources to ensure compliance with the Affirmative Action and Staff Diversity Policy.
- b. A select number of qualified candidates screened from the initial pool of eligible applicants will be invited for a personal interview at their expense. A diversified pool of applicants must be identified or additional corrective action should be taken to achieve this goal prior to the continuation of the process. If this diversification cannot be achieved, then the District President or designee should intervene and be sure that additional steps are taken. Such steps may include, but are not limited to:
 - 1) the extension of the deadline with additional recruitment focused on historically underrepresented groups;
 - 2) the inclusion of applicants from historically underrepresented groups who may be expected to meet these additional qualifications, within a reasonable length of time, through appropriate training or experience because they failed to meet locally established "desirable or preferred" qualifications beyond State minimum;

- 3) the modification or removal of locally established qualifications beyond State minimum qualifications and the extension of the deadline for application (Sec. 53023).

The Human Resources representative shall communicate with the successful candidates to arrange a time and place for interview.

The interview will be conducted by the screening committee. All candidates interviewed for a position vacancy will go through the same process. The committee shall recommend a reasonable number of candidates, but no more than three per position, and forward the unranked finalists to the appropriate manager and/or supervisor or designee of the District President.

- c. In the event no candidates are recommended by the hiring committee, the appropriate manager and/or supervisor in consultation with the Associate Vice President of Human Resources will determine whether to extend the process or to terminate it.
- d. The Associate Vice President of Human Resources shall forward the names of the recommended finalists to the Vice President or designee.
- e. The manager and/or supervisor or designee will interview the recommended candidates. If the manager and/or supervisor or designee does not select any of the finalists, he/she will notify the Associate Vice President of Human Resources to determine whether it would be advisable to reexamine the existing pool of candidates, to seek a new and broader pool of candidates, or to cancel the position recruitment.

Section II - Salaries

100 Yearly Salary Increments (Changes In Step Placement)

Changes in step placement through Step 5 shall be provided annually to employees. For employees hired on or before the 15th day of the month, the annual change in step placement shall be effective on the first day of the month in which the employee was hired. For employees hired after the 15th day of the month, the annual change in step placement shall be effective on the first day of the month following the month in which the employee was hired.

Anniversary date shall be adjusted for any period of non-paid leave of more than thirty calendar days.

Employees should review current collective bargaining Agreement for information regarding Salaries.

200 Salary Placement and Duty Statement

Upon initial employment and upon each change of classification thereafter, each classified employee shall be furnished two (2) copies of the class specification, salary data, assignment of work location, together with duty hours and the prescribed work week. The salary data shall include the annual, monthly or pay period, daily, hourly, overtime, and differential rate of compensation, whichever are applicable. One copy shall be retained by the employee and the other copy shall be signed and dated by the employee and returned to the supervisor, who shall forward it to the District Human Resources Office for filing in the employee's personnel file. These provisions shall not apply to short-term, limited-term, or provisional employees (E. C. Section 88168).

300 Bank Deposits

Transmission to employee's financial institution will be made at such time that payroll funds can be made available on the last day of the month. In those instances where checks are used, such checks will be made available the last day of the month.

400 Recipient Description Form

This form authorizes the District to turn over all monies due a deceased employee to a designated recipient. This would allow, upon the death of an employee, the designee to receive immediately any funds which may have accrued since the receipt of the employee's last pay warrant, avoiding probate hearings. The form is available in the District Human Resources Office, and must be completed in duplicate. The original copy will be filed in the employee's personnel folder and the second copy is for the employee. Should a change of beneficiary be desired, at any time, this may be done simply by filing a new form (Appendix B).

Section III - PAID LEAVES OF ABSENCE (B. P. 4025, 3025)

100 Negotiated Leaves of Absence

The Board of Trustees, recognizing that leaves of absence are a subject for negotiation, will provide leaves of absence for all bargaining unit employees in accordance with the collective bargaining agreements between the District and the exclusive representatives.

200 Interruption or Termination of Vacation (Article XXIX of the Agreement)

Employees may interrupt or terminate vacation leave in order to begin another type of paid leave without a return to active service, provided the employee supplies adequate notice and relevant supporting information regarding the basis of such interruption or termination to the Department of Human Resources for review. (E. C. Section 88200)

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Section IV - TERMINATION AND DISCIPLINARY ACTION

100 Dismissal, Suspension or Demotion of Permanent Employee (E. C. Section 88013; Article II, Section A of the Agreement)

A. Causes for Disciplinary Action

The continued employment of permanent classified employees is contingent upon proper performance of assigned duties and personal fitness. A permanent employee may be demoted, suspended, or dismissed for cause, which shall include, but not be limited to, the following:

1. Unsatisfactory fulfillment of job responsibilities, such as:
 - a. Incompetence or inefficiency.
 - b. Insubordination (including, but not limited to, refusal to do assigned work).
 - c. Willful or persistent violation of the Education Code or policies of the Board of Trustees.
2. Unsatisfactory attendance, such as:
 - a. Abuse of leave privileges.
 - b. Absence or repeated tardiness without authority.
 - c. Abandonment of position.
3. Unsatisfactory personal habits, such as:
 - a. Consuming alcoholic beverages or illegal drugs while on duty
 - b. Reporting to work under the influence of alcohol or illegal drugs.
 - c. Immoral conduct while on duty.
 - d. Conviction of a felony or any crime involving moral turpitude.
 - e. Dishonesty or theft while on duty.
 - f. Discourteous, offensive or abusive conduct or language toward other employees, students or the public while on duty.
 - g. Any conduct inimical to the welfare of the District, the students or the employees thereof.
 - h. Falsification or violation of the Oath of Allegiance or any other District document.
 - i. Engaging in political activity during assigned hours of employment.
 - j. Taking for personal use from any person in connection with work, any fee, gift or other valuable thing when such fee, gift or valuable thing was given in hope or expectation of receiving a favor or better treatment than that accorded other persons.
 - k. Inducing or attempting to induce any person, firm or corporation doing business with the District to give employment to any person.
 - l. Inducing or attempting to induce an employee of the District to commit an unlawful act or to act in violation of any lawful and reasonable departmental or official regulation or order.

B. Suspension (E. C. Section 88013)

The District may suspend a permanent employee without warning when the health and welfare of students or other employees is endangered by the continued presence of the employee in the District.

Suspension of a classified employee for cause may be recommended by the person charged with supervisory responsibility for the employee, pending formal action by the President or his designee and the Board of Trustees. The employee shall be given written notice of the cause therefore, and disciplinary action to be recommended within five (5) working days following the suspension. Whether the employee's pay shall continue during the period of suspension shall be in accordance with law.

C. Notification Requirements

Any permanent employee against whom disciplinary action is initiated shall be given written notice by the President or his/her authorized representative. The written notice shall include:

1. Notification of the specific charge or charges against the employee.
2. Statement of the employee's right to a hearing on such charge or charges and the time within which such hearing may be requested, which shall be not less than five (5) working days after service of the notice to the employee.
3. Demand for Hearing form, the signing and filing of which shall constitute a denial of the charge or charges and a demand for a hearing. Failure of the employee to file a Demand for Hearing form by the date and time specified in the notice shall constitute waiver of the employee's right to a hearing.

Hearing Procedure

Employees facing disciplinary action shall be entitled to a hearing. All such hearings shall be conducted by a hearing officer selected by mutual agreement between the District and the employee's representative. The hearing shall be conducted in accordance with all applicable sections of the Education Code. The hearing officer's findings and/or recommendation will be provided to the Board of Trustees, who will make the final decision in the case. The employee will be provided with a written copy of the decision.

D. Rights of Employee During Formal Hearing

The employee shall attend the hearing unless excused by the Board of Trustees, and shall be entitled to:

1. Be represented by any other person at such hearing.
2. Compel the attendance of any reasonable number of other employees of the District to testify in the employee's behalf.
3. Cross-examine all witnesses appearing against the employee.
4. Present such exhibits and/or other evidence as the Board of Trustees deems pertinent to the case.
5. Argue the case on the employee's own behalf.

6. The party attempting to substantiate charges against the employee shall be entitled to the same rights.

Section V - RESIGNATION

100 Letter of Resignation

If an employee wishes to resign from employment, a letter of resignation should be submitted to the Office of Human Resources, with copies to the employee's immediate supervisor at least two weeks prior to the effective date of resignation. The intended effective date of resignation should be specified in the letter.

200 Exit Interview

The Office of Human Resources may schedule a separation interview with a terminating employee. This interview may be necessary to complete personnel records and close the employee's file.

300 Vacation Allowance

A permanent employee who is dismissed or resigns shall be granted accumulated vacation allowance. The monetary value of accumulated vacation allowance may be paid in lieu of carrying the employee on the payroll. The employee may be entitled to lump sum payment for all earned and unused vacation.

400 Salary Reduction

Employees who terminate employment and have used more than their earned leave shall have their last salary payment reduced accordingly.

500 PERS Refund

An employee with less than five years of credited service who terminates employment with the District and who is not transferring to another agency covered by PERS, will have PERS contributions refunded with interest. The employee must initiate the request for refund with the District Payroll Office.

600 Additional Service Credit

At retirement, any unused sick leave accumulated by eligible retirees may be converted to additional service credit. You may receive sick leave credit for each day of unused sick leave certified by your employer. Those eligible for sick leave retirement credit are: continuing employees hired before 7-1-80; and returning employees who 1) had school service credit on deposit on June 30, 1980, and 2) who had not taken a refund of PERS contributions since that time. Classified employees may not receive lump sum settlement for unused sick days accumulated.

Section VI - RETIREMENT

100 PERS Membership

Upon initial employment by the District, provided that the work assignment requires at least fifty percent of an eight-hour day, an employee automatically becomes a member of the Public Employees Retirement System (PERS). In addition to becoming members of PERS, all employees are covered under the Federal Social Security System (OASDI). Employee contributions towards these retirement systems are automatically deducted from each month's salary. In each case, the District also contributes toward the retirement system. Employees shall receive a yearly statement of contributions, interest earned, and years of service credited to their account, from PERS in Sacramento.

200 Minimum Age

The minimum age at which an employee becomes eligible for retirement under PERS is fifty years. The implementation of any alternative retirement program shall be at the sole discretion of the District and shall be in compliance with state laws and the regulations of the Public Employee Retirement System.

300 Retirement Income

The amount of an employee's retirement income from PERS depends upon length of service, age at retirement and average salary for the highest three consecutive years. When contemplating retirement, an employee should notify the Office of Human Resources at least ninety days prior to the requested retirement date. The employee should also check with the Social Security Office, the District Payroll Office and the Public Employee's Retirement System.

400 Contributions to PERS

Employees with five or more years of credited service in PERS who terminate employment with the District before becoming eligible for retirement, and who are not transferring to another agency covered by PERS, have the right to leave their contributions on deposit in return for a retirement allowance when they reach retirement age, or they may withdraw the funds subject to the regulations of the state retirement system.

Section VII - FRINGE BENEFITS

100 District Provided Benefits

The District shall provide the following fringe benefits to all classified employees covered by the Collective Bargaining Agreement.

For the period from July 1, 1996, through June 30, 1999:

- A. Dental insurance coverage for employees and dependents shall be provided by the District. All employees shall participate in the program. Effective January 1, 1992, the benefit leave shall be increased from \$1,000 per calendar year to \$1,500 per calendar year.
- B. Subject to the subparagraphs below, the sum of not less than one thousand eight hundred sixty-eight dollars and sixty cents (\$1,868.60) shall be provided by the District for the purpose of purchasing health insurance, accident insurance, life insurance, salary continuation insurance, and/or tax sheltered annuity plan(s). In order for an employee to elect not to purchase health insurance coverage from one of the carriers provided by the District, such employee must provide evidence of alternative health insurance coverage before designation of other expenditure from these fringe benefit funds shall be permitted by the District. The employee may, only once each year, elect health insurance from one of the carriers provided by the District. Normally such election shall be effective October 1 of each year.
- C. Increases in premiums in dental or health insurance shall be paid by the District, and said payment by the District shall be at the level for each individual employee which reflects the actual increase in such premiums for the employee. However, employees who maintain the same medical insurance coverage as in the previous year and who have tax sheltered annuity contribution and/or other insurances paid from the fund set forth in subparagraph (b) shall pay any increase in medical insurance premiums from those funds. Cost for additional health insurance coverage (additional dependents) shall also be borne by the District, except that money previously available for other optional insurances and tax sheltered annuities shall first be applied to the increased health insurance premium.
- D. The District shall provide for each employee covered by the collective bargaining Agreement, a \$15,000.00 life insurance policy by a carrier designated by the District. However, employees who have tax sheltered annuities and/or other insurances paid from the fund set forth in subparagraph (b) shall be required to pay for such life insurance from those funds. All employees shall participate in this life insurance program.
- E. Tax sheltered annuity contributions from funds provided in subparagraph (b) shall not exceed the amount for any employee invested by that employee in 1980-81.

200 Pro-Rata Benefits

Health and welfare benefits, sick leave, annual leave (vacation) and any other fringe benefits will be granted to classified employees on a pro-rata basis, as follows:

- A. Twelve-month, full-time employees will receive full benefits as authorized in this handbook.
- B. Eleven-month, full-time employees will receive eleven-twelfths of the benefits received by a full-time, twelve-month employee.
- C. Ten-month, full-time employees will receive ten-twelfths of the benefits received by a full-time, twelve-month employee.

- D. Twelve-month, half-time employees will receive one-half of benefits received by a full-time, twelve-month employee.
- E. Eleven-month, half-time employees will receive one-half of benefits received by a full-time, eleven-month employee.
- F. Ten-month, half-time employees will receive one-half of benefits received by a full-time ten-month employee.
- G. Hourly employees will receive pro-rata benefits calculated on the basis of total hours in paid status for the year, divided by 2088 (261 days x 8 hours/day) except that hourly employees who work less than twenty hours per week shall not receive any pro-rata fringe benefits specified in Article XXII.
- H. Employees in short-term, temporary positions will not be eligible for any fringe benefits. For the purposes of this article, short term, temporary positions shall mean those positions designated by the Board of Trustees not to continue for more than sixty consecutive working days.
- I. With respect to the health and welfare benefits set forth in Article XXIII, Paragraphs A 1 through 7 of this Article, shall be applicable only to employees hired on or after July 1, 1977. Any members hired before such date shall receive for the current year the same amount as is received by full-time, twelve-month employees with the same insurance coverage and carrier from which to purchase the health and welfare benefits set forth in Article XXII of the collective bargaining contract.

300 Family Leave and/or Pregnancy Disability Leave

A classified employee having more than twelve (12) months of service with RCCD, and having worked at least 1,250 hours in the past twelve (12) months, may have a right to Family Medical Leave. If eligible for such leave, the employee may be entitled to take up to twelve (12) work weeks of unpaid, job-protected leave in a twelve (12) month period for the birth, adoption, or foster care placement of their child; for their own serious health condition; or to care for their child, parent or spouse. At the employee or District's option, certain kinds of paid and unpaid leaves may be substituted for Family Leave. When medically necessary, leave may be taken on an intermittent or reduced work schedule. At the discretion of the District, Family Leave may run concurrently with other leaves of absence.

If possible, the employee must provide the District (Human Resources Office) thirty (30) days advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for self or family members). For events which are unforeseeable, the employee needs to notify the District (Human Resources Office), at least verbally, as soon as need for leave is learned. Failure to comply with the notice requirements is grounds for, and may result in, deferral of the requested leave.

The District may require certification from the District's health care provider before allowing a leave. Under certain circumstances, the District may also require a second or third opinion (at District expense) and a fitness-for-duty report prior to the employee's return to work.

For more information regarding family leave and/or pregnancy disability leave, the employee may contact the RCCD Human Resources Office.

Section VIII - MISCELLANEOUS

100 Complaint Procedure- Non-Contract Matters

Individual or group concerns or grievances not covered by the collective bargaining agreement shall be addressed in the following manner:

- A. The concern shall first be presented to the management employee having direct responsibility over the work of the employee(s) involved.
- B. If a satisfactory resolution cannot be achieved, or if the problem would be exacerbated by such a meeting, an appointment should be requested with the next person in the line of responsibility.
- C. If the problem remains unresolved, a meeting may be requested with the Associate Vice-President, Human Resources, who will, if necessary, convene a panel to attempt to bring about a resolution of the problem.
- D. If the problem is not resolved at level C, it can be appealed to the President, and ultimately to the Board of Trustees.

200 Right to Join Organization of Choice

All classified employees of the District, except confidential and management employees, as defined in the Government Code commencing with Section 3540.1 (SB 160), shall have the right to join organizations of their choice. Membership or non-membership in such organizations shall not affect decisions pertaining to an individual employee.

300 Political Activities

The Board of Trustees recognizes and encourages the democratic right of all employees, as citizens, to participate in political activities that are in accordance with the Federal and State constitutions and statutes. These rights, however, do not extend to partisan campaigning, distribution of political literature or solicitation in any other manner on school property or during hours of employment. Such actions are considered to be in violation of professional standards that must be maintained by college personnel and will constitute cause for appropriate disciplinary action by the Board of Trustees. If there is any doubt of the appropriateness of the material to be distributed, the Office of College Relations and Special Projects should be consulted.

400 Smoking By Employees (B. P. Sections 3230, 4230, 6230)

The regulations for the above noted policies provide that smoking of any form of tobacco or non-tobacco products is prohibited inside of any building including, but not limited to, any restroom or in any closed corridor in any building on the campuses or centers which are part of Riverside Community College District. Smoking is prohibited in all eating areas and within twenty feet of all building entrances. Smoking is prohibited in the seating area of the campus stadium. These policies and regulations apply to employees, students and visitors who use the facilities on the campuses or centers which are part of the District.

500 Professional Growth (B.P. 4042)

Professional growth is defined as endeavors that are intended to improve skills and job performance. Professional growth achievement steps for salary purposes are granted only upon verification of completion of the work in writing from the accrediting institution, review by the Professional Growth Committee, and the approval of the Board of Trustees. For additional information about procedures and criteria relative to the professional growth program, see

Exhibit A of the current contractual Agreement between Riverside Community College District and Riverside Community College Classified Employees Association, Chapter #535.

600 Staff Development

- A. The coordination of the District's Staff Development Program is the responsibility of the Staff Development Committees, each made up of appropriate employee group representatives. The following committees are provided for comprehensive coordinating purposes:
 - 1. District Advisory Staff Development Committee
 - 2. Management Staff Development Committee
 - 3. Classified Staff Development Committee
 - 4. Faculty Staff Development Committee
- B. The primary purpose of the Classified Staff Development Committee is to provide an extensive program for the professional and personal growth of classified staff in order that they may achieve job-related goals and provide a support system for a high quality work environment for employees and a high quality educational environment for students. The program also gives validation of the important role that classified staff have in the success and quality of the educational institution.

700 Personnel Files

- A. Personnel files of classified employees shall be maintained at the District office. Such files shall be available for inspection as set forth hereafter. There shall be no right of inspection to any other files relating or pertaining to classified employees which may be kept by individual administrators or others. Disciplinary actions taken against an employee may be based only on materials contained or placed in the personnel file and such materials may not be more than two (2) years old.
- B. Every classified employee shall have the right to inspect his or her personnel file upon request provided that the request is made at a time when such person is not actually required to render services to the District and when the personnel clerk responsible for files, or other appropriate person, is available to be in attendance. Personnel file material which may not be inspected includes such materials as ratings, reports, or records which were obtained in conjunction with the employment or promotional processes.
- C. Information of a derogatory nature, except materials mentioned in B above, shall not be entered or filed unless and until the employee is given notice and the opportunity to review and comment therein. An employee shall have the right to enter, and have attached to any such derogatory statement, his or her own comments thereon. Such review shall take place during business hours, and the employee shall be released from duty for this purpose without salary reduction.
- D. All classified employees who want to inspect their personnel file shall ordinarily make an advance appointment. Personnel files shall be available for inspection during regular office hours each day the office is open for business. At least two days each week the office shall be open during the noon hour.
- E. All material of an evaluative nature placed in the personnel file shall indicate the date it was prepared or placed in the file and who was responsible for its preparation.
- F. With the written authorization of the employee who designates the identity of the Association representative who is to review the personnel file, the Association shall have

the right to review said personnel file. Any further review shall require an additional, specific authorization.

- G. Classified employees shall have the right to enter into their personnel file letters of commendation and/or certificates of exemplary performance from District administrators.

APPENDICES

Note:

The Riverside Community College District is cognizant of the fact that there have been recent changes in the statutes and regulations related to the following Board Policies contained in this handbook.

Appendix C = “Affirmative Action and Staff Diversity”

Appendix D = “Prohibition of Sexual Harassment”

Appendix E = “Prohibition of Sex Discrimination”

Appendix E = “Drug Free Workplace”

The Office of Affirmative Action and Outreach Program in conjunction with a representative committee is currently updating the above noted policies to comply with regulatory changes. The revised policies will be distributed campus-wide and will be included in the subsequent publication of this handbook. Any implementation of these compliance policies shall be in accordance with the current legal requirements.

Oath of Allegiance

In accordance with statutory requirements, the following Oath of Allegiance shall be required of person employed by the Riverside Community College District.

State of California)

County of Riverside)

I, _____, do solemnly swear
(Type or print name)

(or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will faithfully discharge the duties upon which I am about to enter.

Signature of Employee

Subscribed and sworn

to before me this
Official

Signature of Authorized

____ day of _____

19____.

Title

Government Code
Title I

Division 4
Chapter 8
Section 3100-3109

**DESIGNATION OF BENEFICIARY
(GOVERNMENT CODE SECTION 53245)**

TO: RIVERSIDE COMMUNITY COLLEGE DISTRICT

FROM: _____ Classification:
(Please print name)

	Full-time Instructor	_____
	Part-time Instructor	_____
Social Security No. _____	Classified Employee	_____
	Certified Management	_____
	Classified Management	_____

In the event of my death, I hereby designate _____(Please print)
as the person entitled to receive all warrants or checks that will be payable to me from the RIVERSIDE
COMMUNITY COLLEGE DISTRICT.

Said person is my: () husband; () wife; () parent; () child;
() other _____. The beneficiary may be identified as follows:

Beneficiary's Date of Birth _____

Beneficiary's Occupation _____

Beneficiary's Social Security Number _____

Beneficiary's Driver's License Number _____

Beneficiary's Residence _____

Date: _____ Employee's Signature _____

**Government Code DESIGNATION OF PERSON TO RECEIVE WARRANTS OR
CHECKS UPON Section 53245 DEATH OF EMPLOYEE**

Any person now or hereafter employed by a county, city, municipal corporation, district, or other public agency may file with his appointing power a designation of a person who, notwithstanding any other provision of law, shall be entitled on the death of the employee, to receive all warrants or checks that would have been payable to the decedent had he survived. The employee may change the designation from time to time. A person so designated shall claim such warrants or checks from the appointing power. On sufficient proof of identity, the appointing power shall deliver the warrants or checks to the claimant. A person who received a warrant or check pursuant to this section is entitled to negotiate it as if he were the payee.

RIVERSIDE COMMUNITY COLLEGE DISTRICT
AFFIRMATIVE ACTION AND STAFF DIVERSITY

The policy of the Riverside Community College District is to seek the best-qualified candidates to serve as employees of the District based on the total needs of the District and the Community.

The Riverside Community College District is committed to the concept and principles of Affirmative Action in providing equal opportunity in education and employment for all persons and to prohibit discrimination based on race, sex, color, religion, age, national origin, handicap, marital status, or Vietnam-era veteran status. This commitment applies to every aspect of education, personnel policies and practices, and to the general public.

The Riverside Community College District believes that in order to effectively address and comply with federal and state mandates and guidelines on Affirmative Action, the Board of Trustees, administration, faculty and classified staff must recognize that Affirmative Action is shared responsibility and each must be held accountable for application and enforcement of the Policy.

The Riverside Community College District will continue to make Affirmative Action efforts to ensure that the recruitment, screening, selection, hiring, training, evaluation and promotional processes are conducted in accordance with principles of equal opportunity and include a sensitivity and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students.

Recommended: Policy Manual Coordinator _____

Submitted to Board for First Reading _____

Approved by Board _____

Civil Rights Act 1964

Civil Rights Act 1972

Executive Order 11246

as amended by Executive Order 11375

Chapters 1 and 2, Division 4, Title V, California Administrative Code

Education Code Section 87100-87107

RIVERSIDE COMMUNITY COLLEGE DISTRICT

Regulations for Policy 3099/4099

Excerpt from Affirmative Action and Staff Diversity Policy

I. Steps in Recruitment

Recruitment is the process by which this institution develops an applicant pool from which hiring decisions are made.

- A. The District President or designee determines that a vacancy exists, either replacement or an additional position, and that funds are available.

The District President or designee will appoint selection committees composed in accordance with Section II-A for faculty vacancies, Section II-B for management vacancies and Section II-C for classified vacancies.

The District President may wish to make an acting or interim appointment as long as the appointment does not exceed one year and District employees are then afforded an opportunity to apply. (Sec. 53021)

- B. Applicants will be recruited by means of wide dissemination of job announcements. Special efforts to contact local minority referral sources will be made. In this effort to attract qualified candidates from historically underrepresented groups in the applicant pool, previously unexplored, as well as currently known areas and channels of employment, will be utilized.
- C. Job announcements for faculty and administrative positions will include in their job descriptions a requirement of sensitivity to an understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students. (Sec. 53022)
- D. Sources to be utilized for recruitment of applicants may include but shall not be limited to the following:
1. Advertisements in appropriate daily newspapers and professional journals.
 2. Advertisements in area newspapers directed toward underrepresented groups.
 3. Colleges and universities.
 4. Unsolicited applications and inquires.
 5. Ethnic minorities teaching at predominantly minority institutions and women teaching at predominantly women's institutions.
 6. Underrepresented groups already employed at the college and working elsewhere in other activities and capacities.
 7. Women and ethnic minorities presently candidates for graduate degrees who exhibit promise of outstanding achievement.
 8. Notification to community women and ethnic minority groups of all certificated job openings.

9. Notification to the Employment Development Division of the State of California of job vacancies.
 10. K-12 public school districts.
 11. Professional job-related organizations.
 12. Other public-private agencies as appropriate.
- E. Notification of job vacancies shall be provided by individual notice and/or posting in the District Administration building(s).
- F. All applications or inquiries for job opportunities are to be submitted to the District Human Resources Office. Applications may be submitted in person or by mail. Recruitment Notices shall indicate the deadline time and date.
- G. A complete record will be maintained of all applications received, solicited or unsolicited, for announced job opportunities for the length of time specified by State and/or Federal regulations.
- H. A complete record will be kept of all efforts to disseminate information regarding job opportunities. Activities in this regard are the responsibility of the Human Resources Office.
- I. No record need be kept of unsolicited inquiries on nonexistent positions. The office receiving such an inquiry or application may respond routinely that no position is available or transmit the application or inquiry to the Human Resources Office for appropriate action.
- J. Before the selection process begins, the composition of the qualified applicant pool will be analyzed to ensure that the goals established in the District's Affirmative Action and Staff Diversity Plan may be further realized and that members of historically underrepresented groups are not adversely impacted. If adverse impact exists, the District President or designee shall take effective steps to address it before the selection process is begun. (Sec. 53023)

II. Steps in Hiring

The hiring process shall be implemented in a way to ensure nondiscrimination. Standards and criteria for employment must be clearly stated in the job announcement and advertisements. In-house promotions are allowed as outlined in the District's upward mobility program. See Section IX. (Sec. 53021) Each member of the screening committee must be made aware of the importance of providing fair and thorough applicant screening, interviewing, and selection processes that conform to the principles of affirmative action and equal employment opportunity by participating in the required diversity training program (Sec 53003). Members shall be sensitive to the importance of diversity. No current employee shall participate in any decisions relating to the employment of any person related to them by either birth or marriage.

A. Steps in Hiring Classified Employees

1. Position Identification

- a. The appropriate area manager and/or department chairperson(s) will identify the potential vacancy in relationship to the area needs and District affirmative action goals.

- b. The recommendation will be forwarded to the Vice President and/or Provost for approval.
- c. The Vice President and/or Provost will forward approval documents for the position vacancy to the Human Resources Office for processing.
- d. The manager and/or designee will develop the job description, in consultation with the Affirmative Action Officer and the Associate Vice President, Human Resources. The Associate Vice President, Human Resources, will consult with the CSEA President regarding the job description.
- e. Before positions are announced, the Affirmative Action Officer and the Associate Vice President, Human Resources, will review the job announcements and committee composition to ensure conformity with the District's affirmative action and non-discrimination commitments.

2. Hiring Process

- a. The initial screening process will be conducted by a screening committee. The screening committee appointed by the District President or designee shall be composed of the appropriate manager and/or supervisor and a minimum of two other staff members, including a female and an ethnic minority. The District President or designee may appoint a student to the screening committee whenever it is deemed appropriate. The composition of the committees will be reviewed by the Affirmative Action Officer and the Associate Vice President, Human Resources to ensure compliance with the Affirmative Action and Staff Diversity Policy.
- b. A select number of qualified candidates, screened from the initial pool of eligible applicants, will be invited for a personal interview at their expense. A diversified pool of applicants must be identified or additional corrective action should be taken to achieve this goal prior to the continuation of the process. If this diversification cannot be achieved, then the District President or designee should intervene and be sure that additional steps are taken. Such steps may include, but are not limited to:
 - 1) The extension of the deadline with additional recruitment focused on historically underrepresented groups;
 - 2) The inclusion of applicants from historically underrepresented groups who may be expected to meet these additional qualifications within a reasonable length of time through appropriate training or experience because they failed to meet locally established "desirable or preferred" qualifications beyond State minimum.
 - 3) The modification or removal of locally established qualifications beyond State minimum qualifications and the extension of the deadline for application (Sec. 53023)

The Human Resources representative shall communicate with the successful candidates to arrange time and place for interview.

The interview will be conducted by the screening committee. All candidates interviewed for a position will go through the same process. The committee shall recommend a reasonable number of candidates but no more than three per position,

and forward the unranked finalists to the appropriate manager and/or supervisor or designee of the District President.

- c. In the event no candidates are recommended by the hiring committee, the appropriate manager and/or supervisor, in consultation with the Associate Vice President, Human Resources, will determine whether to extend the process or to terminate it.
- d. The Associate Vice President, Human Resources, shall forward the names of the recommended finalists to the Vice President or designee.
- e. The manager and/or supervisor or designee will interview the recommended candidates. If the manager and/or supervisor or designee does not select any of the finalists, he/she will notify the Associate Vice President, Human Resources, to determine whether it would be advisable to reexamine the existing pool of candidates, to seek a new and broader pool of candidates, or to cancel the position recruitment.
- f. Once a selection is made, a tentative offer of employment shall be extended to the successful candidate contingent upon satisfactory completion of the physical exam (when appropriate) and final Board approval. After the successful candidate accepts the tentative offer of employment, the unsuccessful candidates will be notified in writing.
- g. No permanent full-time or part-time classified staff member will be hired who has not been interviewed and selected as a result of the process established in items C.1.a. through C.2.f., inclusive.
- h. All references to the District President may be interpreted to include "or designee."

III. Record Keeping

- A. Applications and committee assessment materials of those persons who are not chosen for an interview or not selected will be retained by the Human Resources Office
- B. The Associate Vice President, Human Resources, shall maintain a detailed record of all position vacancies consisting of the following:
 1. Number of applications in the applicant pool for a specific position.
 2. Sex and race of applicants.
 3. Names, race, and sex of applicants invited for interview.
 4. Brief anecdotal records of interview and/or ratings by each member of the selection committee.
 5. Name, sex, and race of successful applicant.
 6. Basis upon which candidate was selected.
 7. The ethnic and sex composition of the selection committee.
 8. List of questions used during interview.
 9. Record of time taken for interview.
 10. Results of balloting to determine finalists.

IV. Dissemination of the Affirmative Action Policy

A. Internal

1. A copy of the District Affirmative Action Policy and Staff Diversity Policy will be distributed to all employees. Revisions to the policy and/or plan will be distributed to all employees, following Board approval, from the Human Resources Office.
2. A copy of the District's most current Affirmative Action Policy and Staff Diversity Policy shall be distributed to all new employees during processing.
3. The phrase "An Affirmative Action/Equal Employment Opportunity Employer" shall be included on all job announcements and on signs posted in the Administration Buildings and in the instructional and student support service areas on all Riverside Community College Campuses.
 - a. The Affirmative Action Office shall be listed in the Staff Directory.
 - b. College publications (i.e., catalog, class schedules, student handbook, and faculty handbook) shall include statements concerning the Equal Opportunity and Affirmative Action Policies.
 - c. College-wide Affirmative Action in-service training programs shall be conducted by the Affirmative Action Office.

B. External

1. The Affirmative Action Plan and Staff Diversity Policy shall be distributed annually to various community agencies and organizations to solicit their assistance in the recruitment and referral of underrepresented groups.
2. A list of recruiting sources, agencies, and professional organizations will be maintained by the Human Resources Office as sources of recruitment and referral of underrepresented groups.
3. The Affirmative Action and Staff Diversity Policy shall be available for distribution to various agencies, including employment sources and commercial establishments, and specifically to those entities with which the District conducts business.

Additional procedures, both internal and external, shall be developed by the Affirmative Action Office in association with the Affirmative Action Advisory Committee, as appropriate.

V. Complaint and Grievance Procedure

In compliance with State statutes and regulations (including AB803 implementing Government Code Section 11135) and Federal statutes and regulations (Title V, VII, IX and Section 504) prohibiting discrimination on the basis of race, ethnic group identification, religion, sex, color or physical or mental disability as well as sexual orientation (1102.1 CA Labor Code), the following procedures are established to resolve the alleged violations:

A. Informal Procedures

1. File a verbal or written complaint with the Affirmative Action Officer within one year (365 days) following the occurrence of the event(s) on which the complaint is based.

2. The Affirmative Action Officer shall attempt to informally resolve the complaint between the involved parties.
3. If a resolution is achieved, a written statement will be given to the parties involved within fifteen (15) business days and this action will terminate the complaint.
4. If a resolution is not achieved, and the complainant wishes to proceed with the complaint, a formal written complaint must be filed with the Affirmative Action Officer within ten (10) business days following the receipt of the results from the informal review.
5. The complainant shall also be notified of other agencies that he/she may file a complaint with, such as the State Department of Fair Employment and Housing, 1845 South Business Center Drive, San Bernardino, California 92408-3425 or 2500 Wilshire Boulevard, Los Angeles, California 90057; Office of Civil Rights, 221 Main Street, 10th Floor, San Francisco, California 94105; and the Federal Equal Employment Opportunity Commission, 3255 Wilshire Boulevard, 9th Floor, Los Angeles, California 90010.

B. Formal Procedures

1. The formal written complaint should be signed by the complainant and contain full details along with any other corroborating information (an appropriate form will be provided).
2. Upon receipt of the formal complaint by the Affirmative Action Officer, a complete investigation will be conducted within thirty (30) business days. During the first five school days of such period, the District will notify the California Community Colleges Chancellor's Office of receipt of the complaint (per Section 59330 of Title V State Administrative Code).
3. Both parties shall be notified in writing of the findings of the investigation with recommendations from the Affirmative Action Officer no later than thirty (30) business days from the receipt of the formal complaint. The District will attempt to resolve the complaint and will take such action as it deems appropriate to correct the effects of any unlawful discrimination and to prevent recurrence.
4. If the complaint is not resolved satisfactorily in Step 1 of this process, the complainant may appeal in writing to the District within ten (10) business days. A meeting of the District President or designee, the Affirmative Action Officer, appropriate Vice President and the complainant shall be convened within five (5) business days of receipt of the written appeal.

The District President or designee shall render a decision by the end of the tenth (10th) business day. Both parties shall be notified in writing of the findings.

5. (a) If the complainant is not satisfied with the results of the administrative determination pursuant to Section 59336, the complainant may, within fifteen (15) days, submit a written appeal to District Board of Trustees. The Board shall review the original complaint, the investigative report, the administrative determination, and the appeal and issue a final District decision in the matter within forty-five (45) days after receiving the appeal.

A copy of the final District decision rendered by the Board shall be forwarded to the complainant and to the Chancellor. The complainant shall also be notified of his or

her right to appeal this decision pursuant to this section. If the Board does not act within forty-five (45) days, the administrative determination shall be deemed approved and shall become the final District decision in the matter.

(b) In any case not involving employment discrimination, the complainant shall have the right to file a written appeal with the Chancellor within thirty (30) days after the Board issues the final District decision or permits the administrative determination to become final pursuant to subsection (a). Such appeals shall be processed pursuant to the provisions of Article 4 (commencing with Section 59350) of this subchapter.

(c) In any case involving employment discrimination, the complainant may, at any time before or after the final District decision is rendered, file a complaint with the Department of Fair Employment or Housing. In addition, in such cases, the complainant may file a petition for review with the Chancellor within thirty (30) days after the Board issues the final District decision or permits the administrative determination to become final pursuant to subsection (a). The Chancellor shall have discretion to accept or reject any such petition for review in employment discrimination cases. If the Chancellor agrees to accept the case, he/she may:

(1) Attempt to informally resolve the matter pursuant to Section 59354; (2) where applicable, treat the complaint as an allegation that the District has violated the provisions of Subchapter 1 (commencing with Section 53000) of Chapter 4 of this Division; or (3) take any other action deemed appropriate by the Chancellor. (Title V, 59338)

Within 150 days of receiving a complaint, the District will forward the following to the Chancellor: (a) the original complaint; (b) the report required pursuant to Section 59334 describing the nature and extent of the investigation conducted by the District; (c) a copy of the notice sent to the complainant pursuant to Section 59336(b); (e) a copy of the notice to the complainant required pursuant to Section 59338(a); and (f) such other information as the Chancellor may require. (Title V, 59340)

B. Disposition of Charges

Within ninety (90) days of initiating an investigation, the District will forward the following to the State Chancellor:

- The original complaint
- Report of the nature and extent of the investigation conducted by the District
- Report of any action taken to resolve the complaint
- Evidence that the District has complied with the requirements of State Administrative Code, Title V, Section 59338
- Such other information as the State Chancellor may reasonably require

C. Only One Complaint

The same individual may file a complaint based upon a single incident or set of incidents only once. If the same individual has instigated a formal complaint through some other appropriate process, the District need not consider the matter a second time.

D. Protection Against Retaliation

The initiation of any complaint of discrimination and/or sexual harassment made in good faith will not cause any reflection on the complainant, nor will it affect such person's future business dealings with the Riverside Community College District, his or her employment, compensation or work assignments. In the case of students, there will be no reflection on the complainant with respect to educational opportunity, grades, class selection or other matters pertaining to his or her stature as a student of the District.

Retaliation against anyone for opposing conduct prohibited by this policy or for filing a complaint with, or otherwise participating in an investigation, proceeding, or hearing conducted by the District, Chancellor's Office (California Community Colleges), U.S. Department of Education Office for Civil Rights, Department Fair Employment and Housing, or Equal Employment Opportunity Commission is strictly prohibited and may subject the offending person to, among other things, disciplinary action, up to and including termination of employment.

VI. Related Program Areas

A. Purchasing Policy

To ensure equal employment opportunity, it is the intention of this District that affirmative action will be carried out at all levels of the Riverside Community College District's organizational structure and shall be a primary consideration to the District's contractual obligations with construction, supply and/or service contracts. It is the policy of the District to ensure that historically underrepresented, women- and disabled veterans-owned and/or operated businesses have an equal opportunity to do business with the District. To this end, the District shall make appropriate efforts to provide participation opportunities to the historically underrepresented, women- and disabled veterans-owned firms.

B. Sexual Harassment

The Riverside Community College District has a responsibility and commitment to maintain a workplace and educational environment free from sexual harassment, exploitation, intimidation, retaliation or discrimination. (See Board Policy 3110, 4110, and 6110)

C. Student Recruitment, Placement, and Retention

All student support services shall be in compliance with the District's Equal Opportunity and Affirmative Action Policies.

D. District Facilities, Activities, and Programs

The District prohibits any practice that implies the segregation of employees or students based upon race, gender, age, national origin, marital status, Vietnam-era veteran status, religion, disability and/or sexual orientation.

VII. Disabled Applicants and Employees

The District will make reasonable accommodations for disabled applicants and/or employees consistent with the provisions of the Rehabilitation Act of 1973, Section 504 and the Americans with Disabilities Act (ADA) of 1990.

Reasonable accommodation consistent with Section 504 of the Rehabilitation Act of 1973 is defined as an effort made on the part of the employer to remove artificial or real barriers which prevent or limit the application and employment, including promotion, of disabled persons.

The District will make accessible its educational programs and employment opportunities in an effort to integrate individuals with disabilities into the mainstream educational program and workforce. The District will not provide services or benefits to individuals with disabilities through programs that are separate or different, unless such separate programs, if they exist, are necessary to ensure that the benefits and services are equally effective. Even when separate programs are permitted, the District will make every reasonable effort to ensure that an individual with a disability has equal access to the "regular" program. The District shall not require an individual with a disability to accept a special accommodation or benefit if the individual has chosen not to accept such an accommodation.

The District will ensure that effective communication, lines of communication and communication systems are available for individuals with disabilities to communicate.

Any person that believes that she or he is a victim of discrimination prohibited by the Americans with Disabilities Act (ADA) may file a complaint with the U.S. Department of Justice, Civil Rights Division, Office on the Americans with Disabilities Act, P.O. Box 66118, Washington, D.C. 20035-6118, (800) 514-0301; (800) 514-0383 TT/TDD, or at any local or State Office of Education.

NOTE: Authority cited: Sections 504 of the Rehabilitation Act of 1973., as amended; the Americans with Disabilities Act of 1990, Pub.L. 101-336, July 26, 1990. (Sec. 53025)

VIII. Duties and Responsibilities of the Chief Executive Officer

The District President, on behalf of the Board of Trustees, has the ultimate administrative responsibility for the commitment, promotion and implementation of the District's Affirmative Action/Staff Diversity Plan.

It is also the responsibility of the District President to assure that the District has a viable Affirmative Action Advisory Committee.

IX. Upward Mobility Program

If proportionate representation has been achieved in a job category or discipline where the practice of in-house promotion is desired, an upward mobility program may be permitted.

Career pathways will be identified to improve the ability of the District to permit the upward mobility of employees. Employees may meet with the Associate Vice President, Human Resources, in conjunction with the Affirmative Action Officer or designee, to discuss and receive information about upward mobility opportunities.

The District is committed to the professional growth of its employees and the promotion or upward mobility of historically underrepresented groups. To this end, the District encourages classified and confidential employees to attend courses and workshops/seminars related to the

employees current and/or projected job duties of employment or degree, credential, license, requirements, etc.

Some staff development programs may be offered to prepare employees for promotional opportunities.

X. Workforce Analysis

A Workforce Analysis is conducted to:

1. Determine statistically underrepresented group composition of existing staff.
2. Determine whether members of underrepresented groups are underrepresented and/or underutilized based on their general availability.
3. Establish goals and timetables to correct deficiencies found through work force and utilization analyses. Note: Underrepresented groups for which goals and timetables currently are required include ethnic/racial minorities, women, and the disabled.

The Workforce Analysis shall follow guidelines and requirements as established by the Chancellor's Office and Title 5.

A. Utilization Analysis

Once each year, an analysis will be made by the Staff Diversity/Affirmative Action Officer concerning the use of women, ethnic/racial minorities, and the disabled in the college workforce. The analysis shall be made as directed by the State Chancellor's Office. A copy of the workforce analysis will be available for all faculty, classified staff and Board members.

B. Salary Analysis

As required by the Chancellor's Office and Title V regulation, salaries will be analyzed among all job classifications.

C. Selection Analysis

To ensure full and equitable opportunities for underrepresented groups, selection techniques used in all recruitments will be analyzed and reviewed with the aid of deans, directors, provosts and the respective vice presidents.

D. Problem Identification

Upon completion of analyses in all of the areas described in this policy, any differences in treatment of underrepresented groups in any area will be identified. If inequities exist, the Affirmative Action Officer will make appropriate recommendations to the District President to eliminate any discriminating practices. (Sec. 53004)

XI. Duties and Responsibilities of the District Affirmative Action Officer

The District will have an Affirmative Action Officer. The Affirmative Action Officer of the District is responsible for the overall implementation of the District's Affirmative Action Program, and shall work in conjunction with the Affirmative Action Advisory Committee and District President to carry out the goals and objectives of the program.

The Affirmative Action Officer is responsible to the District and shall administer and coordinate the Affirmative Action Program. Responsibilities include, but are not limited to, the following:

- A. Serve as chairperson of the District Affirmative Action Advisory Committee.
- B. Conduct District-wide studies to determine areas of underrepresentation.
- C. Recommend procedures for correcting underrepresentation.
- D. Along with the Human Resources Office, develop and implement an audit reporting system that will:
 - 1. Measure effectiveness of the District Affirmative Action Program.
 - 2. Identify areas that need corrective action.
 - 3. Determine the degree to which goals and objectives have been attained.
 - 4. Assure that the District is in compliance with federal and state guidelines, executive orders, etc.
- E. Investigate informal as well as formal complaints of alleged discrimination and sexual harassment, and make recommendations for corrective procedures and action.
- F. Serve as liaison to minority organizations, community action groups, disabled and women's organizations concerned with employment opportunities and affirmative action.
- G. Keep abreast of all Federal, State, and local laws concerned with affirmative action.
- H. Develop, implement, and audit methods of effective recruitment, screening, interviewing, review of job descriptions, selection, training, retraining, transfer and promotion practices, and evaluation of employees to comply with equal employment laws and District policy.
- I. Review qualifications of all employees to ensure that minorities, women, and other protected classes are given full opportunities for transfers and promotions.
- J. Review and establish annual goals and objectives with the Human Resources Office and the District Affirmative Action Advisory Committee.

XII. Affirmative Action Advisory Committee

- A. Working with the Affirmative Action Officer, the Affirmative Action Advisory Committee, a standing committee, will be composed of representatives from each of the following:
 - 1. Three representatives to be appointed by the Academic Senate President.
 - 2. Three classified staff representatives to be appointed by the District President.
 - 3. Two certificated administrators to be appointed by the District President
 - 4. Other persons to be named by the District President to ensure representation from underrepresented groups.
 - 5. Three student representatives appointed by the ASRCC President is desirable.
- B. The Affirmative Action Advisory Committee shall hold meetings at least twice each academic year to review Affirmative Action goals, policies, and progress, and make appropriate recommendations to the District President through the Affirmative Action Officer to effect a more meaningful Affirmative Action Program.

- C. The focus of the committee shall include, but not be limited to, the following areas:
1. The validity of projected goals and the effectiveness of the Affirmative Action Program.
 2. The review of reports prepared by the Affirmative Action Officer regarding the District's hiring progress. The Committee may suggest actions and/or recommend policy changes as necessary.

3. The Committee will monitor the progress of the Affirmative Action Program at all levels.
4. The Committee should make suggestions to ensure that sufficient information is distributed to all employees clarifying any misconceptions of the Affirmative Action goals/program.
5. Recruitment efforts.
6. The Committee will assist the Affirmative Action Officer in planning and implementing training programs.

XIII. Goals and Timetables

The District will revise its Affirmative Action goals and timetables every three years and submit them to the Chancellor's Office for approval. The District will regularly review its hiring and promotional practices to ensure that no subtle discriminatory practices exist (Title V, 53050). If any barriers to full equal opportunity employment are found, they will be eliminated.

XIV. Goals Setting

July 1 is the beginning of the District's fiscal year and will be used as the target date in setting each year's goal. Minimum goals, based on State-provided percentages, shall be established, but may be exceeded in consideration of local demographics.

Interim, year-to-year goals shall be set by the District that may assist the institution in achieving its District-wide three-year plan goals.

For full-time faculty and other instructional staff, the District will set goals on the basis of the departmental grouping which were selected pursuant to workforce analysis in the Chancellor's Office. (Sec. 53004)

XV. Annual district Evaluation Report

An annual District evaluation report shall be made to assess progress in reaching staff diversity/affirmative action goals. This evaluation shall compare hiring to established goals. This report shall be reviewed by the District President and made available to the public upon request. (Sec. 53004)

XVI. Review and Amendments/Policy Revision

This policy will be subject to review and amendment in order to meet the needs of the District and the requirements of Federal and State laws.

- A. Results obtained from activities directed by this policy will be reviewed on a regular basis as heretofore described.
- B. Questions on any of these matters should be referred to the Associate Vice President, Human Resources, and/or Director of Affirmative Action. If a question is appropriate and serious in nature, the Affirmative Action Advisory Committee may be convened to hear the concern and make a recommendation.
- C. Following Board of Trustees approval, the amended policy shall be submitted to the Chancellor's Office for review and approval.
- D. The District shall review annually its Staff Diversity/Affirmative Action goals and timetables, and shall revise the goals and timetables at least every three years or more frequently as

needed. Following the Board of Trustees approval, the revised goals and timetables shall be submitted to the Chancellor's Office for review and approval. (Sec. 53004)

RIVERSIDE COMMUNITY COLLEGE DISTRICT
PROHIBITION OF SEXUAL HARASSMENT

It is the policy of the Riverside Community College District to provide and maintain the District's facilities as a place of work and/or study for all employees and students, free of any form of sexual harassment, exploitation, intimidation or discrimination. Such actions perpetrated on the basis of sex are a violation of Title VII of the Civil Rights Act of 1964 and/or Title IX of the 1972 Education Amendments.

Employees, students and non-employees who are under some form of control of the District are prohibited from committing any act of sexual harassment against any employee or student. Disciplinary action shall be taken against any such person who violates this policy.

This policy and the attendant rules, regulations and grievance procedures shall be disseminated to all staff and students. The responsibility for this policy and its enforcement shall rest with the District President or his/her designee.

Recommended: Policy Manual Coordinator _____

Submitted to Board for First Reading _____

Approved by Board _____

Adopted: February 18, 1986

RIVERSIDE COMMUNITY COLLEGE DISTRICT
Regulations for Policy No. 3110/4110/6101, Prohibition of Sexual Harassment

Definitions

I. Sexual Harassment Against Employees and Non-Employees

A. General Definitions of Sexual Harassment

1. Harassment in which an employee demands sexual favors in exchange for job benefits.
2. Harassment by any employee or student which creates an offensive work environment as the result of innuendo, slurs, jokes and/or other related acts.
3. Retaliation or threat of retaliation for filing or notification of intent to file a complaint of alleged sexual harassment.
4. Sexual harassment occurs when unwelcome sexual advances, requests for sexual favors, physical conduct of a sexual nature or verbal, written or illustrated messages of a sexual nature:
 - a. are made or communicated either explicitly or implicitly as a term or condition of an individual's employment
 - b. are used as a basis for employment decisions affecting such individual;
 - c. have the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

B. Specific Definitions of Sexual Harassment

1. Sexual harassment includes, but is not limited to:
 - a. unwelcome written contact containing sexual meaning or intent (i.e., suggestive or obscene letters, notes or invitations);
 - b. unwelcome verbal derogatory comments, slurs, jokes or epithets with sexual overtones;
 - c. physical contact such as assault, touching, impeding or blocking movement;
 - d. use of unwelcome gestures, display of objects, pictures or cartoons which are sexually suggestive;
 - e. persisting in expression of sexual interest after being informed that such interest is unwelcome;
 - f. making reprisals, real or implied, or threats of reprisals following a negative response; withholding or implying the withholding of support for appointment, promotion, or permanent status; threatening with a poor performance review;

- g. engaging in implicit or explicit coercive behavior which is used to control, influence or affect the career, salary or other working conditions of an employee;
- h. offering favors of employment benefits or working conditions in exchange for sexual favors.

II. Sexual Harassment Against Students

A. General Definitions of Sexual Harassment

1. Harassment in which a student is solicited for sexual favors in exchange for better grades, references, enrollment conditions or any other student benefit.
2. Harassment in which the student is subjected to an offensive educational environment as the result of innuendo, slurs, inappropriate jokes and/or other related acts by an employee or by another student.
3. Retaliation or threat of retaliation for filing or notification of intent to file a complaint of alleged sexual harassment.
4. Sexual harassment occurs when unwelcome sexual advances, requests for sexual favors, physical conduct of a sexual nature or verbal, written or illustrated messages of a sexual nature:
 - a. are made or communicated either explicitly or implicitly as a term or condition of the individual's educational opportunities;
 - b. are used as a basis for educational decisions;
 - c. have the purpose or affect of interfering with an individual's educational activities or creating an intimidating, hostile or offensive environment.

B. Specific Definitions of Sexual Harassment

1. Sexual harassment includes, but is not limited to:
 - a. unwelcome written contact containing sexual meaning or intent (i.e., suggestive or obscene letters, notes or invitations);
 - b. unwelcome verbal derogatory comments, slurs, jokes or epithets with sexual overtones;
 - c. physical contact such as assault, touching, impeding or blocking movement;
 - d. use of unwelcome gestures, display of objects, pictures or cartoons which are sexually suggestive;
 - e. persisting in expression of sexual interest after being informed that such interest is unwelcome;
 - f. making reprisals or threats (real or implied) of reprisals following a negative response; withholding or implying the withholding of support for grades, recommendation or other benefits normally provided to students;

engaging in implicit or explicit coercive behavior which is used to control, influence or affect the grades, recommendation or other benefits normally provided to students;

- h. offering favors of high grades, relaxation of attendance requirements, homework requirements and/or other benefits in exchange for sexual favors.

III. Employee and Student Rights

Employees and students of the District have the right to an environment for work and/or study which is free from unsolicited and unwelcome sexual overtures. This right is protected by law. It is the responsibility of any persons who feel aggrieved because of conduct which may constitute sexual harassment to inform the person they feel is harassing that his/her behavior is unwelcome, offensive or inappropriate.

Anyone who is or feels he/she may have been subjected to offensive sexual behavior is encouraged to pursue the matter through the appropriate informal and formal grievance procedures, as identified in these regulations, in a timely manner. Additionally, all individuals have a right to file a complaint with the Equal Employment Opportunity Commission.

IV. District Responsibilities

A. The Riverside Community College District has a responsibility and commitment to maintain a workplace and educational environment free from sexual harassment, exploitation, intimidation or discrimination.

1. Recognizing that the District may be responsible for acts of its employees, students and agents, acts which may create a workplace or learning environment which is not free of sexual harassment, the District will take immediate and appropriate corrective action whenever it becomes known that an act occurred, whether this information comes from the complainant or a third party.
2. The District will conduct regular (at least annually) training programs for current and new employees.
3. All appropriate staff members will work cooperatively with employees and students to ensure compliance with this policy.

V. Disciplinary Procedures

If an individual is charged with sexual harassment, the District will immediately investigate the charges through the appropriate established procedures consistent with all statutory and constitutional due process requirements. If disciplinary action is to be taken, it will be in accordance with existing Board established policies.

VI. Protection Against

The initiation of a complaint of sexual harassment will not cause any reflection on the complainant, nor will it affect such person's future business dealings with the Riverside Community College District, his or her employment, compensations or work assignments. In the case of students, there will be no reflection on the complainant with respect to educational opportunity, grades, class selection, or other matters pertaining to his or her status as a student of the District.

VII. Complaint and Grievance Procedure

A. Optional Informal Complaint

1. Talk to the individual who is causing the problem in an effort to bring about an end to the harassment.
2. Write a letter to the individual, describing the incident(s) and request an end to the harassment.
3. Bring a friend as an observer to the meeting with the individual, describe the incident(s) and request an end to his/her actions.
4. If the individual perpetrating the sexual harassment is not approachable, meet with the individual's supervisor. If it is a student who is harassing, talk to the Dean, Student Services, or Vice President, Student Services.

B. Informal Grievance Procedure

1. Complaints Against Students
2. Follow procedure as outlined in Student Handbook (see Guidelines for Students and Student Organizations). Questions regarding the complaint procedure against students should be directed to the Dean, Student Services.
3. Complaints Against Non-Students
File a written complaint with the Affirmative Action Officer within 120 calendar days following the occurrence of the event(s) on which the complaint is based. The written complaint must be detailed and shall include:
 - a. a description of the events in question;
 - b. dates of occurrence;
 - c. name(s) of individual(s) involved;
 - d. remedy sought (optional).
3. The Affirmative Action Officer shall investigate the complaint and submit a report of findings to the complaint within fifteen (15) calendar days of the date the complaint was received. The investigation shall include, but not be limited to, questioning witnesses, interviewing grievant(s) and respondent(s).
4. Within fifteen (15) calendar days following the receipt of the Report of Findings prepared by the Affirmative Action Officer, the complainant may file a REQUEST FOR HEARING (see attached form) with the District President. Forms are available in the Human Resources Office, the Student Services Office and with the Affirmative Action Officer. If the Request For Hearing form is not filed during the period prescribed herein, the case will be considered to be resolved.

C. Formal Grievance Procedure

1. Upon receipt of the Request For Hearing form, the District Superintendent shall appoint a panel of not less than three (3) nor more than five (5) staff members to conduct the hearing. The hearing shall begin within fifteen (15) working days following receipt of the Request for Hearing form by the District President.
2. The findings of the Hearing Panel shall be reported to the complainant by the District Superintendent in writing within ten (10) working days following conclusion of the deliberations of the Hearing Panel.
2. If the complaint is not resolved to the satisfaction of the complainant through the Complaint And Grievance Procedure provided for in these regulations, the complainant may appeal to:
 - a. Riverside Community College District Board of Trustees
 - b. Chancellor, California Community Colleges
 - c. U.S. Department of Education, Office for Civil Rights.

D. Savings Clause

If there exists any applicable law or any applicable rule, regulation, or order issued by governmental authority other than the District which shall render invalid or restrain compliance with or enforcement of any provision of this policy, such rule, regulation or order shall take precedence over this policy. Such invalidation of a part or portion of this policy shall not invalidate any remaining portions that shall continue in full force and effect.

E. Disciplinary Action

If the evidence discovered in the investigation or hearings provided for in these regulations is found by the District to warrant consideration for any form of disciplinary action of any employee or student, such disciplinary action shall be administered in accordance with existing rules, regulations and policies of the District and the appropriate laws of the State of California.

REQUEST FOR HEARING
Riverside Community College District
Riverside City College
COMPLAINT OF UNLAWFUL DISCRIMINATION OR SEXUAL HARASSMENT

NAME _____ DATE _____
(Please Print)

ADDRESS _____
Street or P.O. Box City _____ Zip Code _____

RESIDENTIAL PHONE NO. (____) _____ MESSAGE PHONE NO. (____) _____

I WISH TO COMPLAIN AGAINST:

Name of person, college, program, or activity _____

Address _____

WHAT IS THE BASIS FOR YOUR CHARGE: (Please check only those which apply)

_____ Age	_____ Sexual Harassment	_____ Physical Disability
_____ Sex	_____ Religion	_____ Mental Disability
_____ Color	_____ Ethnic Group Identification	

WHAT ACTION(S) WAS TAKEN AGAINST YOU TO CAUSE YOU TO FILE THIS COMPLAINT?

(Use additional pages, if necessary)

DATE(S) OF ACTION(S) _____

If there is anyone who could provide more information regarding this, please list names, addresses, and phone numbers:

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
_____	_____	_____

REMEDY SOUGHT (OPTIONAL) _____

I certify that his information is correct, to the best of my knowledge.

Signature of Complainant

RIVERSIDE COMMUNITY COLLEGE DISTRICT
Regulations for Policy No. 3100/4100/6100
Prohibition of Sex Discrimination

A. Prohibition of Sex Discrimination

1. Admission to classes shall not be made on the basis of sex. No preference shall be given on the basis of sex, by ranking applicants separately on such basis, and no test shall be administered which has a disproportionately adverse effect on persons on the basis of sex.
2. No rule shall be applied concerning the actual or potential parental, family or marital status of a student or applicant that treats persons differently on the basis of sex.
3. Pregnancy, childbirth, termination of pregnancy and disabilities related thereto shall be treated in the same manner and under the same policies as any other temporary disability or condition.
4. No person shall on the basis of sex be excluded from participation in or denied the benefits of any academic, extracurricular, research, occupational training program or activity.
5. All toilet, locker room and shower facilities provided for students of one sex shall be comparable to facilities provided for students of the other sex.
6. No counselor shall discriminate against any person on the basis of sex in the counseling or guidance of students or applicants for admission, and no course shall be offered separately on the basis of sex, including health, physical education, industrial, business, vocational, technical, home economics, music and adult education courses.
7. Title IX does not prohibit the grouping of students in physical education classes by ability as assessed by standards of individual performance developed and applied without regard to sex. The law further does not prohibit the separation of students by sex within physical education classes during participation in rugby, wrestling, boxing, ice hockey, football, basketball and other sports, the majority activity of which involves bodily contact. The District may operate separate teams for members of each sex where selection is based on competitive skill or where the activity is a contact sport, providing sufficient members of the particular sex indicate interest in a separate team.
8. No student shall be discriminated against or excluded from any educational program, including extracurricular activities, on the basis of such student's pregnancy, childbirth, false pregnancy, or termination of pregnancy, but the District may require the student to obtain a physician's certificate that the student is physically and emotionally able to participate in the normal education program, so long as other students with disabilities are required to submit a physician's certificate.
9. Where a District operates intercollegiate, club or intramural athletics, there shall be equal athletic opportunity for members of both sexes. While the aggregate monetary expenditures need not be equal, the provision of equipment and supplies, scheduling of games and practice time, quality of coaching and academic tutoring, compensation of coaches and publicity, must be substantially equal.

10. There shall be no discrimination in recruitment, hiring, promotion, consideration for tenure, demotion, transfer, layoff, and application of nepotism policy, as to any employee based on sex.
11. There shall be grievance procedures providing prompt resolution of complaints of students and employees alleging any violation of the provisions of Title IX.

B. TITLE IX: Grievance Procedure for Student and Employee Grievances Relating to Matters Involving Discrimination on the Basis of Sex

1. A grievance must be stated in writing and presented to the District's Title IX Compliance Office.
2. The Title IX Compliance Officer will review the matter with the parties involved and issue a decision within seven (7) days of the filing of the grievance.
3. If the matter has not been resolved to the grievant's satisfaction, she/he may request a hearing. Such a request must be submitted to the District President in writing. The President will appoint a panel of three (3) staff members to hear the case. The results of the hearing will be reported to the grievant within fourteen (14) days of the filing of the request for a hearing.
4. Further appeal is available to the Riverside Community College Board of Trustees and to the U.S. Department of Education, Office for Civil Rights.

March 18, 1985

RIVERSIDE COMMUNITY COLLEGE DISTRICT
DRUG-FREE WORKPLACE

It shall be the policy of the Riverside Community College District, in order to comply with the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990, to provide a drug-free workplace for its employees. The unlawful manufacture, distribution, dispensing, possession or use of any controlled substance in the workplace, including but not necessarily limited to any building, property, facility, or satellite center of the District, is strictly prohibited. Violators of this policy shall be disciplined.

Recommended: _____

Submitted to Board for First Reading _____

Approved by Board _____

RIVERSIDE COMMUNITY COLLEGE DISTRICT

Regulations for Policy 3115/4115, Drug-Free Workplace

I. Regulations

In order to establish and maintain a drug-free workplace, the Riverside Community College District has developed the following regulations to implement the Drug-Free Workplace Policy adopted by the Board of Trustees.

- A. The unlawful manufacture, distribution, dispensing, possession or use of any controlled substance in the workplace is strictly prohibited.
- B. Pursuant to the Federal Drug-Free Workplace Act, employees must notify the District “of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.” This Act also requires that the District notify the federal contracting or granting agency within ten (10) days of receipt of notice that an employee has been convicted of any criminal drug statute for a violation occurring in the workplace.
- C. Pursuant to both the federal and state Acts, continued employment is expressly conditioned upon employee compliance with the terms and conditions of the District’s Drug-Free Workplace Policy and these regulations. Any employee who fails to comply shall be subject to disciplinary action, up to and including termination.
- D. Pursuant to the Federal Drug-Free Workplace Act, the District is legally required to, within thirty (30) days of receiving notice that an employee has been convicted of any criminal drug statute for a violation occurring in the workplace, discipline the employee and/or require that the employee satisfactorily participate in a drug abuse assistance or rehabilitation program.

1. In light of the above, conviction of any criminal drug statute for a violation occurring in the workplace shall be grounds for disciplinary action up to and including termination for a first offense.
2. In the event that the District, at the District's sole discretion, decides to impose discipline short of termination in response to a conviction of any criminal drug statute for a violation occurring in the workplace, the District may require that the employee satisfactorily participate in a drug abuse assistance or rehabilitation program as a condition of continued employment.

II. Implementation

Implementation of the District's Drug-Free Workplace Policy shall include the following steps:

- A. Notification to employees of the District's Drug-Free Workplace Policy and its provisions.
 1. All new and existing employees will be provided with a copy of the District's Drug-Free Workplace Policy.
 2. The District's Drug-Free Workplace Policy will be distributed to all employees following any revisions to the Policy or the regulations.
 3. Acknowledgement of receipt of the District's Drug-Free Workplace Policy shall be signed by each employee and maintained in his/her personnel file.
- B. Establishment of a drug-free awareness program to inform employees of:
 1. The dangers of drug abuse in the workplace;
 2. The District's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 4. The penalties that may be imposed upon employees for drug abuse violations.
- C. The following programs, intended to inform employees of the dangers of drug abuse in the workplace, are available to all employees:
 1. Twelve Step programs are available on campus including Alcoholics Anonymous and Narcotics Anonymous.
 2. Campus Awareness System- a 24-hour audio tape system is available. Several pre-recorded messages related to substance abuse and recovery are provided. The available topics and three digit codes for this system are available in the District's Health Services Office. Employees may call (909) 684-0047 to access the system.
 3. Red Ribbon Week- held in October and sponsored by ASRCC promotes a drug-free lifestyle. Week-long events include inviting speakers from community agencies, and combining a drug-free message to the community through popular events like the blood drive and Halloween Town. Red Ribbons are given to faculty, staff, and students to wear for the week signifying their support of a drug-free environment.

4. Participation in the American Cancer Society's Great American Smokeout program.
5. Activities for Alcohol Awareness Week each March.
6. HIV Prevention activities incorporate education about substance abuse related to HIV.
7. Employee assistance is available through drug counseling, rehabilitation, and the District's major health care providers. Individuals requiring such support may contact the District's Health Services Office or contact the office of their individual medical insurance carrier. The District's Health Services Office provides referrals related to chemical dependency.