

Employment – Existing or Non-Vacant Positions Procedure	Procedure Number	6.1.3P
	Effective Date	April 2, 2014

1.0 PURPOSE

In accordance with Board Policy 6.1 Employment, the purpose of this procedure is to outline employment notification and transfer for non-vacant positions.

2.0 REVISION HISTORY

Adopted on: 4/2/14

3.0 PERSONS AFFECTED

All employees of the College are subject to the procedures.

4.0 DEFINITIONS

- A. *Regular positions* – Regular positions are positions for which the College has a routine and on-going need for, as opposed to an intermittent or temporary position. The anticipated duration of institutional need for regular positions is more than six (6) months.
- B. *Intermittent positions* – Intermittent positions are positions for which the College does not have a routine and on-going need. Intermittent positions are usually temporary in nature. An Adjunct Faculty position is considered an intermittent position.
- C. *Contracted employees* – Contracted employees are those who have an employment contract with the College which provides the employee a continued employment expectation for the duration of the contract.
- D. *At-will employees* – At-will employees do not have a contractual relationship with the College. For at-will employees, either the College or the employee may terminate the employment relationship at any time, and for any reason or without reason.
- E. *Temporary appointment* – A temporary appointment is one in which the employee is placed into the position on a temporary, rather than an on-going basis. The appointment is temporary when the position is being filled based upon an emergent need identified in LCCC policy or procedure.

5.0 PROCEDURES

A. Contracted Employee Contract Notification

In accordance with Policy 6.1 and Procedure 6.1.1P Employment, certain employees at LCCC are employed under a contractual relationship. Contracted employees will receive their initial contract at time of hiring. If during the contract period LCCC determines in its sole discretion that the College will not be offering a new contract to the contracted employee at the

conclusion of the existing contract, LCCC will make reasonable efforts to notify the contracted employee at least three (3) months prior to the existing contract conclusion date that the employee's employment with the College will conclude at the end of the contract period and that no new contract will be offered. LCCC's failure to notify the contracted employee that it is not offering the employee a new contract shall not be construed as a promise of continued employment or a new contract after the end of the contract period then in effect.


If additional employment is offered through a new contract, the new contract will be mailed out prior to the conclusion of the existing contract period for the employee's consideration. If the employee accepts the new contract, the employee is required to return the contract, signed and dated within thirty (30) days from the date the contract is sent to the employee. If the employee chooses not to submit his or her employment contract by the required return date, the President shall interpret this as the employee's decision not to enter into another employment contract and employee's employment shall conclude at the end of the existing contract period. A contracted employee will not be allowed to work without having a signed contract on file in the Human Resources Office.

B. Adjunct Faculty Appointments

In accordance with Policy 6.1 and Procedure 6.1P Employment, adjunct faculty are hired through intermittent appointments. Prior to the start of a class in which an adjunct faculty member will teach, the College will issue an adjunct faculty appointment letter denoting the course(s) to be taught, total compensation, and other specifics pertaining to the appointment. An adjunct appointment is effective as of the start date specified within the appointment, however if the student enrollment is insufficient to run the assigned course(s) and the course is cancelled, the appointment becomes null and void. The adjunct employee is not entitled to remuneration for any work prior to the start date specified within the appointment. If the enrollment is not sufficient to maintain the course, the potential adjunct will be notified by the Dean of the school or his/ her staff prior to the start of the first class day. The term of the adjunct appointment once effective, is from the start date identified through either the date all final grades are entered or the end of the semester, whichever comes first. During the term of the adjunct appointment, adjunct faculty are at-will. Adjunct faculty are not eligible for benefits.

C. Administrative Transfer

Based upon institutional need for stability or to best serve the needs of the College, an administrator, subject to final approval of the President, may transfer an employee of the College to a new, modified, different or vacant position without going through the formal search and selection process so long as the transfer does not result in a promotion in wage or title for the employee. This appointment shall be on an ongoing basis rather than an intermittent or temporary appointment.

REQUIRED APPROVALS	NAME/SIGNATURE	DATE
Originator(s) Name(s)	Peggie Kresl-Hotz, Human Resources Executive Director Debb Roden, Legal Counsel	1/14/14
Approval by President's Cabinet		1/21/14
Ratified by College Council	Kari Brown-Herbst, College Council Co-chair	3/17/14
Approval by President (Signature)		4/2/14