



# Student Employee Supervisor's Handbook

Muskegon Community College

Student Employee Office

Muskegon Community College is an equal opportunity institution and does not discriminate on the basis of race, color, religion, sexual orientation, political persuasion, gender, age, national origin, weight, height, marital status, or non-disqualifying disability in any of its educational programs and activities, including admission and employment.

Developed 7/2/2007

# Introduction

Dear Student Employee Supervisors:

We present to you the Student Employee Supervisor's Manual, which includes policies, procedures, and sample forms. Please keep this handy as a reference guide in your office. If it does become misplaced, it can be found on the Faculty and Staff homepage.

We would like to thank all student supervisors for your contribution to establishing the foundation for tomorrow's workforce.

The Student Placement/Financial Aid Office

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## Types of Student Placement

There are two part-time Student Placement programs at Muskegon Community College: The Federal College Work-Study (Student Employee) Program (also known as FCWS, FWS, or CWS) and the Institutional Work Program.

### Federal College Work-Study (Student Employee) Program

Provides jobs for students on campus who qualify for financial aid, who has established financial need, and who are enrolled at least half-time (6 credit hours). The standard award allows the student to work no more than 20 hours per week, given that the amount earned does not exceed determined need.

### Institutional Work Program

Provides all currently-enrolled students part-time jobs on campus regardless of his/her financial need and are enrolled at least half-time (6 credit hours).

NOTE: ALL students must apply for FAFSA (Free Application for Federal Student Aid) before being considered for either program.

## The Federal College Work-Study (Student Employee) Program

### PURPOSE

The primary purpose of the Federal College Work-Study (Student Employee) Program is to stimulate and promote the part-time employment of students who have financial need. Financial need is calculated by the FAFSA (Free Application for Federal Student Aid). All students must complete the FAFSA in order to participate in this program.

### GOVERNMENT REGULATIONS

- ✧ Employment under the work-student (student employee) program must not result in the displacement of employed workers or impair existing contracts for service. Employers are cautioned against the use of students in jobs that traditionally and customarily have been filled by

full-time personnel from outside the institution. It is the intent of the program to create new job opportunities.

- ✧ In the event that more students are eligible for Student Placement than funds available, the Student Placement/Financial Aid Office *must give preference* to those students who *demonstrate the greatest financial need* and have the *earliest financial aid applications on file*.
- ✧ Positions under the student employee program must be free of political involvement.
- ✧ Any student employed under the student employee program must be paid for all hours worked in the student employee position. The Fair Labor Standards Act of 1938, as amended, prohibits a covered employer (including education institutions) from accepting voluntary services from paid positions.
- ✧ A student **may not earn more** than their **demonstrated financial need** OR **work more than their eligible hours**. The College is liable for any dollar paid to a student over need.
- ✧ If you have any questions regarding these or other regulations, please contact the Student Placement/Financial Aid Office at 231.777.0236.

## Student Eligibility

In order to be eligible for the Federal College Work-Study (Student Employee) Program **ALL** students **MUST**:

- ✧ apply for Federal Financial Aid by completing the FAFSA (Free Application for Federal Student Aid at [www.fafsa.ed.gov](http://www.fafsa.ed.gov) by the end of the first pay period.
- ✧ demonstrate financial need determined by Muskegon Community College and information obtained from the FAFSA.
- ✧ *possess and maintain* a minimum 2.0 grade point average. If a current student employee fails to maintain the minimum 2.0 grade point average, he/she will be given one semester to bring up the overall GPA to 2.0 before employment is terminated.
- ✧ be enrolled at least half time (6 credit hours or more) per semester.

Keep in mind that these are the basic requirements for student eligibility. Many students may fit these definitions, but due to funding limitations, may not be awarded CWS. In order to receive full consideration for financial assistance, completed applications must be on file at the College by the following dates:

**Deadlines**

FALL SEMESTER..... May 1  
WINTER SEMESTER..... October 1  
SPRING/SUMMER SESSIONS..... March 1

Applications received after these dates will be considered on a first-come, first-served basis, if funds are available.

Most financial aid is awarded for only one academic year at a time. Students must submit new applications in order to receive consideration in a subsequent year.

Students who plan to work during summer semester should complete a new financial aid form (for the next year) in **February**. They must be enrolled in six (6) credit hours and have a 2.0 GPA (ALL students).

**Requesting and Reinstating a Student Employee**

Complete a *Student Placement Request Form* (Appendix A) every April and return it to the Student Placement Office promptly. This will inform the Student Placement Office of your student employee needs for summer and fall, as well as informing them of which students will or will not continue to work. Students will be referred to you based upon these requests and in the order in which your request is received. If your needs change during the year, notify the Student Placement Office.

It is important to have a *Student Employee Position Description* (Appendix B) listed with the Student Placement Office. (DO NOT assume that the Student Placement Office knows what skills or working hours you require, or that you are seeking replacements for terminated student employees.)

During your initial interview with a student, determine if the student can meet your long-term needs. Make sure to emphasize that the student's education comes first. If students are hired to work specific, difficult-to-fill hours (mornings, evenings, lunch coverage, etc.), they should understand that they will be expected to schedule their future classes so that they continue to work

these hours. (You are under no obligation to continue their employment if they cannot cover the hours they were hired to work.)

It is important that even though this program is known as a “*Work-Study*” program, it does not mean that students are allowed to **ONLY** study while at work. It means that they are being **PAID to work** and gain valuable work experience. Supervisors are asked to make sure that there is plenty of projects for the students to do while at work **OR** see if there is another department that could use some assistance from your student employees.

## Applying for and Obtaining Student Placement

### APPLICATION FORMS FOR THE STUDENT EMPLOYEE PROGRAM

A student applying for Student Placement must submit a FAFSA (Free Application for Federal Student Aid). Students must reapply every academic year by completing the FAFSA. If a student wishes to work during the summer semester, he/she must register as early as possible for summer term. No separate application is required.

Once a student has been awarded for the Student Employee Program, they will need to come to the Student Placement/Financial Aid Office to obtain a “*Student Employee Referral*” form (Appendix C). This form is the official approval form for students seeking a student employee position.

*Student supervisors may not interview a student or otherwise consider them for a position if the student does not have the referral form in hand. Please be aware that the financial aid office **CANNOT AWARD** CWS to a student “on demand.” In addition, the financial aid office cannot maintain a list of students looking for work, nor can it refer students to particular departments for specific time slots.*

If the student loses the referral form, he/she may come to the Student Placement/Financial Aid Office and request a reprint through the staff member handling student employees.

Once the student has interviewed and is hired, a *Student Employee Authorization* (Appendix C) form will be sent to the supervisor and must be completed by the supervisor and returned to the Student Employee Coordinator in the Student Placement/Financial Aid Office **before the student can “start” working**. A copy of the form will also be sent to the payroll office.

Students must have **all** their payroll paperwork **completed before** we send the authorization form. See page 12 for list of necessary paperwork that must be completed. Students are **not allowed to begin working** until the paperwork has been received within the Student Placement/Financial Aid Office.

Student employees are also required to sign a “*Student Employee Confidentiality Agreement.*” (Appendix D) A copy of this form will be placed within the student’s folder, student receives a copy, and the supervisor receives a copy.

### PROCEDURES FOR REQUEST OF STUDENT EMPLOYEES ALLOCATIONS

The total number of positions allocated each year depends greatly on the amount of funding available to the College. Departments who desire student employee positions should submit a *Student Employee Position Description* for the position(s) to the Student Placement/Financial Aid Office. Additional allocations may not be granted due to budgetary constraints, and current allocations may be reduced prior to fall, winter, and summer terms. Departments **may not hire more** students than the number of allocations for that term.

### RETURNING STUDENTS

Returning students requesting student employment for fall, winter, and summer semesters are generally reassigned directly to the same department they worked for during the previous year, given *that they are requested back by the department*, and they complete the application process in a timely manner. Departments *must* request returning students each fall, winter, and summer semesters. The Student Employee Coordinator will send out a memo requesting the names of the students they wish to return or whom they need to replace.

### PROBATIONARY PERIOD

It is suggested to establish a two-week probationary period for new student employees. That way, you are under no obligation to continue a student’s employment if their initial work performance is unsatisfactory. Do a written Evaluation Form (Appendix E) for each student employee stating what things they do well and where there are improvements that could be made. Appendix F is an Evaluation Criteria Supplement

## Wages/Time Sheets

Every student must be paid minimum wage (currently \$7.15 per hour). At minimum wage, students are able to work no more than 20 hours per week. Some students may work less depending on their financial need determined by the financial aid office.

It is recommended that you ask your student employee(s) to stick to a regular schedule so their time at work can be closely monitored to avoid an “*overworked*” situation. Students are not allowed to work when classes have been cancelled or during scheduled class time – they need to work only during their scheduled hours.

If a student exceeds the maximum allowable hours in a given semester, the supervisor will be notified that the student **MUST** stop working **IMMEDIATELY** until further notice. The College is held liable for any wage earned over the student’s CWS award amount.

Conversely, unused work-study earnings cannot be carried over from one term to the next. Any Federal College Work-Study funds not earned are lost to the student for that employment period. Unearned work-study funds will not be made up by other sources of aid.

Wages only increase at the time of the State increase of the minimum wage. The next minimum wage increase is scheduled for July 1, 2008 at the rate of \$7.40 per hour.

All timesheets must be signed by the supervisors and verified that the students indeed worked the hours that are stated on the timesheet. Supervisors signing a timesheet that show hours that were not worked may lose the privilege of having student employees.

Appendix G shows how timesheets should be filled out:

1. Timesheets must be filled out clearly with no scribbling on it
2. Timesheet should be of the appropriate time period
3. Must show beginning and ending times
4. Must be totaled by the student employee and checked by the supervisor for accuracy
5. Must be signed by the student employee and supervisor
6. It is **HIGHLY** recommended that the supervisor be the last person to touch the timesheet prior to them being submitted in Room 114
7. A copy of the hours worked should be kept within the department to ensure student employees do not work over their scheduled amount of hours awarded by the Financial Aid Office

8. Timesheets are generated by the Business Office or the Student Placement/Financial Aid office ONLY. Supervisors should not create their own timesheets for their student employees.

## Supervision, Guidance and Evaluations

Supervision of student employees is the responsibility of the department that employs the students. Please remember that student employees are not full-time employees. For many, this is their first job experience, and it needs to be a learning process. Supervisors are encouraged to communicate with Student Placement when necessary regarding issues of supervision.

We recommend having regular meetings with your student employees and conducting periodic performance evaluations. This will not only help you to foster quality student employees, but it also assist the student in developing skills which will be critical after college graduation. For resources on interviewing, hiring, and evaluating personnel, refer the student to the Student Placement/Financial Aid Office.

The Student Placement/Financial Aid Office has developed a Student Employee Guide, which is available on the financial aid website at <http://www.muskegoncc.edu/pages/1908.asp> under “Student Placement.” This guide summarizes basic rules of conduct for student employees. Please refer to this and give it to all students in your employ.

## Warnings and Terminations

Students should be given frequent feedback to let them know when they are doing a good job (or bad).

- ✧ Give student a documented (Appendix H) verbal warning if his/her work performance becomes unsatisfactory.
  - In your verbal warning, you must specifically tell the student which aspects of his/her work performance are unsatisfactory.
  - You must also state that if the student’s work performance remains unsatisfactory, a written warning will be given, followed by possible employment termination.
  - Verbal warnings are to be given in a confidential manner, although you and/or the student may wish to have a third party present.
  - Contact the Student Placement/Financial Aid Office for assistance.

- ✧ Give student a written warning if his/her work performance remains unsatisfactory (Appendix H).
  - The written warning must specify which aspects of his/her work performance has remained unsatisfactory and any new problems which have occurred since his/her verbal warning.
  - It must further state that the student's employment will be terminated immediately if there are future occurrences of a specific problem, or if the work performance does not improve by a certain date.
  - Student must be given the chance to make his/her own written, signed response to the written warning. (Students may contact the Student Placement/Financial Aid Office to appeal his/her termination and/or seek other on-campus employment.)

## STUDENT RESIGNATION OR TERMINATION

Notify the Student Placement/Financial Aid Office if any of your student employees quit or are terminated. If a student is terminated, a copy of his/her written warning must be forwarded to the Student Placement/Financial Aid Office (Appendix H).

## Termination for Serious Infractions

Certain infractions, such as falsification of timesheets and breach of confidentiality, are considered serious and should be investigated at the departmental level, put into writing, and submitted to the Student Placement/Financial Aid Office. Students who commit serious infractions of the employment policy are subject to judicial action at the College level and criminal prosecution at the U.S. Department of Education level. In these and many other cases, the Financial Aid office has the right to cancel the student's work study award.

It is EXTREMELY important that Student Placement/Financial Aid Office is notified in case of serious violations of policy. If you have any questions or are unsure about what is classified as a serious violation of policy, please contact the Student Placement/Financial Aid Office.

## Institutional Student Employee Program

Institutional, or on-campus, employment is funded totally by the hiring department. Students who are not receiving financial aid are permitted to work an “institutional” job.

Refer back to pages 6 – 8 regarding student employees. The criteria within these pages are the same as the Federal College Work-Study Program and must be followed.

## Employment Documents

The following are required employment documents for both Federal College Work-Study and institutional student employees. These documents **MUST BE** submitted to the Student Placement/Financial Aid Office prior to the student employee beginning work. Students may begin working when they have **RECEIVED** a timesheet. Liquid paper or white out is not allowed on any payroll documents including timesheets.

1. **Employment Eligibility Verification (Form I-9):** This form is used to verify the student’s eligibility for employment in the United States. It is to be completed only by students who are new to the Muskegon Community College payroll system. Students must bring their picture ID and Social Security Card to complete this form.
2. **Federal W-4 Form:** The Federal W-4 form need only be completed by students who are new to Muskegon Community College payroll system. Students who claim to be exempt from Federal income tax should submit a new W-4 by February 15th of each new calendar year that they are employed.
3. **Michigan MI-W4 Form:** The Michigan W-4 form is required by the State of Michigan on all students who are new to Muskegon Community College payroll system. This will verify the student’s number of withholding exemptions.
4. **City of Muskegon – MW-4:** The City of Muskegon MW-4 is required by the City of Muskegon on all students who are new to Muskegon Community College payroll system.

5. **Direct Deposit** – It is highly recommended that students use the direct deposit method. This paperwork must be turned in by **second pay period**.

**Timesheet:** The timesheet must be completed for each payroll period (every two weeks) and submitted to the Business Office, Room 114, by the deadlines established. Students can pick up their first and second timesheet at the time all paperwork is received and processed by the Student Placement/Financial Aid Office.

- ✧ All required paperwork is due the Monday prior to the Friday timesheets are turned in. Remember that all timesheets **must** arrive in the Business Office, Room 114, on or before the Friday due date by **12 p.m.** or the student **will not** get paid until the next payroll period.

### Definition of Student-Employee – For Tax Purposes

The Internal Revenue Code defines a student employee as one "who is enrolled and regularly attending classes" at the University (IRC section 3121(b)(10)). [Internal Revenue Notice 2004-12 Section 7. Definitions](#) provides guidelines for schools to aid in determining whether an employee qualifies as a student. The Notice generally provides that an individual who is either a half-time undergraduate or half-time graduate student at the University and who is not a "career employee" will be considered as regularly attending classes and therefore eligible for the student employee exception. In general, a "career employee," at the University is an individual who is eligible to participate in the State Employee Retirement Plan, the Optional Retirement Plan, or is eligible for tuition remission (other than as a teaching or research assistant). Some of the key factors that need to be considered to determine if a student is enrolled at least half time include the following:

- ✧ The determination of a student's half-time status is made at the end of the "add/drop" period.
- ✧ An undergraduate student is considered to be enrolled at least half time if the student is enrolled at least half time under Department of Education regulations. Under Department of Education regulation 34 C.F.R. Section [674.2, Section 7. Definitions](#), an undergraduate student must carry a half-time academic workload as determined by the University which amounts to at least half the workload of a full-time student. The University's half-time academic workload standard generally must equal or exceed six credit hours of enrollment in any academic semester. The six credit hour minimum appears to apply not only to the spring and fall terms, but also to any summer sessions.

- ✧ A graduate student is considered to be enrolled at least half-time if the student is enrolled at least half time under the University's own internal standards and practices. This rule appears to apply not only to traditional academic terms, but also to the sessions between the traditional academic terms.
- ✧ Any student, graduate or undergraduate, who is in their last semester of a course of study, and who is enrolled in the number of credit hours needed to complete the requirements for obtaining a degree will generally be deemed to be half-time -- regardless of the number of credit hours.
- ✧ The student employee exception does not apply to services performed by an individual who is not enrolled in classes during school breaks of more than five weeks. For example if a student does not attend summer school at the University and is employed during the Summer by the University -- such an individual would not qualify for the student exception and the University would generally be required to enroll the student in the mandatory alternate retirement plan (Copeland) and withhold Medicare taxes.
- ✧ The student employee exception does apply to services performed by an individual who is not enrolled in classes during school breaks of five weeks or less, provided that the individual qualifies as half-time on the last day of classes or examinations preceding the break and is eligible to enroll in classes for the first academic period following the break.
- ✧ The above rules generally do not apply to postdoctoral students, postdoctoral fellows, medical residents, or medical interns.

## Employment of International Students

Positions on campus for international students in F-1 visa status are usually permissible if it meets certain requirements. Check with the Coordinator of International Students Programs, Room 101-B, for requirements and procedures governing the authorization of on-campus employment. Be sure to check with that office to hire an international student between academic terms or during holiday periods.

## Simple Procedures to Request a Student Employee Student Each Year

1. Submit a *Student Employee Position Description* to the Student Placement/Financial Aid office.
2. Meet with the *Student Placement Supervisor* in the Student Placement/Financial Aid office.
3. Interview interested students and select a student employee.
4. Complete *Student Employee Referral Form* for each student hired. This form establishes a working relationship for the entire academic year.
5. Train student employees in duties and responsibilities required.
6. Monitor student employees. Student should be monitored with regard to quality of work performed, punctuality, and hours worked.
7. Students **may not** proctor or grade tests of other students.
8. Ensure hours recorded on timesheet are correct. If correct, sign and submit them to the Business Office. (Student signature is necessary.)
9. Adhere to payroll schedule provided by the Business Office.
10. Timesheets must be submitted promptly. Students who work during any given pay period, should have timesheets submitted on the **next immediate** submission date listed on the payroll schedule.
11. Timesheets **may not** be hand delivered by students. They may be sent through inter-campus mail, or they may be hand-delivered by faculty or staff. They should be completed in ink, and double-checked for accuracy. By signing timesheets, you are attesting to the accuracy of the time reported.
12. The last timesheets for any given term are due as indicated on the payroll schedule.
13. It is **your responsibility** to know when your student has completed his/her hours. Your referral form indicates the total award and the term. If your student is getting close to using all his/her time, and you need more assistance, contact the Student Placement/Financial Aid office.

14. We want the student employee experience at Muskegon Community College to be positive for faculty, staff, and students. With your help, we know this can be accomplished.

DO NOT HESITATE TO CONTACT THE STUDENT PLACEMENT/FINANCIAL  
AID OFFICE IF YOU HAVE ANY QUESTIONS.

## Equal Opportunity and Non Discrimination Policy

This information is taken directly from the Student Handbook – pages 55 – 60.

### Prohibited Activity and Complaint Procedure

#### I. Sexual Assault

Muskegon Community College treats all matters of sexual assault with the highest concern and seriousness. MCC personnel will encourage the victim to report all offenses to the appropriate authorities and to actively seek assistance and/or counseling. If you have been sexually offended in any way, you should contact the security department immediately at 231.777.0315. College personnel will give full and prompt cooperation to report the assault to local law enforcement authorities. The victim may pursue all remedies or services without academic penalty or coercion in any way by the College or College personnel.

The victim may request that the College list options for changes in academic or working situations after an assault has occurred if it is reasonably available.

The same rights of representation will be given to the victim as provided to the accused in College disciplinary proceedings.

#### PROCEDURES

Immediately after a sexual assault, the following procedures must be implemented:

- The victim shall notify the security department (231.777.0315) and local authorities.
- The security department will inform the victim of any counseling centers and community crisis centers available for assistance.
- Any necessary medical assistance will be provided using methods and equipment commonly used to preserve evidence.
- The victim will be informed of the rights according to crime victims in general.
- In cooperation with local authorities, evidence will be obtained, secured, and maintained.
- The victim may request MCC to take reasonable action to prevent unnecessary or unwanted contact with the alleged assailant.
- State or federal law may require assault suspects to be mandatorily tested for communicable diseases including notice of the results of the testing.
- If viable, disciplinary actions will follow.

Educational programs for awareness will be scheduled periodically throughout the academic year.

## II. Non Discrimination Policy

It is a violation of the Muskegon Community College policy for any students or employee of MCC while acting in the capacity to discriminate against any other student or employee of MCC on the basis of age, citizenship, color, disability, handicap, height, marital status, national origin, political persuasion, race, religion, sex (including the condition of pregnancy), sexual orientation, veteran status, weight, or other protested categories, and to the extent the law prohibits such discrimination.

Prohibited discrimination includes harassment of an individual based on any of the above categories. Sexual harassment is defined as the behavior of a person of either sex against a person of the opposite or same sex, when behavior fall within the definition outlined below.

### DEFINITION

Sexual harassment of employees and students at Muskegon Community College is defined as any unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status.
- Submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting that individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, educational experience, academic status, or creates an intimidating, hostile, or offensive work or educational environment.

Although this definition focuses on sexual harassment, harassment based on any of the categories listed above which meets the standards outlined is prohibited.

No act of retaliation shall occur to any person making a charge, filing a complaint, testifying or participating in any discrimination investigation or proceedings.

## THE COMPLAINT PROCEDURE

### Complaint

Any employee or student of Muskegon Community College who believes that he/she has been subjected to discrimination, as defined in the policy statement, should report the circumstances by filing a complaint verbally or in writing to:

Equal Employment Opportunity Officer (EEOO)  
Human Resources Department  
Title VI, Title IX, Section 504  
Muskegon Community College  
221 South Quarterline Road  
Muskegon MI 49442  
231.777.0350

There is a form in the office for this purpose. The person filing the complaint is referred to as **complainant** and the accused is the **respondent**.

### Complaint Review

The EEO officer will make every reasonable effort to review and evaluate the complaint within 30 business days of receiving the complaint. Such review may include interviewing and taking statements from the complainant, respondent, and any person who may be a witness to the alleged events and obtaining and reviewing any document or physical evidence that may be relevant. All interviews and information will be confidential except for those with a need to know in the course of the review. The complainant has the responsibility to demonstrate, by a preponderance of the evidence, that the accusation is valid.

After completion of the review process, the complaint may be acted upon as follows:

1. A written agreement resolving the issue signed by the complainant, respondent, and EEO officer;
2. A withdrawal of the complaint in writing by the complainant;
3. A written dismissal of the complaint by the EEO officer for insufficient evidence; and
4. A written finding by the EEO officer that the merit with a statement of the resulting discipline. Should the discipline involve termination of employment or dismissal of a student, the EEO officer will consult with the president prior to any written finding being issued.

## Appeal Process

Either the complainant or respondent may appeal the findings and decision of the EEO officer by filing a written notice of such appeal with the office of the president within 10 business days of receipt of the decision of the EEO officer with a copy of the appeal notice to the EEO officer. (Business days are defined as any Monday through Friday, except for nationally-recognized holidays.)

In the event that an appeal has been made pursuant to the appeal process then no action shall be taken by the EEO officer until the appeal process has been concluded. Under appropriate circumstances, it may be necessary to suspend the respondent from the premises during this process.

Such appeal shall state in detail the reasons for the appeal. The appeal shall be referred to the president and upon receipt by the president of the written appeal, the following steps will be taken:

- A. Within 15 working days, a committee of three full-time MCC employees shall be appointed by the president.
- B. The committee shall elect a chair who will be responsible for setting a hearing date, notifying the parties, and conducting a hearing as outlined in this policy.
- C. The committee shall, in confidence, hear testimony from the complainant, the respondent, and such other parties as the committee may deem essential to reaching a decision on the validity of the accusation. No testimony will be received in the absence of the complainant or the respondent. The right of cross-examination of any testifying person will be available to both the complainant and the respondent, assuming the presence of the same at the hearing. Upon advance written notice, the complainant or the respondent may have an advisor or attorney present.
- D. The hearing will be conducted and completed as soon as practicable, but no later than 30 business days after the appointment of the committee by the president.
- E. Findings of fact and conclusions reached by the Appeal Committee shall be by majority vote, in writing. Within 15 business days after the conclusion of the hearing, the committee shall submit a written decision on the findings of fact and conclusion to the president, the EEO officer, the complainant, and the respondent. The committee's findings shall be accompanied by a recommendation to the president for appropriate action by the president. The president shall make a written decision within 10 business days after receipt of the recommendation. A copy of the president's decision shall be delivered to the EEO officer, the complainant, and the respondent.

If the EEO officer concludes pursuant to Step A or the president concludes pursuant to the appeal process that violation of this policy has occurred then the respondent will be subject to discipline. If the respondent is an employee,

the discipline will be pursuant to the rules and procedures under the applicable Collective Bargaining Agreement, employment contract and MCC policies. If the respondent is a student, the discipline will be subject to the rules and procedures of the due process provisions in the student handbook.

### General Provisions

The timelines specified may be extended by mutual written consent of the complainant, the respondent, and the MCC president.

If a complaint, whether informal or formal is directed against the EEO officer, the functions assigned to the person by these procedures will transfer to the president or his/her designee.

The complainant retains the right to file a complaint with the appropriate external government agencies or may resort to remedies at law.

Any retaliatory action of any kind by any Muskegon Community College employee against any other employee or student of the institution as a result of that person's seeking redress under these procedures is prohibited and shall be regarded as a separate and distinct cause for complaint under these procedures.

Any respondent who is an employee and subject to the provisions of a Collective Bargaining Agreement may request to have a steward present at any step of the investigatory process. A respondent who is an employee but not subject to the provisions of any Collective Bargaining Agreement may contest any discipline by utilizing the procedures set forth in the personnel policy manual for administrative, professional, and support staff. Should a complaint against a student also be covered by the code of conduct for students in the student handbook, the complainant may elect to proceed under the EEO process or the student code process, but not under both.

## Complaints and Grievances

The following person has been designated to handle inquiries regarding the non-discrimination policies:

Diana R. Osborn, Executive Vice President of Administration  
221 South Quarterline Road (Room 1114)  
Muskegon MI 49442  
231.777.0350