



Specially Funded Program Policy

(Effective July 1, 2011)

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Community College District,
Employee Relations
Department

The Maricopa County Community College District does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, handicap/disability, age or Vietnam era/disabled veteran status in employment or in the application, admissions, participation, access and treatment of persons in instructional programs and activities.

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1. ESTABLISHMENT OF SPECIALLY FUNDED POSITIONS

- 1.1.** Specially funded positions are the result of an internal or external funding proposal, or a college or district supported fee-generating program. The policies governing the selection, employment, and benefits specifically for specially funded positions are contained in this manual. Additional benefits applicable to all District employees are contained in the All Employee Policy Manual.
 - 1.1.1.** Externally funded positions are those that are funded through a grant, contracts, or restricted donations.
 - 1.1.2.** Internally funded positions are those that are responsible for the development and administration of programs that are supported by the colleges or the district through fee generation or allocation, unrestricted donations, or charges such as community education and other non-credit revenue producing programs.
- 1.2.** The College President or Vice Chancellor has the responsibility of determining the need for specially funded positions.
- 1.3.** Positions established at fifty-one percent (51%) or more from Current Auxiliary Fund revenues related to contracts with external entities or Current Restricted Funds will be designated on the Job Requisition as "Specially Funded" and governed by the Specially Funded Policy Manual.

2. RESOLUTION OF CONTROVERSY

In the event of a perceived inequity or circumstance that is not covered either by this policy manual or Governing Board policy, an employee shall take the matter directly to the grant administrator within three (3) working days of the perceived inequity. Where appropriate, either party may request the appropriate vice president, administrator or equivalent authority or designee to be used as a resource for attempting to resolve the issue(s). The vice president, administrator or equivalent authority or designee, within five (5) working days after receipt, will advise the employee, in writing, of his/her decision. If the decision rendered by the vice president, administrator or equivalent authority is not satisfactory to the employee, he/she may, within three (3) working days after receiving a reply, request a review by the college president. If the decision rendered by the college president is not satisfactory to the employee, he/she may, within three (3) working days after receiving a reply, request that the appeal be reviewed by the Vice Chancellor for Human Resources or designee. The Vice Chancellor for Human Resources or designee will review the evidence and issue a written decision, which is final. The written appeal and decision will be retained in the employee's District personnel file.

3. EMPLOYMENT

- 3.1.** Hiring qualifications for each authorized position will be established by Human Resources. The individual staff and administrative relationships, general responsibility, and authority will be expressed in the position description.
- 3.2. Job Title and Description**

The Compensation Department will evaluate the job description for the appropriate grade level and will publish a list of Specially Funded Classification Groupings by Salary Grade levels. The President/Vice Chancellor may determine which step in the established salary grade to use for placement.
- 3.3. Posting of Specially Funded Positions**
 - 3.3.1.** Specially funded positions will be posted internally and/or externally.

- 3.3.2. When a specially funded position opens, the Employee Services Department will advertise the opening for a minimum period of five (5) working days.

4. EMPLOYMENT CONDITIONS

- 4.1. The assignment shall normally not exceed one (1) year or grant period.
- 4.2. Specially funded employees will retain their original service date if there is no break in service.
- 4.3. External applicants hired under this policy are "At-Will Employees". As an at-will employee, either the employee or Maricopa Community Colleges may terminate employment without cause upon two (2) weeks notice.
- 4.4. A regular MAT and PSA employee who accepts a specially funded assignment/project will be covered for all the rights and privileges listed in their previous employee group manual.
 - 4.4.1. Prior to July 1, 1982, no Specially Funded Manual existed. Therefore, anyone hired prior to July 1, 1982 is grandfathered to their original manuals of identification. Specially Funded employees hired on or after July 1, 1982 will be covered by the Specially Funded Manual for all rights and privileges.
- 4.5. A specially funded employee, who possesses the requisite job skills and abilities, may be permanently reassigned into a different specially funded position unless otherwise stipulated by the funding agent.
 - 4.5.1. For specially funded positions that require recruitment efforts, a specially funded employee may be temporarily assigned to assume the duties of another specially funded position while recruitment efforts are being conducted. The grant administrator will determine additional salary for the assumption of these duties.
- 4.6. A regular employee serving in a specially funded program will continue to accrue service credit.
- 4.7. **Employment in Addition to an Original Assignment**

A specially funded employee may accept a teaching assignment within the District and will be paid at the visiting staff rate if:

 - 4.7.1. The employee is qualified to teach in the instructional discipline as determined by the District policy.
 - 4.7.2. The teaching assignment does not take place during the normal hours of accountability.
 - 4.7.3. The employee received approval from his/her President/Vice Chancellor.
- 4.8. **Initial Salary Placement**

Salary placement will be made in accordance with the appropriate employee group manual of the applicant. Exceptions to initial salary placement may be made by the respective college president/vice chancellor.

5. COMPENSATORY TIME AND OVERTIME PAYMENT

- 5.1. Overtime must be approved in advance by the appropriate supervisor or administrator.

- 5.2. Eligible employees will be paid overtime when the hours exceed forty in any one-week period. The overtime will be paid after forty hours of compensated time (including sick, holiday, vacation, etc.)
- 5.3. Overtime will be paid at the rate of one and one-half (1 1/2) times the employee's hourly rate of pay or at the compensatory rate of one and one-half (1 1/2) hours compensatory time for each hour of overtime worked as determined by the supervisor prior to the overtime being worked.
- 5.4. Supervisors will be responsible for keeping a record of compensatory time earned and taken for the employees under their supervision.

6. ANNUAL INCREASES

- 6.1. Specially funded employees will not automatically receive the same increase as might be received by regular District personnel. If possible, increases for specially funded employees will be built into the specially funded program and may occur at times other than that for regular District employees. Exceptions can be made by the respective college president/vice chancellor.
- 6.2. The program administrator, with approval from the college president, will initiate paperwork to implement annual increases and extension of assignments. The Grants Accounting Office will approve all assignment changes. All annual increases must adhere to the salary schedule published for the position's grade level.

7. EMPLOYEE BENEFITS

7.1. Flexible Benefits Program – refer to:

<http://www.maricopa.edu/employees/divisions/hr/benefits/coverage/credits>
(for flex credits and rate table)

<http://www.maricopa.edu/employees/divisions/hr/benefits/coverage> (for general information)

7.2. Industrial Compensation

Industrial compensation insurance will be provided to the employee.

7.3. Sick Leave

7.3.1. Each full-time twelve (12) month employee will be allowed 104 hours sick leave per year, accumulative at the rate of 8 hours for each four (4) weeks of service. Full-time employees on a nine (9), nine and one-half (9 1/2), or ten (10) month basis will accumulate prorated sick leave benefits. Employees who work fewer than thirty (30), but twenty (20) or more, hours per week will accumulate prorated sick leave. Specially funded employees who work less than twenty (20) hours per week will not accumulate sick leave benefits.

7.3.2. The College/District may require proof of illness at the determination of the Employee Services Department.

7.3.3. A specially funded employee who is re-employed from one program year to the next will continue to accrue sick leave as provided by the terms of the funding agency.

7.4. Bereavement Leave and Catastrophic Illness/Imminent Death Leave

7.4.1. Bereavement Leave (not chargeable to any other kind of leave), may be used up to but not in excess of 5 working days (40 hours) due to the death of an

employee's spouse/partner, father, mother, grandfather, grandmother, child (including those under employee's legal guardianship), foster child, grandchild, stepchild, sibling, step sibling, stepfather, stepmother, or spouse's/partner's father mother, grandfather, grandmother, or in-laws in any one incident. (Bereavement is paid leave).

- 7.4.2.** Catastrophic Illness and Imminent Death Leave may be used up to but not in excess of 5 working days (40 hours), due to the Catastrophic Illness/Imminent Death of an employee's spouse/partner or family member of the employee or employee's spouse as follows: father, mother, stepfather, stepmother, grandfather, grandmother, child, stepchild, foster child (including those under employee's legal guardianship), brother, sister, grandchild, or in-laws in any one incident. Catastrophic Illness is defined as a sudden illness/injury which is seriously incapacitating such as those that have the potential for permanent disability or extensive hospitalization/confinement or death and requires immediate action. (Catastrophic Illness/Imminent Death is a paid leave separate from any other leave and not chargeable to FMLA.)
- 7.4.3.** The appropriate College President/Vice-Chancellor may, when circumstances warrant, grant Bereavement or Catastrophic Illness/Imminent Death Leave to any employee based upon the Catastrophic Illness/Imminent Death or death of a person other than those listed.
- 7.4.4.** In addition, travel time outside the state, not to exceed five (5) days (40 hours) for Catastrophic Illness/Imminent Death and not to exceed 5 working days (40 hours) for bereavement in any one incident, may be charged against accrued sick leave.

7.5. Personal Time

Personal time, not to exceed four (4) days or thirty-two (32) hours-per year, may be granted for an activity which can be accomplished only on the work day involved. Examples may include assisting a relative in an emergency situation, an appointment with a professional, a funeral, etc. As much advance notice as possible should be given for scheduling purposes. Personal time is not to be used routinely to come in late or leave early from work. Personal time shall be charged to the employee's sick leave account and is not accumulative in nature. Personal leave cannot be carried over to the next contractual year.

7.6. Vacation

- 7.6.1.** Employees hired in specially funded faculty positions or whose external funding source prohibits vacation hours are not eligible to earn vacation. Employees hired in a specially funded position whose external funding source limits the number of vacation hours, will only be entitled to the number of vacation days provided by the external funding source contingent that the funding source has the funds to pay the incumbent. Otherwise, no vacation will be accrued.
- 7.6.2.** Beginning January 1, 2007, specially funded employees will accrue the same number of vacation days and have the same vacation carryover rules as their counterparts in a regular Board-Approved Policy Group contingent that the funding source has the funds to pay the incumbent. Otherwise, no vacation will be accrued. Employees in these positions are eligible to rollover unused vacation hours into the next year. Specially funded employees whose employment is terminated or those who separate will be paid at the time in which the separation/termination occurs.

7.7. Holidays

District holidays will be observed for all specially funded personnel when it does not adversely affect their project responsibilities and/or the funding agency's requirements. Specially funded employees must be in a paid status the day before and the day after the holiday to receive holiday pay.

7.8. Leaves of Absence

7.8.1. Family Medical Leave (FMLA) – refer to:

<http://www.maricopa.edu/employees/divisions/hr/benefits/coverage>

The leave may be a paid or unpaid leave based upon the employee's accrued time available. Accumulation of accrued time will continue while the employee remains in a paid status. Accumulation of accrued leave will cease when the employee goes into an unpaid status but previously earned benefits will be held in suspense for the employee. An employee who is granted a Leave of Absence under FMLA will return to the position which he/she left or an equivalent position, unless the funding has been depleted prior to employee's return to work. The District will continue to pay the flexible benefits for the insurance coverage selected by the employee during the Family and Medical Leave.

7.8.1.1. For the duration of Family and Medical Leave, employees will not seek, nor be employed in outside employment during their hours of accountability. The Vice Chancellor for Human Resources or designee may grant exceptions for extenuating circumstances for individuals adversely affected by these provisions. In addition to the above, any service contract with MCCCCD will be canceled until the employee returns to work.

7.8.2. Leave Without Pay

Leave without pay will be at the discretion of the College President/Vice Chancellor.

7.9. TUITION ASSISTANCE

The District will waive tuition and fees at District colleges for full-time (40-hour) employees, their spouses, and their dependent children. The District will waive tuition and fees at District colleges for part-time (20 to 39 hours per week) employees. Tuition and fee waivers are limited to the per-credit-hour cost of classes and out-of-county and out-of-state fees. Others fees, such as lab or towel fees, are not waived and must be paid by the employee.

7.10. ADDITIONAL BENEFITS (See ALL EMPLOYEE POLICY)

- Military Leave of Absence
- Jury Duty
- Tax Sheltered Accounts
- Retirement Program

8. TERMINATION

8.1. In the event a program is terminated or curtailed, the employee will be given two (2) weeks notice of termination.

8.2. External applicants hired as specially funded employees have no continuing nor rehire rights at the end of any grant period or upon the expiration of funding.

- 8.3.** Specially funded employees whose positions have been terminated will not have priority rehire status.
- 8.4.** External applicants hired under this policy are legally considered "At-Will Employees". Pursuant to internal practices, management may terminate the employment of an employee, with appropriate approval, providing documentation is submitted supporting the action. A manager should contact Employee Relations regarding this issue. As an at-will employee, either the employee or Maricopa Community Colleges may terminate employment without cause upon two (2) weeks notice.

9. RESIGNATION

In the event a specially funded employee resigns, it shall be the responsibility of the employee to notify his/her immediate supervisor and the Employee Services Department at least two (2) weeks prior to the termination date. The notification should be in writing.

10. EXCEPTIONS

The appropriate College President/Vice Chancellor, in consultation with the Vice Chancellor for Human Resources or designee can individually authorize exceptions to any portion of this policy.

11. DURATION

This policy manual will be effective upon ratification by the Governing Board and shall continue in effect unless modified by the Board.