

## **BERMUDA COLLEGE'S CODE OF CONDUCT AND GUIDELINES**

**Approved by the Board of Governors, 29<sup>th</sup> August, 2017**

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## INTRODUCTION TO THE CODE OF CONDUCT AND GUIDELINES

The purpose of the *Code of Conduct and Guidelines* is to enhance confidence in the integrity of Bermuda College's decision-making processes. It is intended to provide an available reference for all employees of Bermuda College.

The Code of Conduct and Guidelines document is issued under the authority of the Board of Governors of Bermuda College. It outlines the structure of College governance and summarizes the scope of the professional conduct expected of all employees. It explains the roles of management, and the mediums through which the administration conducts its business.

Provisos are made for the Board of Governors' rights and responsibilities as an employer, to manage its operation and to direct the activities of all employees through the President and Executive of the College. Further provisos are made for the Bermuda Public Services Union (BPSU) as the sole bargaining agent in respect of the employees of Bermuda College. As such, the BPSU is responsible for representing the interests of the employees of Division 14, Bermuda College, in accordance with the Trade Union Act 1965, and subsequent amendments to the Act.

Additionally, this document sets out basic principles and core values to guide all employees. It clarifies levels of authority, expectations, and standards required of all employees. It is a ready-reference for managers, to guide them through their day-to-day interactions as well as define their obligations in resolving operational matters and other difficulties that may arise.

## CORE VALUES

In 2007, the College's employee body met over a period of six (6) weeks in order to establish the College's Core Values. These values, once established, would support the previously established College Vision and Mission Statements.

Spending time on distilling the College Core Values presented memorable, valuable moments that afforded the organization numerous benefits. All employees present, shared in the development of common values. Also:

- ⊕ They realized that common ground exists;
- ⊕ They often found that they had (and have) more in common than not;
- ⊕ Ensured that the business of the organization is conducted in a clearly defined, recognizable, manner;
- ⊕ That new hires would come on board with more direction, and potentially be more productive;
- ⊕ That our customers and stakeholders should notice the difference;
- ⊕ And, that our pride grows as a result.

As a result of the group work, facilitated by College management, six core values were established. At the base of these core values are:

### **Integrity and Truth**

Integrity is doing the right thing for the right reasons all of the time, notwithstanding the loss of personal benefit but doing what is best for the college, students, staff and community. We agreed to model behaviors that demonstrate our commitment to best practices and ethics.

The following seven (7) core values underpin the way in which Bermuda College expects its employees to conduct its business:

### **Commitment to Students**

Bermuda College will anticipate its students' needs; value and empathize with our students and be aware of what it took for them to get to this point; we will maintain viable programmes that transfer to university and/or equip our students to be successful in the workplace. We will strive toward student satisfaction and retention.

### **Quality Teaching**

We will stimulate students and create vibrant, inclusive and educational environments by, including creativity in the classroom; developing strategies to deal with different learning styles and continuing to add value to each student that comes to our College.

### **Commitment to Employees**

Bermuda College supports a work environment that is conducive to a healthy balance among work, family life and self, recognizing that is what leads to a dedicated, creative and innovative employee. We will value each employee's job as a meaningful part of the whole; we will provide professional development opportunities and clearly defined career tracks.

## **Respect, Recognition and Being Valued**

Bermuda College respects and values all of its constituents by empowering them to decide courses of action in their areas of responsibility. We will recognise employees for doing the right thing, and reward them accordingly.

## **Commitment to High Standards**

Bermuda College employees will do their best to perform in a professional manner at all times. We will produce quality results and perform work that adds value and meets set goals. We will ensure that all areas function effectively and efficiently; and, monitor programmes, services and business structures to keep them current.

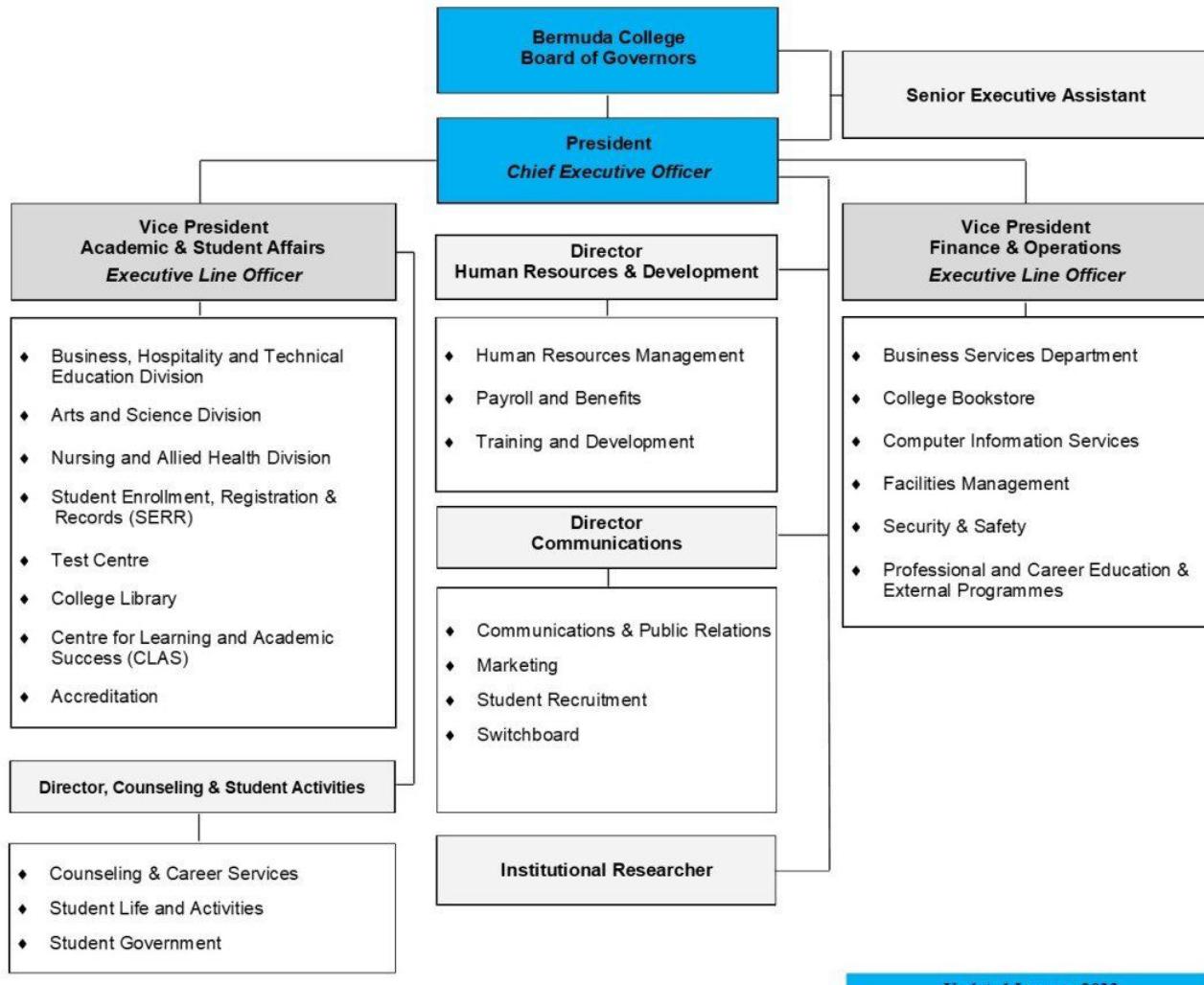
## **Stability and Security**

Bermuda College will operate via established Standard Operating Procedures and job descriptions. We will create a viable organization; a progressively, dynamic work environment, and a safe campus environment.

## **Responsibility and Accountability**

We will demonstrate commitment to internal and external stakeholders, with commitment to fairness and equity. We are committed to carrying out our jobs and we will hold each other accountable for maintaining our core values.

## The College's Organizational Structure



## **2.0 THE ROLE OF THE BOARD OF GOVERNORS OF BERMUDA COLLEGE**

The Bermuda College Act of 1974 gives the Board of Governors the general management and administrative leadership of the Bermuda College. This includes their duties, powers, and responsibilities.

The Board of Governors consists of a Chairperson, Deputy Chairperson and up to twelve (12) other members including ex-officio members, appointed by the Minister of Education in accordance with the terms of the Bermuda College Act of 1974. Additionally, the College's faculty will elect a member of their body to represent their interests to the Board of Governors. This representative will normally serve for a period of two (2) years. The term of appointment for other Board Members will normally be three (3) years. However, the Bermuda College Act of 1974 provides the Minister with the authority to appoint members to "hold office for such time as may be specified in his/her appointment".

As a body, the Board of Governors is responsible for the ongoing evaluation of the College's mission and goals through the establishment of the College's mission, strategic plans, and the maintenance of the governance structure. The Board bridges the gap between policy setting and administration of the College. Through the appointment of the President and overall guidance of the President, they ensure that the established rules for the appointment, election, resignation, retirement and removal of all employees are maintained and observed.

The Board ensures the maintenance of the financial integrity of the College by providing supervision for the finances of the College including providing an annual audit of all College funds and the adoption of annual budgets. They provide guidance for the effective maintenance of programs and instruction, and the maintenance and development of the College's physical plant. This is accomplished through the evaluation of the College operations and effectiveness and the establishment of systems, including ad hoc and standing committees. These committees include the sub-committees of; Academic and Student Affairs; Finance, and Building and Grounds.

Further, the Board is responsible for establishing and reviewing the College's policies and ensuring that they are relevant, fair and accessible. They are assisted by the President who has the responsibility for developing procedures for the implementation and interpretation of policy, utilizing personnel within and outside of the College as appropriate and with the advice of the Board of Governors.

## **3.0 ROLES OF THE ADMINISTRATION**

### **3.1 The College Executive**

3.1.1 In addition to the President, the College Executive consists of two other senior officers, the Vice-President, Academic and Student Affairs, and the Vice-President, Finance and Operations. These two senior officers can serve as acting president during the absence of the President.

### **3.2 The Vice-President, Academic and Student Affairs**

3.2.1 The Vice-President, Academic and Student Affairs reports to the President and has responsibility for the academic divisions, the faculty, the programs and the curriculum, and academic support services including the Library, the Academic Resource Centre and all student services. The Vice-President, Academic and Student Affairs, also represents the President when required.

### **3.3 The Vice-President, Finance and Operations**

3.3.1 The Vice-President, Finance and Operations reports to the President and is responsible for the operations and business affairs of the College. The Vice-President, Finance and Operations supervises the Controller to ensure the College's business services and financial reporting systems are consistent and that the College is financially compliant; the Director of Information Systems to ensure the College has appropriate technology support systems for its business and student affairs; and the Director of the Facilities and Security to ensure optimum utilization of the institution's physical plant facilities and to ensure the protection of the property, assets, and personnel.

### **3.4 Deans and Department Heads**

3.4.1 These senior managers work under the supervision of the Executive Line Officers and the President, and in accordance with the established policies and procedures to manage and administer the provisions of their respective Divisions and Departments. They ensure their charges and strategies contribute to the mission and mandate of Bermuda College. They enable employees to discharge their duties and responsibilities in an efficient and effective manner and provide employees and students with the most current applications and systems; instruction and advice; training and professional development; and, clean, working and well-maintained facilities. All Deans and Department Heads are directly responsible for recruiting and selecting their employees, as well as coaching; counseling and disciplining. They are expected to recognise and reward their employees, as well as manage in a fair and consistent manner.

### **3.5 The Bermuda Public Services Union (BPSU)**

3.5.1 The BPSU is considered a partner of the Bermuda College as it regards negotiating and supporting the Articles of the parties' Collective Agreement. The Board recognises the BPSU as the representative of members of Division 14, as such, this allows for the Union to put matters of conditions of employment for its members to the College Administration, with the aim of promoting harmonious relationships.

3.5.2 The BPSU/Bermuda College partnership also allows for Shop Stewards to be representative of various departments and divisions, as well as for those representatives to attend JCC meetings to speak to specific matters. These representatives are also recognised in matters of employee grievances.

### **3.6 Role of the Faculty Association**

3.6.1 The objectives of this Association are:

3.6.1.1 To provide a college-wide faculty body capable of addressing faculty concerns and safeguarding faculty interests.

3.6.1.2 To provide a forum in which faculty discuss/debate academic issues such as standards, procedures, or institutional policies that relate to its area of responsibility and expertise.

3.6.1.3 To work in concert with the B.P.S.U. to provide faculty with a substantive voice in the academic decision-making of Bermuda College.

3.6.1.4 To promote intellectual and social activities for the growth and development of its members.

3.6.1.5 To sponsor public forums which address the interests and concerns of the community.

3.6.1.6 To provide professional support in an environment that fosters respect and excellence.

### **3.7 Role of the Support Staff Association**

3.7.1 The overall objective of this Association is to provide a formal body (representative group) that will analyze and evaluate issues and policies that affect Bermuda College support staff employees. Also:

3.7.1.1 To hear, formalize, and present concerns on behalf of support staff employees.

3.7.1.2 To work in cooperation with the BPSU in meeting the needs of support staff employees.

3.7.1.3 To create opportunities for the professional development of support staff employees.

3.7.1.4 To encourage and support social activities campus-wide.

3.7.1.5 To seek ways to invite collaboration on work-related and community-based activities.

3.7.1.6 To cultivate better working relationships amongst one another.

3.7.7 To work the Bermuda College Core Values.

## **4.0 CONDUCTING BUSINESS AT BERMUDA COLLEGE**

4.0.1 The College recognises a number of meeting bodies in order to conduct its business in the areas of academics and operations. This business is conducted via a calendar of weekly; bi-weekly and monthly meetings.

### **4.1 The Board of Governors**

4.1.1 The Board normally meets once per month at the end of the month to administer the College's business according to the Act. The President will present and update the Board on all College matters and plans, and receive any instruction from the Board to advance their recommendations; policies or plans.

### **4.2 The Board's Sub-Committees**

4.2.1 These Sub-committees include: one for Academic and Student Affairs; Finance, and Building and Grounds. They are made up of Board members, Executive Committee members, and members of the relevant departments or divisions. These sub-committees will meet on a regular basis to provide advice, guidance and recommendations to be considered by the Board.

### **4.3 The President's Senior Leadership Team**

4.3.1 The purpose of this body is to assist the President in strategy and planning as well as to provide direction and feedback on the daily operations of the College. The Senior Leadership Team will decide matters as a body, as well as provide the President with guidance and/or advice in their areas of expertise. This team meets weekly at the start of each academic year, and bi-weekly for the remainder of the year.

### **4.4 Administrative Management Team (AMT)**

4.4.1 The Administrative Management Team (AMT) consists of all Department and Division Heads of the College that report to a member of the Executive. This team meets once per month, at the end of each month. The format allows for updates to be shared from the Board Meeting; the College's budget and monthly financials; human resources and training updates, as well as for the President to receive feedback and advice from managers on matters affecting staff; students; or any other college plans.

### **4.5 Academic and Student Affairs and Finance and Operations Team Meetings**

4.5.1 Both groups of managers normally have bi-weekly meetings chaired by their Executive Officer. The agendas will cover matters that are critical to each group's operation and can include updates on the fulfilment of the College's academic plan(s) and/or the overall strategic plan.

### **4.6 Academic Council**

4.6.1 The Academic Council consists of a Chair, Secretary, Deans, relevant Directors, Faculty Representatives from each Division and a student representative from the Student Government Council. The Chair and Faculty Representatives will serve a two-year term, and the Registrar serves as the Secretary of the Council. The Council determines policy for curriculum, programme, instruction, and the approval of all curricular changes for recommendation to the Vice-President, Academic and Student Affairs, and the President.

#### **4.7 All Employee Meetings**

4.7.1 All employees are called to a meeting at least twice per semester. The meetings are chaired by the President, who will share information emanating from previous meetings held by the various administrating bodies listed above.

#### **4.8 Joint Consultation Committee Meetings**

4.8.1 Joint consultation meetings between the College and the Union are the recognised format for holding regular, informal meetings known as JCC meetings. They are normally held once per month, to conduct employee and labor-related matters in a conciliatory fashion.

4.8.2 The parties will share agenda items to be discussed or concluded at each meeting and alternate chairing the meetings. Generally, matters brought to JCC are those which the parties believe can be settled the non-grievance route. As such, the parties rely on conciliatory efforts; information sharing; and collective responsibility to settle matters. Some matters may be resolved with Memorandums of Understanding (MOUs), and the parties will be expected to abide by the MOU as if it was formally included in the Collective Agreement. Matters which are unable to be settled in JCC Meetings will either be grieved or bound over to negotiations, if the parties are in a negotiating year.

## **5.0 PROFESSIONAL CONDUCT**

### **5.1 Attendance at Work**

5.1.1 All Bermuda College employees are expected to attend work regularly. Provisions for absences are addressed in the Collective Bargaining Agreement.

5.1.2 However, when employees expect to be absent, a supervisor must be notified as soon as possible prior to the absence. This allows the supervisor time to reassign duties if necessary. It also minimizes undue hardship on fellow employees.

5.1.3 If an employee is unable to reach a supervisor, a message must be left with his/her Administrative Assistant, on voice-mail or by e-mail. The reason for the absence must be included in the message.

### **5.2 Adherence to Normal Working Hours**

5.2.1 It is the responsibility of Bermuda College to serve students and members of the community. In order to do so effectively, promptness of arrival to work, and returning from meal breaks is expected of each employee.

5.2.2 As provided for in all letters of employment/contracts, as well as the Collective Bargaining Agreement, an employee's normal working hours and the time allotted for meal breaks is outlined. It is therefore expected that all employees will adhere to those requirements.

5.2.3 In the case where an employee operates as a part of a Department team or floor team, it is essential that all breaks be communicated among the staff involved to ensure that coverage of the Department and/or floor during the height of service activity is adequate.

5.2.4. In the case of new employees requesting special times for meal breaks, consideration should be given to those employees more senior in length of service, or to routines that may have been established prior to the arrival of the new employee. However, normal practice will dictate that Department Heads ensure current standards and expectations are known to new employees and observed.

### **5.3 Special Arrangements**

5.3.1 From time-to-time, an employee and his/her Department Head may agree to a revised work schedule to accomplish tasks related to their specific department or to accommodate special needs or arrangements by the employee. Granting of such agreements is at the discretion of the Department Head but should be mutually agreed with the employee and documented in the Human Resources Department.

### **5.4 Tardiness**

5.4.1 All employees should communicate with their Department Head and/or Supervisor if they are expecting to be late for work. All reasonable attempts should be made to contact someone within the employee's department to ensure that the Department Head is aware.

## **5.5 Excessive Tardiness**

5.5.1 Any employee who records excessive tardiness may be subject to the following:

- a) Coaching and counseling by the Department Head;
- b) Supervisory referral to the Employee Assistance Program.

5.5.2 Where an employee is referred to EAP by his/her supervisor, this indicates that the tardiness has reached an unacceptable level. Further, if attempts made to reduce the employee's tardiness fails, the employee may be subject to further disciplinary measures, including suspension, up to dismissal.

## **5.6 Academic Freedom as Per the College's Collective Agreement**

5.6.1 Faculty are entitled to full academic freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties, but research for pecuniary return should be based upon an understanding with the authorities of the College.

5.6.2 Faculty are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their lectures controversial matter which has no relation to their subject.

5.6.3 Faculty members are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and the College by their utterances. When speaking in public as a private citizen, every effort should be made to clarify that Faculty are not speaking on behalf of the Bermuda College.

## **5.7 Attendance at Commencement**

5.7.1 Commencement Day is a day on which the College celebrates the successes of its graduating students. Because of this, all employees are expected to attend the Commencement Day Ceremonies. As such, employees will be expected to adhere to preparations and other instructions as given by the Commencement Committee, under the leadership of the Senior Executive Assistant to the President, and the Registrar; this is unless the President has given an excused leave of absence, granted for exceptional circumstances, only.

## **5.8 Attire for Commencement Ceremonies**

5.8.1 Members of the faculty shall take part in the Commencement exercises in academic dress.

5.8.2 Members of the support staff shall also take part and can wear academic dress or professional attire, with the appropriate sashes of their roles or departments.

5.8.3 Adjunct faculty are welcome to participate in the Commencement Ceremony; however, such participation is strictly at the option of the employee.

## **5.9 Dress Guidelines for All Employees**

5.9.1 While Bermuda College is not considered a corporate environment where an established style of work attire is expected, it is a professional environment. College employees are considered professionals in their own right, and they serve as 'good examples' for students – both in conduct and attire. Thus, a standard for dressing appropriately for a professional environment is encouraged. Some liberties in style and dress expressions are granted due to the freedom of expressions that are customary in an academic environment. That said, all employees are expected to assist in presenting an appropriate image to our students and visiting public.

5.9.2 When representing the College in meetings, in print or television media, or on external Committees or Boards, College employees should consider the event or situation and what style of dress is acceptable and appropriate, and follow accordingly.

5.9.3 Academic staff members are allowed discretion and liberty for choosing their work attire. In doing so, they should be ever mindful that they serve as role models for the students with whom they teach. Consistent with this role, academic staff should dress in a manner and have an appearance that is appropriate and professional in light of the environment in which they work, the duties of their jobs, and the impressionable youth they serve.

## **5.10 Interpretation of Dress Guidelines**

5.10.1 Administrators are authorized to interpret these guidelines, and their interpretations shall be given reasonable deference.

5.10.2 Employees who appear to ignore the established guidelines will be addressed by their immediate supervisor. It is expected that such an intervention will be sufficient for the employee to make the necessary adjustment to their appearance. Failure to do so may result in disciplinary action.

5.10.3 **Note:** The Colleges approved dress guidelines are included in 'Other Guidelines'.

## **5.11 Prohibition of Unsanctioned Alcohol Use**

5.11.1 The consumption of alcoholic beverages is legal in Bermuda for everyone over the age of 18. Many people enjoy the responsible use of alcoholic beverages while others choose, for varying personal reasons, not to consume alcohol. Bermuda College respects individual choices in this matter. However, the College expects the following standards to be recognised by its employees:

- a) Serving alcoholic beverages is allowed at official College social functions, and is left to the discretion of the person or group planning the function.
- b) Consumption of alcohol by persons below the age of 18 is illegal and is strictly prohibited on the campus of Bermuda College.
- c) The consumption of alcoholic beverages is prohibited in all Bermuda College's classes and workplaces during normal working conditions.
- d) Outside groups using the College's facilities for social functions may serve alcoholic beverages only with final approval from the College Executive, upon agreeing bookings. The Bermuda

College Office of Security and Safety will ensure that the Liquor License Act 1974 is not violated and that adequate supervision of all such functions is guaranteed.

## **5.12 Smoking**

5.12.1 Under the ***Department of Health and the Tobacco Control Act (2016)***, smoking is prohibited everywhere on campus. This includes campus grounds, in buildings (bathrooms, offices, stairwells, etc.), and former designated smoking areas.

5.12.2 All employees are expected to adhere to this directive from the Department of Health.

5.12.3 Employees seen to ignore this health and safety and code of conduct policy, potentially endangering the health and safety of staff and students, will be subject to coaching and counseling and depending on the consistency and severity of this action, could be disciplined, including written warnings, suspension, and up to dismissal.

## **5.13 Controlled Substances**

5.13.1 The unlawful manufacture, distribution, possession or use of a controlled substance by College employees is prohibited on Bermuda College property. Any employee who violates this rule will be disciplined and such discipline may include dismissal. The College may also require an employee who violates this rule to take part in a drug rehabilitation program.

## **5.14 Investigating Claims of Drug Use**

5.14.1 If an employee is suspected of distributing, possessing or using controlled substances on College property, during working hours, an investigation may ensue. Claims from employees suspicious of these activities must be made to the Director of Human Resources and Development; the employee suspected must not be confronted.

5.14.2 The Director of Human Resources and Development will undertake an investigation into the claims, and will do so in complete confidence, before any disciplinary action is considered.

5.14.3 If the investigation concludes that the suspicions are unfounded, the matter will be closed.

5.14.4 If the investigation concludes that the suspicions are founded, the employee will be advised on the stages of grievance as stated in the Collective Agreement

## **5.15 Criminal Convictions for Drug Violations**

5.15.1 Any employee convicted in criminal court for drug violations occurring at the College is required to inform the Director of Human Resources and Development within five (5) days. Within thirty (30) days after such notification, the College will take appropriate action as set out below:

- a) First, College employees who violate the drug-free policy, above, subject themselves to the possibility of dismissal from employment.

- b) Second, the College reserves the right, when it deems such action appropriate, to require any employee in violation of the drug-free policy to participate in a drug abuse rehabilitation program as a condition of continued employment.
- c) Participation in any rehabilitation programme will be at the employee's expense.
- d) During participation in such a program, the College may suspend the employee with half (1/2) pay for any absence from work as a result of such participation.

### **5.16 Convictions for Any Criminal Offense**

5.16.1 Any criminal offense for which an employee has been charged or found guilty, during employment with Bermuda College, must be immediately reported to either the employee's Department Head or the Director of Human Resources and Development.

5.16.2 Based on the nature of the charge or verdict, the College will assess the effect in correlation with the employee's post and/or role at the College. Where there is no negative impact on the employee's post or no correlation to his/her role, the College will take no immediate action.

5.16.3 Any employee convicted of an indictable offense (meaning a felony) in any court of law, may have their employment with Bermuda College terminated. Where the employee is unable to fulfil the terms of their employment contract with the College, termination may be unavoidable. In such cases, the College will reserve its rights as the employer to assess the impact on its business of such a conviction, and avail itself of legal advice to secure any decision to terminate the employee. In most cases, termination will be effective on the date of the conviction or the date the employee pleads guilty, whichever occurs first.

### **5.17 Harassment**

5.17.1 The Board of Governors, the Bermuda Public Services Union and the Administrators of Bermuda College recognise that any member of the Bermuda College community who uses the authority of his/her position or role within the College to harass others, sexually or otherwise, is committing an abuse of authority that seriously impairs the climate of freedom and responsibility implicit in this agreement. The Board will abide by the guidelines of the *Human Rights Act 1981* to identify and work to eliminate such occurrences.

5.17.2 All employees are encouraged to report any such activity to the Human Resources Department, where, if deemed credible, an investigation will take place.

### **5.18 Sexual Harassment**

5.18.1 Bermuda College will not tolerate conduct that constitutes sexual harassment. As such:

- a) Romantic or sexual relationships between a supervisor and a supervisee are *prima facie* evidence of sexual harassment, and are not allowed;
- b) Romantic or sexual relationships between any Bermuda College faculty member and a Bermuda College student are *prima facie* evidence of sexual harassment, and are not allowed.

- c) Pre-existing relationships will not disallow an individual from becoming an employee or student after the fact so long as no supervisor/supervisee or student/teacher relationship exists between the individuals concerned.
- d) Employees who feel they have evidence of discrimination regarding sexual harassment should report that fact to their supervisor and/or to the Department of Human Resources at the Bermuda College.

## **5.19 Dignity at Work**

5.19.1 'Dignity at Work' is a term used to encourage employers and employees to be responsive to the need for everyone to be treated with respect in the workplace. It is an essential part of the conduct of all who work for the Bermuda College.

5.19.2 A person's dignity at work is affected when behavior by an employee or the employer results in undermining the self-respect and self-worth of an individual or group of individuals.

5.19.3 It is the goal of this policy to ensure that all employees, irrespective of grade; position; employment status; or personal status, be treated with respect and dignity, and that the College's Core Values are kept at the forefront of all employees' dealings with others, within the College.

5.19.4 Therefore, the Board of Governors of Bermuda College will have zero tolerance for behaviors that contribute to bringing shame and humiliation to employees. In each case that such behaviors are proven, corrective measures will be taken.

5.19.5 The Executive of Bermuda College and the Bermuda Public Services Union, fully support this policy and the accompanying complaints processes.

5.19.6 The behaviors covered under this policy include:

- a) Bullying;
- b) Victimization, and;
- c) Discrimination/equal opportunity.

5.19.7 If any of these situations occur, all employees will have the right to have their complaints addressed in accordance with this policy. Any corrective measures will be taken for all proven cases of non-compliance with this policy.

5.19.8 A summary for understanding and actioning this policy is included as an Appendix.

## **6.0 PROFESSIONAL ETHICS**

### **6.1 Ethical Conduct**

6.1.1 All employees and individuals representing Bermuda College should conduct themselves ethically, honestly and with integrity. They should act with due recognition of their positions of trust and loyalty to the College and its students. When in doubt about the propriety of a proposed course of action, they should seek counsel from the Director of Human Resources and Development or College Administrators who can assist in determining the right and appropriate course.

6.1.2 Executives, Senior Administrators and Supervisors of the College are expected to act and advise with honesty and integrity in all aspects of their official duties. If it is believed that an aspect of College policy or administration of such may have unforeseen consequences or otherwise requires review, then the concern should be brought to the attention of a direct supervisor.

### **6.2 Preventing Patronage or Favoritism**

6.2.1 No employee may use their position to obtain a private benefit for oneself or anyone else. An employee's decision must not be improperly influenced by family or other personal relationships.

### **6.3 Handling Financial Matters**

6.3.1 Where an employee has financial responsibilities including the handling of monies; credit cards; cheques or billing authority, he/she must observe the relevant Bermuda College Finance and Administration policies.

6.3.2 Employees handling finances and monies must ensure that there is full accountability in relation to any advice or transaction in which they may be involved.

6.3.3 Employees are advised that where any such maladministration; misappropriation; fraudulent acts or theft is suspected in respect of College finances and/or contracts, the College will refer to the guidelines under misconduct and/or gross misconduct to make a case and apply the relevant discipline or punishment.

### **6.4 Reporting Unethical or Inappropriate Behavior**

6.4.1 Where an employee suspects unethical or inappropriate behavior by any employee of any rank within the College, this must be reported to either an Executive Officer, a senior manager or to the Director of Human Resources and Development. It is accepted that to whom the matter is reported may depend on who is the alleged offending employee.

#### **6.4.2 Support for Whistleblowers – Under Development**

## **7.0 COMPLIANCE, REPORTING AND ACCURACY OF COLLEGE RECORDS**

### **7.1 Reporting and Accuracy of College Records**

7.1.1 The records, data and information owned, used and managed by Bermuda College must be accurate and complete. The accuracy and reliability of reports is of vital importance to the business operations of the College. Therefore, all employees and individuals representing the College must record, allocate, and charge revenues and costs accurately and maintain supporting documentation as required by established policies and procedures.

### **7.2 Legal Compliance**

7.2.1 Employees and individuals who are duly authorized to represent the College must transact college business in compliance with all college policies, and local laws and regulations related to their positions and areas of responsibility. All employees and individuals representing Bermuda College should recognise that noncompliance may have adverse financial and other legal consequences for them and for the College. Individuals are responsible for keeping current with changes in applicable laws and regulations, and managers and supervisors are responsible for monitoring compliance in their areas.

### **7.3 Internal Controls**

7.3.1 All employees and other individuals representing Bermuda College are expected to adhere to the College's internal control structures.

7.3.2 Internal controls are a keystone of sound business practices. These controls include:

- a) Adequate segregation of duties;
- b) Diligent application of preventive and detective control systems; and,
- c) Conscientious compliance with authorization, reporting, and other established practices.

7.3.3 Internal controls are critical to ensure efficient operations, strong fiscal management, accurate financial and human resources reporting, asset protection, and compliance with laws and regulations.

### **7.4 Safeguarding and Protecting College Assets**

7.4.1 All employees and individuals representing Bermuda College are responsible for safeguarding the tangible and intangible assets of the College under their control. College assets, including those from donors, must not be used for personal benefit. Assets include cash, securities, business plans, customer information, vendor information, intellectual property, and physical property.

**Note:** For further information, please refer to the College's Financial Policies on the Portal.

## **8.0 ATTITUDE AND CONDUCT**

### **8.1 Personal Activity**

8.1.1 Conduct at all times should bring credit upon the employee of the College. Therefore, this policy is not designed to interfere with a person's private life, but asks only that discretion and good judgment be used.

### **8.2 Serving Bermuda College**

8.2.1 Employees have a principle responsibility to implement; administer, and/or adhere to and participate in programmes of the College. Employees may hold views on matters that differ from the College, but such views must not interfere with the performance of their duties. Employees are to provide responsive service to the College regardless of their views or positions on College or political matters.

### **8.3 Serving Students and the General Public**

8.3.1 Employees are expected to treat all students and persons with whom they have contact in the course of their work fairly, consistently and with courtesy and sensitivity. Employees should act with propriety and be able to demonstrate this in relation to any advice or service they give.

### **8.4 Treatment of Colleagues**

8.4.1 Employees are expected to treat their colleagues with respect. When necessary, employees should seek the opinions of their colleagues in their areas of competence; and, acknowledge their colleagues' contributions. All employees should be treated fairly, and be involved in decisions that affect them; they should also be provided equal opportunity to develop their skills.

### **8.5 What the College Expects of its Employees**

8.5.1 College employees are expected to:

- a) Perform their duties diligently, impartially, responsibly and in a timely manner, to the best of their abilities;
- b) Be present at work unless having the appropriate authority to be absent;
- c) Observe relevant occupational safety and health requirements; rules and regulations, and act to remove or bring to the attention of a supervisor any situation that is, or may be a safety or health hazard;
- d) Conduct themselves in a manner whereby any personal activity outside of working hours does not diminish public or students' confidence in the College or in the employee's ability to perform their duties.

## **8.6 Handling Official College Resources**

8.6.1 Organizational facilities and other resources must be used for their intended purpose and maintained accordingly. Such resources should not be used for personal or private pursuits or interest.

8.6.2 The College retains the copyrights of all works produced by employees while in the service of its employ. Employees retain copyrights of their works as per the college's policy on Intellectual Property.

## **8.7 Political Activity**

8.7.1 Employees are advised that any political activity must not interfere with their normal college duties, unless approved in advance by the President. As such:

8.7.1.1 This policy is not intended to limit free and objective discussion of political issues where appropriate, nor is it intended to limit the right of a College employee to align him or herself actively in any political activity.

8.7.1.2 This policy is not intended to limit the right of the employee to be a partisan member if he or she wishes to be a member of a properly constituted political organization.

8.7.1.3 This policy is designed to protect employees and students from a single, biased, partisan viewpoint.

## **8.8 Service in Appointive & Elective Government Posts**

8.8.1 Bermuda College encourages its employees to participate in the civic, political, and cultural life of Bermuda. Employees are free to hold elective office and to serve on boards, commissions, committees, and other groups, so long as those activities do not interfere with the performance of their duties at the College.

## **8.9 Guidelines for Serving**

8.9.1 Employees who are elected to office or appointed to a government body may serve if the time they devote to that effort is outside of normal working hours.

8.9.2 Employees who are elected to office or appointed to a government body that would require them to serve during regular College working hours should not accept such a post without notifying their immediate supervisor.

8.9.3 Where a request to serve is presented to the President, authorization may not be given immediately until the needs of the College are considered.

8.9.4 If there is a scheduling conflict, the needs of the College will prevail.

## **8.10 Acceptance of Gifts and Conflicts of Interests**

8.10.1 No employee of the College shall accept a personal gift from any person having a business relationship with the College that would constitute a conflict of interest. Conflicts of interest with

official duties may arise for various reasons and, employees may have private interest that from time to time conflict with their College duties. However, there is a reasonable expectation by the College that when such conflict exists, it may be resolved in favor of the College's interest rather than that of the employee.

8.10.2 While it is not possible to define all potential conflicts of interest, when in doubt, employees should raise the matter with their Department Head. This is because even the appearance of conflict could jeopardize one's public integrity.

8.10.3 Where a conflict of interest arises or is likely to arise, the matter should be declared to one's Department Head or Executive Line Officer. Employees in this situation should "stand down" in any decision making process where they may be compromised.

## **8.11 Voting**

8.11.1 Bermuda College supports an employee's right to vote when a general election is called. Employees will be given the opportunity to be absent from work to vote. It is expected that employees will choose a time to vote that does not adversely affect their work responsibilities, and that their supervisor or department head will be notified when they intend to be absent to vote.

## **8.12 Outside Employment**

8.12.1 Full-time employees of the College may render professional and technical services in the public interest to individuals, groups, associations, and societies, departments of the government, business and industrial firms, and may receive compensation for those services.

8.12.2 However, outside employment must occur outside of the employee's normal work day and must not interfere with the specified regular college duties and the effective service of the employee.

8.12.3 It is expected that such outside employment should not bring the employee into conflict with the interests of the Bermuda College.

8.12.4 Employees are advised that the College does not assume any responsibility or obligation in connection with any outside service rendered by College employees.

## **9.0 CONDITIONS OF EMPLOYMENT**

### **9.1 Job Descriptions**

9.1.1 All employees are provided with a Job Description (JD) simultaneous to reviewing the terms of their contract of employment. The JD is a categorized document outlining the crucial components of the post; conversely, the JD will not limit the functions of the post holder. It will always include the title; salary grade; reporting relationship and reportees (where relevant) and the experience and qualifications required of the post.

9.1.2 Employees are required to read, discuss and initial the JD before they are hired. When a key element of the post changes or a component is added, the employee and his/her Department Head will meet to agree the changes. Once agreed, the changes will be initialed. Where a key component of the employee's post changes, said changes will be documented as an 'addendum' to the employee's employment contract as well.

9.1.3 An employee's job description cannot be changed without consultation with the Department Head's Executive Line Officer, in conjunction with the Director of Human Resources and Development.

### **9.2 Probation**

9.2.1 Probation periods allows for Department Heads to assess whether the post holder is suitable in performing to the standard required and enables new hires, and newly promoted or transferred employees to decide whether the post is suitable to him/her.

9.2.2 To determine suitability in the cases of new hires and those employees who have been promoted, support staff posts will be subject to a probation period of six (6) months, and faculty posts will have a probation period of one (1) year. These periods are the standard minimum regardless of how long the employee has been employed with the College.

9.2.3 In cases where the new hire is a senior employee or an Executive, the College will have liberty to extend the probation term to one (1) year. This consideration will be based solely on the scope of the post.

9.2.4 Each support staff employee will be evaluated every two (2) months within the six months of their probation period. Faculty members will be evaluated at the end of each semester. The documents will be sent to the Department Head, and a completed evaluation, based on meaningful dialogue, must then be returned to the Director of Human Resources and Development who will review the progress and initial the document.

9.2.5 Any deficiencies as a result of each period's evaluation must be brought to the attention of the employee. Any evidence to support the deficiency should be shown and discussed at such time. Additionally, nothing should be included in the evaluation without the employee's knowledge.

### **9.3 Recommending Extension or Dismissal**

9.3.1 In rare cases, a Department Head can recommend that the employee's probation be extended. However, Department Heads should be advised that such recommendations will have to be accompanied with strong justifications before being considered. The following principles should be considered before a request to extend a probation period is made:

- a) The employee hired was based on meeting the minimum experience and qualifications for the post. Meaning, while the post at the College may be new, it is presumed that the post itself is not new to the employee;
- b) The effect of an ill-suited new hire to an already high performing department/division can have a negative effect on the operation, and effect morale in such a way that is difficult for the Department Head to recover;
- c) Allow the new hire to leave with some dignity, meaning, based on a principle that, 'the post was not what it was expected to be', or 'was not the right fit'. This approach is advisable rather than – dismissing the employee;
- d) While it is a rule that either party can terminate the employment contract during the probationary period, Department Heads should be advised that while they do not have to give a reason verbally or written for the employee's dismissal during a probationary period, the employee may wish to have some reason for their own development. This means decisions to dismiss should not be made arbitrarily – but based on the two months period evaluations and documentation of evidence, where it is possible.

### **9.4 Work Probation**

9.4.1 Work probation is a recognised probationary period that can be put into effect at Bermuda College. This type of probation will apply when, as a result of consecutive, poor performance appraisals or faculty evaluations, the employee is provided with a development plan specific to the areas of concern. Such concerns must be considered serious enough to effect the employee's continued employment. As such, the employee will be notified that he/she is on 'work probation' and must comply with the plan set before them.

9.4.2 As listed currently on Performance Appraisal and Faculty Evaluation documents, development plans in conjunction with 'work probation' can be for periods of 90 days for support staff or 120 days for faculty.

9.4.3 While non-completion of the development plan or non-compliance to the request is serious, this will not result in immediate termination. Rather, the Department Head will follow the steps of Discipline and Dismissal set out in the College's Collective Agreement; and, do so in conjunction with guidance and support from his/her Executive Line Officer.

## **9.5 Sick Leave and Vacation during New Employee Probation**

9.5.1 Generally, new hires are not entitled to the full slate of sick leave available to regular employees. This is because new hires will only accumulate a certain amount of sick leave (per month) during their probationary period. Where that sick leave has been earned, it must be applied if the employee is sick. Where the sick leave extends beyond what leave has been accumulated, the Department Head must seek instruction from the Director of Human Resources and Development before informing the employee of how or if they will continue to be paid while on sick leave. This is because all circumstances must be considered before a final decision is made. And, in extenuating circumstances, only the President is able to grant further leave (with or without pay); after hearing the case in full.

9.5.2 As regards vacation leave or requests for vacation, it is customary during the interview of a new hire for the person to disclose whether they had preplanned vacation, before interviewing for the post. This factor will be considered when determining a start date as well as the operations that will be in effect once the person starts. In such cases, the employee's vacation will be unpaid, as they would not have accumulated leave to the extent that pay is applied.

9.5.3 However, since vacation is also accumulated on a monthly basis, the Department Head can consider this if a request is received. The priorities of the department should be determined before a request is granted; especially if the request comes after the person has been employed. The same principle of how much vacation has been accrued, should be considered.

9.5.4 Importantly, if an employee is dismissed within his/her probationary period, no notice is required to be given by the College, meaning, the employee is not entitled to "pay in lieu of notice". As well, where the new hire has been dismissed prior to the end of the probationary period, they are not entitled to the full slate of vacation entitlement, only what they have earned.

## **9.6 Immigration Factors on Conditions of Employment**

9.6.1 The College will follow the guidelines as set out by the Department of Immigration, Labour and Home Affairs and Government's policy as regards complying with Bermudianization. The Centre for Human Resources and Development will also ensure that the principles of recruitment are followed.

9.6.2 In cases of the College's employees who hold work permits, when the term of the work permit is ending, it will be the responsibility of the Human Resources Officer together with the Department Head to make an initial determination if the employee's work permit should be renewed, and their employment continue with the College. In such cases, a specific timeline must be followed, as the *Article – Notice to Faculty on Work Permits of Non-Renewal* in the College's Collective Agreement will supersede the end date of the employee's work permit.

9.6.3 That Article mandates a notice period of no later than 31<sup>st</sup>, January in the applicable academic year whether their contract is to be renewed pending, if applicable, permission from the Department of Immigration.

9.6.4 Where the College withdraws the contract offer for any reasons other than an issue from the Immigration Department or for cause, the employee will be entitled to receive four (4) months' salary in lieu of notice.

9.6.5 **Note:** All other aforementioned points of probation – even for employees on work permits, will apply.

9.6.6 When, during the recruitment and selection process for a post held by an employee on a work permit results in a Bermudian candidate being selected, the Department Head in conjunction with the Director of Human Resources will have the responsibility to inform the employee in person, that his/her 'application' to remain employed by the College has been unsuccessful.

9.6.7 The Human Resources Officer will comply with all other post-employment procedures as regards employees on a work permit.

## **9.7 Qualifications for Faculty Posts**

9.7.1 Faculty posts at the College require a minimum qualification; those qualifications will differ depending on the Division; the discipline or subject taught.

9.7.2 All lecturers are required to have a Master's Degree in the subject area(s) being taught as well as a minimum of two (2) years teaching experience at a post-secondary level;

9.7.3 All Instructors in Divisions or those Faculty Tutors within the Academic Resource Centre are required to have a Bachelor's Degree in the subject area being taught and a minimum of two (2) years *teaching* in the subject area that they will instruct. In the Division of Applied Science and Technology, Instructors without a Degree, instead, must hold a Journeyman's Certificate and/or ten (10) years' experience in the field they instruct.

9.7.4 While it is preferred that persons hold the minimum degree, there are subject areas within Divisions that will accept an alternative qualification. Some examples are Accounting courses where the Lecturer may have a Bachelor's Degree and a professional designation rather than a Master's Degree. Or, the teacher may have extensive years in industry holding a significant accounting post. Alternative qualifications are also accepted in the area of Information Technology, where the teacher may hold numerous certifications recognised in the Computer Technology industry that would make him/her eligible to teach in such areas.

## **9.8 Support Staff and Hours of Duty**

9.8.1 Support Staff are defined as employees who support all operations of the College. Support staff, which include administrators, typically work regularly, Monday through Fridays and have weekends and public holidays off from work. While this schedule applies to the majority support staff, employees in the Library and the Security office have shifts that carry over to weekends and before and after the hours of 8:45AM and 5:00PM. Facilities workers will also have daily, scheduled shifts.

9.8.2 The regular work week for support staff is 35.0 hours; within each day, employees have a one and a quarter hour meal break.

9.8.3 Where employees are required to work on a public holiday, they are paid at premium rate or, by mutual consent, by time off in lieu at that premium rate.

9.8.4 Similarly, where permanent part-time workers are required to work beyond the part-time 20.0 hours in a regular work week, the negotiated premium rate will not be applied until the employee exceeds 35.0 hours.

## **9.9 Overtime Work for Support Staff**

9.9.1 To enable the College to meet its obligations to its stakeholders, particularly its students, it may be necessary on occasion for employees to work overtime. This is necessary to provide a standard of service, both to our students and to the general public.

9.9.2 Department Heads are responsible for ensuring that overtime is not abused and only limited to essential work detail that is time sensitive; urgent; or work given that was unforeseen. Additionally, it will be important to follow a principle of fairness and equity when offering overtime among groups of employees.

- a) All staff should be advised that overtime is not guaranteed and prior approval to complete work in excess of regular work time is required from the Department Head.
- b) Insofar as faculty are paid for their expertise on an annual basis, as per the Collective Agreement, Article, *Faculty Duty Days*, faculty are not eligible for overtime pay.

9.9.3 Guidelines for how overtime is compensated can be found in the College's Collective Agreement.

## **9.10 Faculty Duty Days**

9.10.1 A "duty day" is defined as a day on which faculty are expected to be available to exercise their professional responsibilities. Those professional duties include teaching and/or performing other duties such as marking papers and preparing exams or advising or working on a college activity.

9.10.2 Specifically, the schedule for duty days includes:

- a) Five working days before the first day of classes in the fall and spring semesters; a semester is ordinarily 14 teaching weeks;
- b) Every day on which regular classes are held;
- c) Reading days;
- d) Professional Development days;
- e) Final exam periods; and,
- f) The day of the graduation ceremony.

9.10.3 As per Article, *Faculty Duty Days* in the Collective Agreement, faculty may from time to time be asked to serve on committees and engage in other activities during the summer and at other times

not designated as duty days. This is because the College operates twelve months a year, as such, committee meetings and other activities of interest to faculty may take place on non-duty days.

9.10.4 In such cases, faculty are free to participate in these activities as they see fit as part of their professional activities, but they will not normally receive extra compensation for such participation.

## **9.11 Leave**

9.11.1 The College's Leave types are laid out the Collective Agreement, but are summarized below, and are specific to what level of authority may grant such leave.

9.11.2 In all cases of Leave, Department Heads are expected to manage their departments being mindful of staff coverage when granting leave to other employees. This is to ensure adequate service is being provided to students, staff and the general public.

## **9.12 Documenting Leave**

9.12.1 It is the responsibility of Department Heads to keep regular documentation of all leave taken by their staff. The Human Resources Department will provide access to either forms or online instructions for documentation. Duplicate files should be kept by Department Heads and the Human Resources Benefits Office. This is because accurate records are required for auditing purposes.

9.12.2 Those Department Heads not keeping adequate records of such leave will be subject to discipline, as not doing so compromises the integrity of the College's overall record keeping compliance.

## **9.13 Annual (Vacation) Leave**

9.13.1 All Department Heads are authorized to approve or reject annual leave requests. However, where there is contemplation to reject such requests, Department Heads will be expected to provide justification which is reasonable, consistent, and in a timely manner.

9.13.2 Equally, employees must follow the general timelines associated with making a request for leave. The College considers that requests should be made at least 30 days before the leave is to be taken.

9.13.3 The advance notice of 30 days is suggested in order that arrangements can be made for coverage; this is especially important in small departments.

9.13.4 Additionally, employees are advised to get a general acknowledgement or acceptance of their leave request before making travel arrangements.

9.13.5 Where duplicate leave requests are submitted, there being no alternatives to grant both leaves, the Department Head must take seniority into account. However, the Human Resources Department advises that in the spirit of fairness and empathy, attempts should be made to have the parties involved to discuss options that reflect a team approach.

## **9.14 Restrictions**

9.14.1 Annual leave is an earned benefit. It is classed as a benefit (to the employee) in order that employees take time away from their work to decompress and rest. Principally, annual leave should

not be “banked”, so that your leave time can be expanded in the following year. While there can be exceptions to such thinking, employees are advised to take their full leave allotment when possible.

### **9.14.2 Important Notes**

- a) All support staff must take at least five (5) days of vacation in a calendar year;
- b) Only ten (10) days of an employee’s leave can be carried over to the next calendar year;
- c) Days in excess of the ten (10) carried may be forfeited.
- d) Where an employee has faced extenuating circumstances that has hindered their leave time, his/her Executive Officer will be authorized to overturn the forfeiture rule.
- e) Where employees have *Personal Days* remaining (as per the CBA), it is advised that those days be kept for singular, personal use, and not used to run consecutive to any annual leave.

### **9.15 Faculty Leave**

9.15.1 Faculty will normally be off from work as indicated by the College’s Academic Calendar. Typically those breaks will be:

- a) Spring Break
- b) Summer Break
- c) Fall Break
- d) Christmas Break
- e) All public holidays

### **9.16 Special Leave**

9.16.1 The College recognises eight (8) types of Special Leave. Such special leave may be granted at the discretion of the President, with or without pay. However, in most cases, where the leave is directly associated with an employee’s annual performance appraisal or faculty evaluation, and approval and justification has been noted within the Professional Development process and by the Department Head or Division Dean, the President will consider approval on the totality of the request.

9.16.2 Additionally, where the President believes the purpose of the leave will benefit the employee professionally and the College overall, approval will be granted with pay.

9.16.3 The types of recognised leaves are as follows:

- a) Compassionate Leave ;
- b) Funeral Leave: In this instance, typically leave with pay is granted for up to three (3) working days for local funerals, and five (5) working days for overseas funerals;
- c) Education Seminars including Trade Union Seminars;
- d) Study Leave;

- e) Conferences;
- f) Jury Duty;
- g) Witness Duty;
- h) Short Term Leave – considered less than four (4) months – and should not be confused with extended sick leave;
- i) Extended Leave – considered four (4) months or more – and should not be confused with extended sick leave.

9.16.4 In all cases, employees must complete a special leave application on which they are required to check the type of leave and whether they are requesting the leave with or without pay.

9.16.5 The employee must direct the application to his/her Department Head. Where it is necessary, the Department Head will confer with either his/her Executive Line Officer or the Director of Human Resources and Development.

9.16.6 The President may authorize the Department Head or the Executive Line Officer to sign such requests. However, in case of short term and extended leave, the President's signature is mandatory before the employee commences any plans to further pursue leave.

9.16.7 Notice/applications for leave requests should be provided to Department Heads at least two (2) weeks in advance of the leave when such notice is possible. Short Term and Extended Leave applications require a notice of at least three (3) months.

9.16.8 Where the special leave request is for an extended period – with or without pay, the employee is expected to supply a justification for the request. Not doing so may result in the leave not being granted or granted but, without pay.

## **9.17 Sick Leave**

9.17.1 The provision of sick leave is to offer financial protection to employees during periods of genuine illness that require a period of recuperation. It also enables employees to care for members of their immediate family during periods of serious illness.

9.17.2 While the Collective Agreement makes clear the provisions of sick leave, employees should not, under any circumstances consider sick leave as paid time off from work. Sick leave is only for cases of genuine illness.

## **9.18 Suspected Abuse of Sick Leave**

9.18.1 As per the College's Human Resources Policies as regards Sick Leave, where abuse of such leave is suspected, employees will be subject to the following:

- a) A warning letter from the Director of Human Resources and Development indicating that a pattern of sick leave is suspected;

- b) That such a pattern warrants a potential claim of 'abusing sick leave';
- c) After a preliminary meeting to clarify the excessive leave, the employee may be referred to attend Employee Assistance Programme counselling;
- d) The employee will be placed on probation for not more than (3) months while the matter is being addressed;
- e) Should the abuse continue post-counselling, discipline procedures will be continued, and may proceed expeditiously to termination.

9.18.2 Employees should further be advised that when sick leave is taken over extended periods of time, where the College is genuinely but continuously carrying the employee as well as the responsibility for coverage of the employee's post, the President maintains the right to request an investigation of the extent of the employee's illness. Such an investigation may include in the first instance, a request for the employee to be examined by a Doctor of the College's choosing.

9.18.3 Based on the results of such an investigation and examinations process, the Board maintains the right to recommend termination of the employee based on its findings and avail itself of legal services to facilitate the process.

## **9.19 Maternity and Paternity Leave**

9.19.1 Employees are entitled to paid maternity or paternity leave according to the provisions in the College's Collective Agreement.

9.19.2 At such times when requests are made as a result of one's pregnancy being subjected to special instructions from a medical professional, employees are expected to inform their Department Heads as soon as possible. The Department Head, in consultation with the Director of Human Resources and Development will discuss all relevant factors which may affect the employee's return to work as well as (her) leave.

## **9.20 Jury and Witness Duty and Military Duty**

9.20.1 The College recognises and encourages its employees to honour their civic duty when called upon for jury duty, witness duty, or military duty. Leave to perform these duties for the required periods is supported by Department Heads and officially granted by the President.

## **9.21 Personal Leave**

9.21.1 Personal leave is granted as per the College's Collective Agreement. It provides employees' opportunity to take care of their personal obligations, especially when such matters arise unexpectedly, and therefore cannot be planned.

9.21.2 Employees requesting such leave should complete the Special Leave Form/application so that a record is kept stating that the leave has been taken. Only Department Heads are required to sign the application to agree the leave. The President's signature is not required.

9.21.3 As much as possible, employees should give at least two (2) days' notice if they intend to take their personal day (s).

9.21.4 Department Heads should be advised that an employee is **not** required to give a reason for the leave; thus, the title, *Personal Leave*.

## **9.22 Study Leave Guidelines**

9.22.1 The objective of the guidelines for *study leave* is to apply consistency to the following:

- a) How study leave will be supported by the College;
- b) What type of study leave will be considered;
- c) The amount of leave given to employees who are studying and completing exams;
- d) The process to follow for applying for study leave;

9.22.2 When an employee's course(s) of study are Bermuda College driven, then all costs of the study leave and exams will be covered by the College;

9.22.3 Where an employee's course(s) of study has no direct benefit to their current position at the College, then, only 50% of that study leave will be covered by the College, meaning: the employee will cover 50% of their study leave time with their vacation leave allotment. The College will cover the other 50% under 'special leave with pay';

9.22.4 Where an employee's course(s) of study is deemed to have no relevance to Bermuda College, the College will not cover any portion of study leave or exam completion. Instead, the employee is expected to use either their vacation leave allotment or their personal day(s) as per the Collective Agreement;

9.22.5 Where an exam is one (1) day, the employee will be given two (2) days leave. The first day will be given as study leave/exam preparation and the second day will be given for exam completion. However, if the exam is in the morning, after the exam is complete and the employee has taken his/her lunch break, the employee is expected to return to his/her work duties.

9.22.6 Where an exam is more than one day the employee will be given one study day and the relevant days to write the examination. The same rules apply for morning exams as stated in 9.22.5 above.

9.22.7 Where additional days for study leave or exam completion are required, the President will use discretion based on a recommendation from the employee's Executive Line Officer;

9.22.8 The process for application is by completion of a *Special Leave Form* available from the Human Resource Office. The box for 'study leave' and the appropriate pay option must be checked by the employee. After which, the direct supervisor will process the form accordingly.

## **10.0 GENERAL HIRING PROCEDURES**

In order for Bermuda College to achieve its vision to set Bermuda's students on the path to success, we must employ the very best faculty and staff possible. The Board, in consultation with the Minister of Education, is responsible for the selection and employment of the President of Bermuda College. In turn, the Board delegates to the President, as Chief Executive Officer, responsibility for the selection and employment of all employees at Bermuda College.

All employment at Bermuda College will be strictly in accordance with both the letter and the spirit of Bermuda Immigration law, all other applicable laws, and the Collective Agreement.

### **10.1 Interview Panels and Procedures**

10.1.1 In all cases of hiring, the College will use interview panels to interview and make recommendations about hiring new staff. The interview panels will at a minimum, consist of three (3) persons to a maximum of seven (7) persons. The principle is to have an uneven number of interviewers in order to avoid a tie or deadlock decisions. Additionally, the Department Head or Dean as well as relevant posts will make up the panel. The interviews will be chaired by an HR representative or a designee of the Director of Human Resources and Development.

10.1.2 The chief responsibilities of the interview panel are to:

- a) Protect the confidentiality of the employment process;
- b) Familiarize themselves with the requirements of the position;
- c) Study the material submitted by applicants;
- d) Conduct interviews; and,
- e) Report their recommendations to the Director of Human Resources and Development.

10.1.3 In all cases, the interview panel must make a recommendation to the Human Resources Department representative. However, in cases where internal candidates are interviewed, at the conclusion, the panel can make any of the following recommendations:

- a) To hire one of the internal candidates;
- b) To keep one or more of the internal candidates in the pool but to advertise externally; and,
- c) To eliminate all internal candidates and look externally for a candidate.

### **10.2 Professional Development of Internal Candidates**

10.2.1 In order to encourage and support employees, the College believes qualified, internal candidates should be given serious consideration for all positions. Thus, internal candidates who are very close to being fully qualified as per the post qualifications, may, on occasion, be recommended for a position along with a recommendation that a professional development plan be formulated that would bring them to full qualification.

### **10.3 The Role of Human Resources**

10.3.1 The HR representative's pre-interview role will involve coordinating the logistics of the interview (including the questions); the panel; and the candidates.

10.3.2 During the interview, the HR Representative will facilitate the questioning process and provide overall guidance to the panelists and the candidate. Post-interview procedures will include penning the recommendation with the final review of the panel, and routing the recommendation with the relevant documents, in order of the signatories.

#### **10.4 Declaration of Confidentiality and Duty of Disclosure**

10.4.1 The level of professionalism with which all affairs of the Bermuda College are conducted is crucial to the interests and future successes of this institution. To support this principle, the College requires all members of an interview panel to make a declaration that they will maintain the confidence of the interview panel; the process and the candidates being interviewed – throughout the entire process. As well, panelists are required to disclose any information or potential of or current conflicts of interest. These disclosures are made directly to the Director of Human Resources and Development. Where those conflicts are deemed untenable, the panelists will not serve; otherwise, panelists will be asked whether they can serve objectively in spite of any information or potential conflicts. They will sign to acknowledge any effects.

#### **10.5 Failure to Disclose and Breach of Confidence**

10.5.1 When a panelist fails to keep relevant information confidential or to disclose relevant information in advance of participation on an interview panel, will be regarded as a serious breach of the Declaration.

10.5.2 If such a breach occurs, disciplinary measures will be taken by the College, and may include termination.

#### **10.6 Recruitment Procedures**

10.6.1 The College will adhere to the Bermuda laws of immigration, other employment laws of Bermuda and the Collective Agreement with the Bermuda Public Services Union.

10.6.2 The President, who has the authority vested by the Board of Governors of Bermuda College, is the final signatory and authority of all hires. Executive level posts which include the Vice-President, Finance and Operations, and the Vice-President, Academic and Student Affairs are placed before the Board as matters of interest, after the President accepts and agrees the recommendation of the interview panel.

10.6.3 Recruitment procedures must include:

- a) An assessment of the education, qualifications and experience needed for the post;
- b) The dissemination of the post internally, externally, and via the Department of Labor and Trainings' on-line recruitment system;
- c) An evaluation of candidates' suitability for the post and references; and,
- d) A fair and objective selection and evaluation at each stage.

10.6.4 Executive Officers and Department Heads are responsible for initiating the recruitment process when a post becomes vacant. At all times, care should be taken to assess Department and Division organisational structure when vacancies arise to determine:

- a) Whether there is an ongoing need for the post;
- b) If the main duties and responsibilities of the post are still relevant;
- c) If the same duties and responsibilities are accurately described.

10.6.5 In all instances, if there are questions, the Department of Human Resources should be consulted. Additionally, Department Heads should be advised that some posts in particular will require security vetting. When this is needed, the Department of Human Resources will commence the inquiry. When a candidate fails the security vetting, he/she will not be considered suitable for a post at the College. There will be no exceptions.

## **10.7 Hiring Consultants**

10.7.1 The College may engage the services of consultants for specific projects that cannot be conducted by full or part-time members of staff. However, Consultants will not be considered a regular part of faculty, support or administrative staff.

10.7.2 Special contracts will be drawn up by the Director of Human Resources and Development for all Consultants. The terms will be agreed in consultation with the hiring Department Head and with the agreement of the Vice-President, Finance and Operations, and the President.

10.7.3 While a general contract term can be considered at the time of contract negotiations, the College will not extend consultant contracts beyond an 18 months term.

## **10.8 Temporary Employees**

10.8.1 From time to time, temporary employees are required to fill positions left vacant by sudden or unexpected departures; these temporary employees may be termed outside contractor, consultant, temporary administrative assistants or secretaries or classed as a 'temp' with specific duties as outlined by the Department Head. However, the basic rule is that temporary employees will be hired for a maximum of two (2) months. Extenuating circumstances may extend the post's term to six (6) months.

## **10.9 Student Hires**

10.9.1 Students are considered hired on the basis of short-term employment, and aiding in completion of specific department projects.

## **10.10 Student Employment**

10.10.1 Student employment is an arm of the financial support programming offered by Bermuda College through the department of Student Services and is housed specifically with The Counseling and Career Centre (CCC). The program provides opportunities for placement on and off-campus. Students placed on campus may work for a maximum of 20 hours per week during the active semester and can engage in a 35 hour work (depending on the departmental budget) during school breaks. Off-campus employment hours and wages are determined by the placement site.

## **10.11 Student Employment Coordinator**

10.11.1 The Student Employment Coordinator manages all aspects of student employment services including the placement of students registered with CCC, and the recruitment of potential employers on and off campus. The Coordinator also liaises with Business Services and HR to ensure an up-to-date list of registered student employees is available to support the payroll process.

## **10.12 Student Employment Eligibility**

10.12.1 To qualify for student employment, and therefore be hired by any manager, students must meet the following eligibility:

- a) Hold a 2.0 semester GPA;
- b) Be enrolled in a Bermuda College programme of study;
- c) Have their residency status confirmed as one of the either Bermudian; Spouse of a Bermudian; or, as an International Student.

10.12.2 All other policies related to student employment are listed in the Student Handbook. It is expected Department Heads will review those policies occasionally to ensure that they are followed consistently.

## **10.13 Categories of Employment**

- a) **Full-time:** 35.0 hour work-week; fully benefited;
- b) **Part-time:** 20.0 hours per week maximum; pro-rated benefits;
- c) **Adjunct:** Hired by Semester; a maximum of six (6) credit hours; paid per credit hour as established in the Collective Agreement;
- d) **Temporary:** If employed on a temporary basis to complete a project; paid at the hourly rate of BCS12; if employed as a position fill-in, paid at the hourly rate of the post; mandatory deductions of payroll tax and social insurance are deducted. Minimum insurance deductions may be deducted.
- e) **Work Permit Holder:** Non-Bermudian employee hired on an Immigration work permit terms for a fixed period of one (1) year or three (3) years or five (5) years. This is unless the post is an essential (key) post;
- f) **Student Employee:** Paid at the student rate; hired per semester if all academic criteria is met and maintained;
- g) **Consultant:** Hired on special terms for special projects; not entitle to employee-negotiated rates or benefits or union representation; maximum term of contracts are 18 months.

## **10.14 Recruiting During the Employ of Temporary Employees**

10.14.1 It is expected during the employment of temporary employees, Department Heads will make clear their intentions for how the vacant posts will be filled, or seek direction through their Executive Line Officer on the status of the post.

10.14.2 All normal procedures for seeking to have positions filled or created should be followed.

## **10.15 Temporary Employee as a Candidate for the Vacant Post**

10.15.1 Employees hired under a temporary status in the relevant categories can be considered as candidates for the vacant position under certain conditions.

- a) The temporary employee must have completed their assignment/term limit and vacated the position in order to apply for the position and/or to be considered as a candidate for the position;
- b) Also, they must have completed their assignment/term limit free of any disruptive behavior and in accordance with standard terms and conditions of employment.

10.15.2 Temporary employees and Department Heads should be advised that previous or current employment with Bermuda College does not guarantee the temporary employee, outside contractor, consultant or student, an automatic right to any vacant position or to higher consideration than other qualified internal or external candidates who may apply for the vacant post.

## **10.16 Transfers and Promotions**

10.16.1 A promotion can result from a transfer of an employee to a vacant post that is graded higher, and with more responsibility as the post being vacated. It can also result from a selection of an employee to be trained to assume a post of greater responsibility.

10.16.2 When an employee has been promoted they will receive the minimum grade of the new post, or the Director of Human Resources together with the Department Head will determine the salary step where the salary grade overlaps.

10.16.3 The College will reserve the right to place an employee in an “under-fill status”. This will be the case where the employee being promoted must receive training and development before being confirmed in the post. In such cases, a relevant grade will be determined by the Executive Officer in consultation with the Director of Human Resources and Development. In the interim, the employee will still be eligible to advance on the salary scale on the successful completion of a performance evaluation.

10.16.4 Probation will be in effect during the transfer, even when the training period is ongoing.

10.16.5 Any promotion resulting from a transfer will be subject to three a (3) months probationary period.

## **10.17 Internal Transfers**

10.17.1 An employee can request an internal transfer if they feel they are capable of performing the responsibilities of the position they are seeking. However, transfer requests will be given consideration only if the employee's work has been rated as above average/Met Expectations and the reasons for the transfer benefit the College and the employee - in that order. Any employee being considered for promotion must also adhere to this process.

10.17.2 All employees wishing to transfer to another department, or who are being considered for promotion must meet additional criteria other than those mentioned above.

- a) The employee must have been confirmed in a regular full-time position, having completed their initial probationary period of six (6) months;
- b) The employee must meet the minimum qualifications of the post in which they expect to transfer;
- c) The employee must have a better than average record of attendance;
- d) The employee must not have received any disciplinary actions within six (6) months of the post becoming available.
- e) Only in exceptional circumstances will the record on file be waived and the employee allowed to apply for a transfer or promotion. This will require the Executive Line Officer to consult with the President, and the Director of Human Resources and Development.

10.17.3 As transfer requests are not automatic, there must:

- a) Be a position available in which to transfer; and,
- b) The transfer must be agreed by all parties concerned, with the receiving supervisor having final approval.

## **10.18 Applying for a Position**

10.18.1 All employees must complete an internal application and submit it together with an updated resume' to the Department of Human Resources once a position becomes available.

10.18.2 The process will continue only if the employee meets the criteria **and** the receiving Supervisor agrees the candidate.

10.18.3 Under certain circumstances, for instance in the case of restructuring, the President reserves the right to recommend and/or direct a position to be filled by an internal candidate to ensure that:

- a) No redundancies occur;
- b) Consistency remains the primary focus of the transfer;
- c) No unfair labour practice is committed.

10.18.4 To protect the integrity of the areas of recruiting and selection, all eligible, internal candidates for transfer will be interviewed. The interview will be conducted by an interview panel assembled in accordance with College policy on interview panels.

10.18.5 Department Heads should be advised that any interview panel that appears to grant an unfair advantage to the candidate(s) will be dismantled and reassembled by the Director of Human Resources and Development.

## **10.19 Successful Transfers**

10.19.1 The President and the appropriate Executive Officer must approve all transfers. Where a transfer is successful, it will be acknowledged by the Human Resources Department. The necessary paperwork will be completed to include effective dates of transfer, salary, title changes and status changes, if necessary. And, the transferring employee will be required to undergo a three (3) month probationary period.

10.19.2 In cases where the position being vacated due to transfer is a senior or specialist position, a period of notice may be introduced to avoid disruption to the department being vacated. All parties concerned must adhere to the established notice period.

## **10.20 Unsuccessful Transfers**

10.20.1 An unsuccessful transfer will be acknowledged by the Human Resources Department by the candidate receiving a 'letter of regret', and inviting them to discuss the reasons why they were not successful.

## **11.0 ACTING AND DEPUTIZING**

11.0.1 The primary purpose of an acting or deputizing appointment is to cover the duties of another employee or vacant post and to ensure that essential duties and responsibilities are carried out so that the College is not disadvantaged in any way.

11.0.2 The President and the Vice-President, Finance and Operations will make the determination if an acting or deputizing appointment should be made. However, where an acting or deputizing appointment is being considered, Department Heads will be obligated to ensure that an acting or deputizing appointment is absolutely necessary – before making the justification.

11.0.3 When such an appointment is being considered, the following guidelines should be considered:

- a) An acting or deputizing appointment shall not result in consequential acting appointments, nor will the appointment imply a right to be appointed to that post at a later date.
- b) Acting or deputizing appointments are normally for short periods of time. Only in exceptional circumstances will they be considered for periods longer than six (6) months.
- c) Exceptional circumstances can include but are not limited to, an extended illness of the current Department Head, the termination of a current Department Head, or extended leave for personal reasons for a current Department Head. In these cases, the acting or deputizing appointment will be acknowledged for up to six (6) months after which every attempt will be made by the President and the Director of Human Resources and Development to decide the status of the position in which an employee is acting or deputizing.
- d) Department Heads should be advised that because of the connotation that can be implied when a person acts in a post for longer than six (6) months, that it will be necessary for the BPSU to be notified of the College's intentions.
- e) The terms under acting and deputizing appointments do not apply to employees in the Succession Plan who fall under the Succession Plan Policy.

## **11.1 Requests and Financial Responsibility**

11.1.1 Requests for acting or deputizing appointments must be made to the President and copied to the Vice President, Finance and Operations. In cases where the President makes the appointment for an Executive level post, the Board Chair will be notified.

## **11.2 Scope of Duties and Compensation**

11.2.1 An employee appointed to act or be deputized is only expected to cover the main duties of both posts, not every duty. As such, a contract will be drawn by the Director of Human Resources and Development in accordance with the duties and responsibilities expected to be undertaken during the relevant period. The parties will sign the contract; and, any addendums will follow normal procedures.

11.2.2 Payment for an acting or deputizing appointment is only made when the appointment exceeds seven (7) consecutive days.

The following methods of calculation will be followed accordingly:

- a) Payment for an **acting appointment** is made at the lowest grade of the post to which the employee is appointed to act;
- b) Payment for a **deputizing appointment** is made half way between the employee's existing grade and the lowest grade of the post to which the employee is appointed to deputize.
- c) In cases where the post being appointed to is singularly graded (i.e.) BCS 41, and above, the method of calculation will include using the current grade of the employee and the single grade of the deputized post and calculating to a 'half way' point. The calculation to reach a monthly figure will proceed accordingly. In such cases, the final monthly pay will **not** be reflected on the current salary chart.

## **12.0 EVALUATIONS, TRAINING AND PROFESSIONAL DEVELOPMENT**

### **12.1 Annual Performance and Evaluations**

12.1.1 The appraisal and evaluation process for College employees is initiated by the Department of Human Resources.

12.1.2 The appraisal system was established to make employees aware that their job performance is appraised on the basis of their individual skills and professional performance of assigned duties. Both the support staff system and the faculty system of evaluation are based on factors affecting the employee's general contribution to the College and the specific department responsibilities that they hold.

12.1.3 The process of evaluating employee performance is extremely important and should be used as an opportunity for employees and supervisors to:

- a) Highlight training and development requirements;
- b) Provide justification for awarding merit awards for exceptional performance;
- c) Highlight areas of concern and possible courses of action.

12.1.4 The process is comprised of:

- a) Setting objectives and time guidelines at the beginning of each employee groups' evaluation year;
- b) Evaluation of the set goals and objectives, mid-year;
- c) Final evaluation and ratings at the end of the year.

12.1.5 Employees are advised that while an informal appraisal/evaluation of performance is an ongoing process for all employees, the process is intended as a guide for assessing the performance of the employee in his/her jobs at the time the annual appraisal/evaluation is due. As a result, the annual evaluation process should contain meaningful dialogue, and the objectives and goals should be aligned with those of the Department/Division and ultimately, the College.

12.1.6 Note: Performance Appraisals and contract employment renewal or continuation, are two separate processes. Thus employees are advised that a favorable annual evaluation may not necessarily lead to a contract renewal or continuation.

### **12.2 Training**

12.2.1 It is generally accepted that training and professional development should be ongoing. As such, the Department of Human Resources and Development will support the College's efforts to properly train and develop its employee. Such training includes:

- a) In-house orientation for all new hires;
- b) New teacher certification and orientation;
- c) Sponsored training offered by and to the College by other professional organisations;
- d) Overseas training and academic courses;
- e) Ad-Hoc committee training and project work;
- f) Technical skills training and Certification Workshops;
- g) The Supervisory Training Institute and The Management Training Institute;

- h) Leadership Development Training (LDI);
- i) Study leave;
- j) Succession planning;
- k) Fast-tracking for promotion or transfer.

12.2.2 All parties play a role in an employee's training and development, as such it is not the sole responsibility of the Department Head or the College to guide or initiate an employee's training track.

### **12.3 The Centre for Human Resources and Development's Responsibility**

12.3.1 The Centre for Human Resources and Development is responsible for managing the funds for employee training and development. Those funds are provided within a Staff Training Budget and a Professional Development Budget. The Centre administers the applications for such training and applies the relevant funds.

12.3.2 The Centre establishes the policies and standards for promoting training awareness and training opportunities. Additionally, such training opportunities are coordinated and supervised by the Centre, including identifying training needs, and providing advice and guidance to Department Heads and individual employees.

12.3.3 It is the responsibility of the Centre for Human Resources and Development to ensure employees are properly trained to perform their duties; ensure that departments and divisions are properly manned with suitably qualified persons.

### **12.4 Department Heads' Responsibility**

12.4.1 Department Heads are responsible for ensuring that their employees' technical skills and job knowledge are up-to-date and sound. At each phase of an employee's job performance process, Department Heads must ensure the relevant training opportunity is offered and provided to support the agreed upon goals. Such training and the required resources and support should be documented and sent to the Director of Human Resources and Development.

12.4.2 Where employees do receive training, Department Heads must ensure employees are given the opportunity to utilize the skills learned upon their return to duty, or at the first opportunity.

### **12.5 Employee Responsibility**

12.5.1 Employees have an obligation to take ownership and responsibility for their own careers. They should demonstrate a commitment to achieving personal goals and to devoting the effort necessary to be successful in their chosen course of study or training development activity.

12.5.2 As result of documenting training to be undertaken subsequent to the evaluation process, employees are expected to take initiative to begin the process of the training, or for what activity or course has been agreed.

12.5.3 Employees expecting financial support or leave from the College to undertake any training should follow the correct procedures to ensure the correct parties are notified and allowances for such funds and leave are agreed.

12.5.4 Where an employee participates in supervisory; management or leadership training, or where an employee is selected for succession training, he/she must accept that the commitment to continuous training and development in the College does not automatically lead to promotion.

## **13.0 PROFESSIONAL DEVELOPMENT (Under Review)**

13.0.1 The College is strongly committed to the ongoing training and development of all its employees, as such the College and the Union have agreed to provide an annual sum of funds dedicated to professional development.

13.0.2 The fund supports professional development and training requested and/or required as a result of either:

- a) Goals and objectives accomplishments to be supported by training or professional development, through the attendance of workshops; conferences; seminars etc.,;
- b) Individual application through the professional development application process.

13.0.3 The most frequently asked questions as well as guidelines regarding how the professional development application process works, as well as eligibility (outside of such PD being 100% job-related) are answered on the College's Portal.

### **13.1 Professional Development Extended Leave**

13.1.1 The College and the Union are responsible for selecting members of support staff and faculty respectively to serve on the Professional Development Committee. This committee will consider requests for professional development leave that would require the employee to be away from campus for extended periods of time. In such cases, the committee may recommend that the employee receive 75% of their normal compensation for the period of the leave.

13.1.2 The College, on recommendation of the Committee, may grant a maximum of two such leaves each calendar year.

13.1.3 **Note:** Such extended leaves are not available for employees on term contract.

### **13.2 Post-Leave Requirements**

13.2.1 Employees who apply for and receive such leave are required to return to College employment for a minimum of one year after the leave is completed.

### **13.3 Faculty Professional Development Days**

13.3.1 As per the College's Collective Agreement, all College faculty members are required to attend and participate in a total of three (3) Professional Development Days. These days are scheduled over one academic year.

13.3.2 As the professional development days are mandatory, faculty are advised that non-participation in or absence from scheduled days without prior authorization, may result in loss of pay for time missed and/or other discipline.

13.3.3 It is generally understood that exceptional or unforeseen circumstances when missing professional development days will be considered at the time of deciding if discipline and loss of pay should be applied.

13.3.4 While such professional development is not mandatory for support staff, they are invited to attend any session(s) they deem applicable or of interest to themselves or their department.

## **14.0 SALARIES AND BENEFITS**

14.0.1 The College pays its salaries and benefits from an annual Operating Grant received from the Government. As such, all Budget Managers are expected to submit reasonable staffing requests for each year.

### **14.1 Method of Payment**

14.1.1 Payment of all salaries will be in Bermuda Dollars by direct deposit into an employee's local bank account. Each employee is responsible for establishing his/her own account and notifying the Benefit Specialist in The Human Resources Department of the details of that account. This process is required when an account changes as well.

14.1.2 Exceptions to direct deposit salary payments are:

- a) Payment to Adjunct Instructors;
- b) Student employees;
- c) Final salaries to employees upon termination or resignation.

### **14.2 Responsibility of Human Resources and the Business Office**

14.2.1 The Human Resources Office and the Business Office are responsible for ensuring that:

- a) The payroll is correct and complete for the 15<sup>th</sup> and end of the month;
- b) All payments are properly made to bona fide employees;
- c) The payroll is properly authorised.

14.2.2 The Business Office shall:

- a) Control the payment of all salaries, wages, pensions and other benefits;
- b) Withhold all appropriate deductions;
- c) Make all relevant payments on behalf of employees to the appropriate agency or other body.

### **14.3 Pay Grading**

14.3.1 Each post within the College has a grade attached if it is a support staff post, or will have a grade and step attached to it upon hiring if it is a faculty post. Pay for adjuncts are set according to credits per course, and the fee is negotiated with the Union as per the Collective Agreement contract.

14.3.2 Support Staff employees normally enter employment at the minimum grade for the post. In exceptional circumstances consideration may be given to appointing the employee at a higher grade in the grade range. Likewise in cases when an employee does not meet the minimum experience or hold the full qualifications for the post, the employee may be placed on an appropriate, lower grade. In either case, the Executive Line Officer together with the Director of Human Resources and Development will determine the appropriate grade.

#### **14.4 Support Staff Placement**

As per the College's Collective Agreement:

14.4.1 Support Staff are placed on the (Bermuda College Scale) BCS according to the grade applied to the position. With the exception of Dean Posts and Executive Posts BCS 41 and above being only one step, all other support staff positions are three (3) step grades.

14.4.2 Placement on the Bermuda College Scale and Step will be at the time of a support staff employee's initial hire.

14.4.3 Other step increases may be as result of, a) A successful performance evaluation during the performance appraisal period, and/or, b) A position re-evaluation.

#### **14.5 New Faculty Salary Placement**

As per the College's Collective Agreement:

14.5.1 All regular, full-time Faculty Members, when employed by the Bermuda College, are appropriately placed on the Bermuda College Salary Matrix by the Academic Vice President and the Director of Human Resources and Development. The President will review final salary placement.

14.5.2 The Faculty Member will submit those credentials and information that he/she chooses to submit at the time of placement, to be considered for placement on the salary matrix.

#### **14.6 Faculty Placement as a Result of Additional Qualifications**

14.6.1 Where a faculty member obtains additional qualifications as per the Salary Matrix Criteria, his/her placement will be effective either in August, the fall semester or January, the spring semester. The effective period is dependent on when documentation is submitted by the faculty member. No retroactive payments will be considered.

#### **14.7 Position Re-evaluations**

14.7.1 New Positions and current positions requested for re-evaluation are conducted by the Director of Human Resources and Development.

14.7.2 Requests for positions to be evaluated must be made through the Department Head and in writing to the Director of Human Resources and Development. The reasons for the request and the specific focus of the evaluation must be clearly outlined.

14.7.3 Where an employee believes that the duties of the post for which they were originally hired has changed significantly over a period of time, a request for a re-evaluation can be made.

14.7.4 If either a review or restructuring of a job results in the post attracting a lower grade, the employee will retain the original grade for as long as he/she remains employed in that particular job. However, personal grade protection does not follow an employee through different jobs throughout the College. This is unless the employee is compulsorily required to undertake the duties of a different post.

14.7.5 The information is signed off by the Department Head then submitted to the Senior Leadership Team for final approval.

14.7.6 If an employee applies for a lower graded post, or if an employee is assigned to a lower graded post for disciplinary reasons, the lower grade will be applied to the employee.

#### **14.8. Merit Awards**

14.8.1 Support staff employees whose annual performance 'exceeds expectations' may be awarded a monetary merit award. This will be at the discretion of the Department Head, and is not subject to appeal.

14.8.2 The merit award is applied based on either exceptional performance and/or the completion of all the employee's agreed upon goals.

14.8.3 In all cases, the Director of Human Resources and Development is responsible for submitting merit awards to the payroll department for payment. However, where there is more than a reasonable doubt that an award should not be applied to an employee, the Director of Human Resources and Development will notify the Department Head of the reasons why. The Department Head will have the onus of providing the justification for the award to be applied.

#### **14.9 Cost of Living Adjustments**

14.9.1 The College negotiates with the Union for a Collective Agreement for employees covered by the bargaining unit. These negotiations may result in a cost of living increase.

#### **14.10 Final Pay**

14.10.1 Final pay cheques are delivered to the Human Resources Office, along with any outstanding vacation leave included.

14.10.2 If employees have departed the College without retrieving their final cheques, they must leave contact information with the Benefits Specialists in the Office of Human Resources in order to be contacted to retrieve their final cheque.

#### **14.11 Extenuating Circumstances**

14.11.1 It is against the College's human resource and payroll procedures to direct deposit final pay cheques.

14.11.2 Therefore, employees should be advised that unless their personal circumstances are extenuating, they must make arrangements to retrieve their final pay cheque from the Human Resource Office.

14.11.3 The Director of Human Resources and Development reserves the right to determine an extenuating circumstance. Should an employee request to have a final pay cheque direct deposited, the Director of Human Resources and Development will consult with the Vice President, Finance and Operations to decide if the process can be altered.

## **15.0 BENEFITS**

15.0.1 Benefits for employees are set out in the Collective Agreement between the College and the Union. Comprehensive pension, life, and medical and dental insurance coverage is provided to all eligible employees.

15.0.2 For full details of all benefits plans, employees should speak directly with the Benefits Specialist in the Human Resources Department.

15.0.3 All non-fulltime or non-permanent part-time employees should consult with the Benefit Specialist in the Human Resources Department to determine what benefits if any, they are eligible for.

### **15.1 Pension**

15.1.1 The **Public Service Superannuation Act 1981** provides for a contributory pension plan to all fulltime, permanent employees over the age of 18 years and under the age of 58 years.

15.1.2. The College and the employee fund the plan equally.

### **15.2 Life Insurance Equivalent**

15.2.1 Attached to the Pension Plan is the “Capital Sum Payable on Death” benefit which is equivalent to a life insurance policy. Pensionable employees with more than one year’s continuous service are eligible for this benefit. Full cost for the benefit is borne by the College.

15.2.2 The amount payable on the untimely death of an employee enrolled in the pension plan is equivalent to one year’s gross annual salary. The employee must stipulate beneficiaries on the Capital Sum Payable Death Form, and ensure it is updated as necessary.

15.2.3 The benefit is discontinued on retirement or upon leaving the College.

### **15.3 Medical Insurance**

15.3.1 Comprehensive major medical health insurance is provided for employees and their eligible dependents under the Government Employees Health Insurance Scheme (GEHI), and includes full or part payments for various benefits.

15.3.2 In most cases, premiums are shared between the College and the employee.

## **16.0 RETIREMENT LEAVE**

### **16.1 Request for Special Pay Leave for Retiring Employees**

16.1.1 Employees who are retiring from the College, who are eligible for Special Pay Leave will refer to the Collective Agreement *Pensions and Gratuities* and be guided by this Article when applying for Special Leave.

16.1.2 Only employees 65 years of age are eligible to apply for Special Pay Leave. This is an important fact as employees between the ages of 60 and 64 years are eligible for early retirement, but the official retirement age, which the special pay leave is based on, is 65 years.

16.1.3 Eligible employees will have worked a minimum of 10 years continuous; where any work was part time, that portion of service will be pro-rated and equated to full-time status and added to his/her full-time service to determine the number of weeks of entitlement.

16.1.4 In order to expedite the special pay leave request, and to ensure the special leave with full pay is granted, employees will be expected to send their request to the President and copy to the Director of Human Resources and Development, where possible, at least one (1) year in advance of the requested leave. This amount of time is recommended as the President must work with the Human Resources Office and the affected Department or Division to ensure the retiring employee's department and duties will be prepared for the employee to leave before the actual date of retirement.

### **16.2 Special Pay Leave Options – Support Staff**

16.2.1 Support staff operate on a calendar year basis. As such, the primary consideration when opting for special pay retirement leave will be either: 1) Whether to take the weeks/leave they are due prior to their 65<sup>th</sup> birthday or, 2) Working until their 65<sup>th</sup> birthday and having the special pay apply to their pay for the amount of weeks/leave they are due.

### **16.3 How the Options Apply**

16.3.1 *Option 1* - When taking this option, employees will discontinue working by the number of weeks they are due – prior to their 65<sup>th</sup> birthday. Example: A support staff employee having completed 10-14 years of service will be eligible for four (4) weeks special full pay retirement leave. If their 65<sup>th</sup> birthday is July 1<sup>st</sup>, they will be eligible to discontinue working on June 1<sup>st</sup>. However, they will continue to be paid until July 1<sup>st</sup>.

16.3.2 *Option 2* – When taking this option, the employee will discontinue working on their 65<sup>th</sup> birthday. They will continue to be paid for the number of weeks they are due of their special full pay retirement leave. Example: A support staff employee having completed 20-24 years of service will be eligible for eight (8) weeks special full pay retirement leave. If their 65<sup>th</sup> birthday is July 1<sup>st</sup>, they will continue to be paid until September 1<sup>st</sup>.

### **16.4 Special Pay Leave Options – Faculty**

16.4.1 Faculty operates on an academic year basis. As such, the primary consideration when opting for special pay retirement leave will be either: 1) During a semester; 2) During the summer; 3) At the beginning or end of a semester.

## **16.5 How the Options Apply**

16.5.1 *Option 1*- When considering this option, faculty will have to decide whether to continue to work through to the end of the semester in which they turn 65 or decide prior to the semester commencing whether they will begin that semester knowing their 65<sup>th</sup> birthday will fall midway the semester. This will be the same consideration for option 3.

16.5.2 Should faculty decide to continue to teach past their 65<sup>th</sup> birthday, they will be paid accordingly through the end of the semester. If they wish to continue their employment beyond the semester in which they turn 65, they must follow the application process.

16.5.3 *Option 2* - Faculty members who fall into this category will have a 65<sup>th</sup> birthday that falls during the summer. In such a case, the teaching contract will be paid accordingly followed by the retirement leave pay. If the faculty member wishes to continue their employment into the academic year, they must follow the application process.

16.5.4 In all cases, within the year that the faculty member reaches 65 years of age, if they are eligible for special full pay retirement leave, they must apply for it. When the pay leave will be applied will be based on the faculty member's decision, and the President's decision, regarding their continued employment.

16.5.5 **Important Note:** Where an employee requests continued employment after the age of 65 years, and consideration of granting the request will make the employee eligible based on having reached the minimum ten (10) years of service, the employee is advised the he/she will first be "officially retired", after which, the application for continued employment will be considered.

## **17.0 RESIGNATIONS AND TERMINATIONS**

### **17.1 Resignations for Support Staff and Faculty Members**

17.1.1 A Support Staff employee intending to resign from Bermuda College should review the Collective Agreement, ***Article, Resignations***, where they will be guided by the Agreement. However, to resign in good standing, a support staff employee must give at least thirty (30) days' notice to the effective date they wish to resign unless otherwise stated in their letter of employment.

17.1.2 A Faculty Member intending to resign from Bermuda College should review the Collective Agreement, ***Article, Resignations***, where they will be guided by the Agreement. However, to resign in good standing, faculty members must give at least four (4) months' notice to the effective date they wish to resign.

17.1.3 Where resignations do not comply with the specified requirements, the Department Head must immediately consult with the Director of Human Resources and Development to determine whether an appropriate penalty should be levied. Such penalties may include payment in lieu of notice, reimbursement for costs associated with training or recruitment or full payment of any advances from the College.

17.1.4 All employees are expected to carry out their full duties and responsibilities up to their last day of work.

17.1.5 The President may use discretion to determine whether the required notice period should be reduced by the amount of outstanding annual paid leave.

### **17.2 Letters of Resignation**

17.2.1 A letter of resignation should be submitted to the Department Head and copied to the Director of Human Resources and Development. Once the letter of resignation is received, the employee will be contacted by the Human Resources Office to begin the separation process from the College. The date of resignation will be confirmed at this time to ensure correct information is logged on to documents for the relevant Government Agencies.

### **17.3 Mutual Release Agreements**

17.3.1 In circumstances where separation from the College occurs under mutual agreement but, requires that the terms of the separation remain confidential and a matter of record for the College and possibly Union and/or legal representatives, the College will document the particulars of the separation including any financial remuneration and the terms of the release in a ***Mutual Release Agreement***. This Agreement will be signed by all relevant parties, and all parties will be expected to uphold the Agreement.

### **17.4 Communicating Resignations and Terminations**

14.4.1 The College considers resignations and terminations to be either personal decisions or confidential personnel matters. Therefore, all matters pertaining to an employee's termination (including suspension) will remain confidential to the Human Resources Department and the President's Office.

## **17.5 Types of Terminations**

17.5.1 Employment at Bermuda College may be subject to termination by:

- a) Expiration of a contract;
- b) Retirement on the grounds of age;
- c) Retirement on the grounds of a medical condition;
- d) Retirement by agreement;
- e) Dismissal or retirement in the public interest;
- f) Dismissal for gross misconduct;
- g) Termination or retirement on abolition of office or to facilitate departmental contraction or re-organisation;
- h) Summary dismissal for gross misconduct on the description set out in section 25 of the Employment Act 2000.

17.5.2 An employee may be summarily dismissed for gross misconduct which is directly related to the employment relationship or which has a detrimental effect on the College's business and is of such a nature that it would be unreasonable to expect the employer to continue the employment relationship.

17.5.3 In all cases except summary dismissal for gross misconduct, the College shall give notice, or payment in lieu of notice, in accordance with the terms and conditions outlined in the employment contract.

17.5.4 In cases of gross misconduct, the employee's employment will be terminated immediately.

17.5.5 In the case of termination based on the expiration of a contract (including a work permit), it is the responsibility of the Director of Human Resources and Development to give the employee the required notice, verbally and subsequently, in writing.

## **18.0 DISCIPLINE**

18.0.1 The maintenance of good order, discipline, efficiency and proper conduct is essential to the reputation of the Bermuda College. Every executive, administrator and employee has a direct duty to the College and the students of the College to preserve the highest standards in all aspects of work and behavior. Malpractice, inefficiency, incompetence will not be ignored or tolerated.

18.0.2 As per the College's current policies and procedures for Discipline and Dismissal, the following outlines the College's steps of progressive discipline and those actions considered either as misconduct or gross misconduct, and the penalties that may be applied as a result.

### **18.1 Disciplinary Action**

18.1.1 Under the Collective Agreement between Bermuda College and the Bermuda Public Services Union and under the Employment Act 2000, the College is entitled to take disciplinary action against an employee. This action may include written warnings and/or suspensions.

18.1.2 The College recognises that certain operating rules must be enforced for reasons of safety, general welfare, and fairness. Thus, the College has adopted general principles of progressive disciplinary rules to address disciplinary matters.

18.1.3 Employees are expected to familiarize themselves with the disciplinary rules.

18.1.4 It is the responsibility of the Department Heads or their designee to manage disciplinary rules as a part of their professional duty for the management of the College. The handling of such matters should adhere to fairness and consistency when determining who shall be disciplined as well as what the discipline will be.

18.1.5 Progressive discipline is such that employee shortfalls must be consistently brought to their attention, and any improvements, with deadlines must be clarified and repeated; this is as often as the cycle of behavior repeats. However, where the cycle repeats itself with increasing negative consequences, the penalties must also increase. Dismissal is considered a last resort. This is because there is an obligation on the part of the manager to encourage the required changes yet document the infraction, and all efforts to improve the matter.

18.1.6 Department Heads are expected to complete the necessary documentation of discipline at all stages of discipline, including prior to any formal discipline during the stages of coaching and or counseling. In any formal stage of discipline, a disciplinary form must be completed by the direct supervisor and filed with the Department of Human Resources. And, employees must be advised that all disciplinary forms are placed in their personnel file.

### **18.2 Progressive Discipline Steps**

18.2.1 Managers are reminded of the following steps and documentation required during progressive discipline.

18.2.2 In cases of coaching and counseling, where the employee's behavior directly and consistently affects their work and indirectly the performance of their unit or department, coaching and counseling may be instituted as a supervisory referral to the Employee Assistance Programme or, the employee may be placed on 'work probation'. As such, the employee's participation and adherence

to any recommended changes will be considered mandatory. Non-participation may then affect the employee's employment status with the College.

- a) Verbal Reprimands** - The Department Head will speak to the employee about the disciplinary matter. A record of the meeting must be kept by the Department Head for his/her records.
- b) Written Reprimands** - The Department head will write to the employee about the disciplinary matter. A copy of the letter along with a copy of the session is placed in the employee's personnel file and the employee and the Union's Chief Shop Steward will also receive a copy.
- c) Suspensions (Administrative Leave)** - If the behavior persists after the appropriate steps of discipline have been taken, employees should be advised that they may be placed on administrative leave while the necessary investigations into the employee's misconduct takes place.
- d) Termination** - If an employee does not adhere to any of the above mentioned steps and continues with the negative behavior to the detriment of the College or the Department, or where an investigation confirms the employee's misconduct or the gravity thereof, a recommendation is made to the President, and the President will determine if the employee is to be terminated.

### **18.3 Warnings on File**

18.3.1 As per the College's Collective Agreement, if an employee has had no further warning or warnings in a period of six months, then the prior warning or warnings will be null and void and shall not be used against the employee in the future.

18.3.2 If an employee has had no warnings in a period of nine months, then the warnings shall be removed from the employee's file.

### **18.4 Warnings on File for Serious Misconduct or Gross Misconduct**

18.4.1 Employees whose conduct is determined through the disciplinary process to border on gross misconduct, or on appeal of (their) termination are instead given a lesser penalty, will have their warnings file time reviewed. This will be to determine how long the warning, as a consequence to the misconduct, will be active.

18.4.2 Therefore, the President and/or the appropriate Executive Officer, in consultation with the Director of Human Resources and Development, will have the flexibility to determine the active period for the warning.

18.4.3 While the active period will not be indefinite, a period of two (2) years will apply in those cases where the College's discipline is as serious as, a) Suspension without pay, and b) Termination.

## **19.0 MISCONDUCT AND GROSS MISCONDUCT**

19.0.1 When Department Heads believe an employee has committed misconduct or gross misconduct, they should act quickly by reporting the conduct to their Executive Line Officer and to the Director of Human Resources and Development; they must also recommend a penalty. The Executive Line Officer will decide on the penalty, except termination, after consultation with the Director of Human Resources and Development.

### **19.1 Misconduct**

19.1.1 An employee has committed misconduct if he/she:

- a) Fails to comply with this Code of Conduct or with any policy, statute, regulation or order governing his/her employment;
- b) Without good and sufficient cause, fails to carry out any lawful or reasonable order or instruction by his/her superior, whether or not that order is in writing;
- c) Is inefficient;
- d) Neglects or without good and sufficient cause, fails to carry out his/her duties promptly and with diligence;
- e) Fails to report for duty in the allotted time and place or is absent from the place of duty without authorization;
- f) Feigns or exaggerates sickness or injury with a view to evading duty, or reports sick without cause;
- g) Uses obscene, abusive, threatening or insulting language or behavior to another employee or member of the public;
- h) Communicates to any person any information of a secret, confidential, privileged or security nature which is in his/her possession without authorization;
- i) Aids, abets or incites misconduct by another employee, whether or not the misconduct is committed, or assists another employee who has committed misconduct to evade or attempt to evade detection or punishment.

19.1.2 Misconduct penalties that may be imposed by Department Heads include:

- a) Both oral and written warnings;
- b) Formal written warnings;
- c) The Department Head may recommend that restitution is an appropriate remedy and may – upon consultation with his/her Executive Line Officer, make an agreement with the employee to make restitution for any loss or damage caused by the employee to College property.

### **19.2 Gross Misconduct**

19.2.1 An employee has committed gross misconduct if he/she:

- a) Assaults another employee, student or member of the public while on duty;
- b) Is unfit for duty as a result of being under the influence of alcohol or drugs;
- c) Acts fraudulently or dishonestly, or is involved in theft or failure to account for College funds, monies or property;
- d) Commits a series of acts of misconduct or a single act of misconduct of such gravity that in the opinion of the President it warrants being treated as gross misconduct;

- e) Acts in a manner that is in the opinion of the President likely to bring the College into disrepute.

19.2.2 Gross misconduct penalties that may be recommended by the Executive Officer, and imposed only by the President, in consultation with the Director of Human Resources and Development, are:

- a) Suspension with partial loss of pay;
- b) Suspension with full loss of pay;
- c) A surcharge levied to compensate for any loss incurred by the College, accordingly, as specified in the College's Financial Policies;
- d) Reduction in rank, demotion to a lesser office, attracting a lesser salary;
- e) Dismissal.

### **19.3 The Treatment of Offenses**

- a) When deciding how all offenses, specifically those not of a criminal nature, are treated, will be influenced both by the circumstances of the Department/Division and by the circumstances of the particular case, including the employee's record.
- b) A temporary employee whose conduct requires disciplinary action will be dismissed.
- c) An employee who is absent from duty without permission or without reasonable cause renders himself/herself to disciplinary action. The onus will rest on the employee to show that the circumstances do not justify such action being taken.
- d) Where the employee is absent from duty without leave or a reasonable excuse for a period exceeding five (5) working days, the employee shall be deemed to have resigned.
- e) Employees may be permitted to resign instead of being dismissed where the dismissal is a punishment out of proportion for an offense committed in the employee's private life.

### **19.4 Appeals Process**

19.4.1 Employees are advised to review the College's Policies and Procedures Manual and the Collective Agreement on the Portal, to review the steps of grievances and discipline and dismissal. Only the principles related to the appeals process are described below.

19.4.2 Appeals against any disciplinary action may be lodged in writing in fourteen days of the penalty being awarded.

19.4.3 In cases of misconduct, the employee's final right of appeal is to the President whose decision will be final.

19.4.4 In cases of gross misconduct, the employee's final right of appeal is to the Chair of the College's Board of Governors whose decision will be final.

## **20.0 Computer and Internet Use**

20.1 Bermuda College technology resources may be used for lawful purposes only. Users are prohibited from the following actions and behaviors:

- 20.1.1 Creating, storing, working with, or sending through any Bermuda College IT services, material that is unlawful, obscene, threatening, abusive, libelous and/or hateful.
- 20.1.2 Material that encourages conduct that would constitute a criminal offense.
- 20.1.3 Behaviors or actions that give rise to civil liability, or violates any applicable local, national or international law. This includes, but is not limited to material protected through international convention of copyright, trademark, and trade secret.

20.2 All users are subject at all times to all provisions of **Bermuda College's Information Technology Policies, The Computer Misuse Act 1996, the Electronic Transactions Act 1999, the Telecommunications Act 1986, and the Copyright and Designs Act 2004**. These laws may be viewed at <http://www.BermudaLaws.bm>.

**Note:** The College's Information Technology Policies can be viewed on the Portal.

## **Appendix I - DEALING WITH VIOLENT OR DISTURBED STUDENTS**

When a violent student is encountered, first responders, managers or front line staff should adhere to the following procedures:

1. Immediately alert security, or ask for security to be called on **4911**. Security extensions **must** be listed on all department bulletin boards, main campus bulletin boards, and all employees' desk telephones. Someone should remain on the line with the Operator or Security Officer to keep an information flow.

**IMPORTANT: All areas are outfitted with either panic buttons or intercoms; employees should make themselves aware of the locations of these devices. Further, employees should not be hesitant in using either device in cases of emergency. When a panic button is pressed the office of security and the police department will automatically be alerted and deployed to the area of the emergency.**

2. If the incident unfolds in a classroom or lab, where possible have the student escorted from the class **without** using physical contact. When it is **not** possible to escort the student, the remaining students should be removed instead. Then, the room holding the student should be secured until security and/or police or medical personnel arrive.

3. If the incident unfolds in any other area and/or open, public space, **members of management** or other staff present will be required to assist the security personnel with securing the immediate area by keeping all students and non-involved persons away from the area.

**IMPORTANT: After these initial steps are taken, employees are strongly advised to 1) Keep a safe distance from the violent student, 2) Keep a safe distance from the violent incident, and 3) Do not, under any circumstances, insert themselves into a physical altercation.**

4. As a precaution, the campus nurse or the Director of Nursing Education should be called to assess the possibility of drug involvement or provide first aid if needed. **The Operator will make this call.**

5. As an additional precaution, the Director of Student Activities (DSA) should be called. This is because the student and/or any previously disclosed emotional or social conditions may be known to the DSA.

Also, the President and the Director of Communications should be notified, if not already at the scene. **The Operator will make these calls.**

6. Once on the scene, security personnel **only** will make the determination whether or not the police authorities should be called, or turned back in cases where a panic button when pressed automatically alerts the police authorities.

7. All first responders and responding managers **will be required** to complete an *Incident and Accident Form*. Witnesses to the event will be asked by the security personnel present to provide their account.

8. All documentation of such events are required to be kept on file in the Office of the Supervisor of Custodians and Security, and copied to the Director of Human Resources and Development.

The latter is for the purposes of Safety and Health reporting requirements, and supporting documentation where employees are involved.

## Appendix II - OFFENSIVE WEAPONS GUIDELINES

When a gun incident is encountered, first responders, managers or front line staff should adhere to the following procedures:

1. Immediately call 911 and relay all information to the 911 operator.
2. If you are without access to a telephone, ask for 911 to be called.
3. Next, immediately alert security, or ask for security to be called on **4911**. Security extensions must be listed on all department bulletin boards, main campus bulletin boards, and all employees' desk telephones. Someone should remain on the line with the Operator or Security Officer to keep an information flow.

**IMPORTANT: All areas are outfitted with either panic buttons or intercoms; employees should not hesitant to use either device in cases of emergency. When a panic button is pressed the office of security and the police department will automatically be alerted and deployed to the area of the emergency.**

4. The Operator will be required to **first** contact the President or his/her designee, and second, contact the Director of Communications. Both parties will then follow established crises communications and intervention procedures.

5. If the incident unfolds in a classroom, lab or other interior place, **where possible**, remove all students and staff from the area and to the safest area away from the gun or gun holder.

**IMPORTANT: When removal of students and staff or leaving the area is not possible, employees are strongly advised to, 1) Not approach the person who is holding or carrying the gun, 2) Not to excite the offender, and, 3) Not to resort to any verbal or disarming tactics.**

7. If the incident unfolds in an external area on campus, steer all students and staff away from the area of the gun or person holding the gun.

8. If an incident or accident has already occurred as a result of the gun being discharged, and injuries are involved, immediately ask for the campus nurse or the Director of Nursing Education to be contacted. **The information receptionist or the operator will make this call.**

9. Until the arrival of the Director of Nursing or the campus nurse, emergency responders, and the police authorities, **members of management** will be required to assist the security personnel with securing the immediate area by keeping all students and staff away from the area.

10. All first responders and responding managers will be required to complete an *Incident and Accident Form*. And, in the case of gun incidents, witnesses to the event will be asked **by the police authorities** to provide their account.

11. All documentation of such invents are required to be kept on file in the Office of the Supervisor of Custodians and Security, and copied to the Director of Human Resources and Development. The latter is for the purposes of Safety and Health reporting requirements, and supporting documentation where employees are involved.

## **Appendix III - DRESS GUIDELINES**

The purpose and goal of *Dress Guidelines* is to ensure that all College employees are appropriately dressed to conduct the business of the College. In the process, present a professional image to our students, customers and clients.

### **Application**

These guidelines are in effect during regular, recognised College working hours and days of operation. It applies to all fulltime and part time employees including adjunct instructors.

Academic Staff includes all lecturers, instructors, faculty tutors, lecturer tutors and adjuncts in both Divisions including the Division of Professional and Career Education.

### **Dress Guidelines for Employees**

- a) While Bermuda College is not considered a corporate environment where an established style of work attire is expected, it is a professional environment. College employees are considered professionals in their own right, and they serve as 'good examples' for students – both in conduct and attire. Thus, a standard for dressing appropriately for a professional environment is encouraged. Some liberties in style and dress expressions are granted due to the freedom of expressions that are customary in an academic environment.
- b) All employees are expected to assist in presenting an appropriate image to our students and visiting public.
- c) Employees who are required to wear uniforms should wear them clean and neat, and where practical, pressed. Uniforms should be worn in their entirety and not mixed with non-uniform clothing.
- d) The dress guidelines to follow below are for **normal** working conditions. Those employees engaged in activities that require other dress (labs, studios, the bookstore, the cafeteria, athletic competitions, working with machinery, etc.,) should use their best judgment.

### **Dress Guidelines for Support Staff**

- a) When representing the College in meetings, in print or television media, or on external Committees or Boards, College employees should consider the event or situation and what style of dress is acceptable and appropriate, and follow accordingly;
- b) Employees who work in kitchens and in the capacity of food preparers and servers should ensure that their uniforms are cleaned on a regular basis.
- c) For female employees, please be mindful of too sheer materials, length of skirts and dresses, form fitting clothes as opposed to clothes that may be considered too tight; and blouses or shirts that may be considered cut too low. Tank tops are not acceptable without a top layer. Consideration should be given to clothing that is traditionally work attire from weekend attire.

- d) For male employees, please be considerate of pants or trousers that may be considered too tight as opposed to form fitting. Golf shirts and collared shirts are acceptable. T-Shirts are acceptable when covered by a sport coat. Among other traditional male clothing that would not be acceptable (unless working in an athletic or activities capacity) would be track suits or sweat suits.
- e) For both male and female employees, Bermuda length/style shorts and short suits are also considered appropriate professional attire.
- f) Jewelry is taste specific, but consideration should be given to jewelry overload, or that which could be considered distracting.
- g) The College acknowledges “casual Fridays” for support staff. The obvious connotation is that dress will be less formal on these days. Jeans, khakis and similar material is acceptable, but clothes of this type should be worn in the context of “smart and casual” but appropriate to conduct business as required of each person’s position. Individual discretion is required when casual Friday attire should **not** be worn.

### **Dress Guidelines for Academic Staff**

- a) Academic staff members are allowed discretion and liberty for choosing their work attire. In doing so, they should be ever mindful that they serve as role models for the students with whom they teach. Consistent with this role, academic staff should dress in a manner and have an appearance that is appropriate and professional in light of the environment in which they work, the duties of their jobs, and the impressionable youth they serve.
- b) Faculty who work and/or instruct in the culinary arts should ensure that their uniforms are cleaned on a regular basis. Chefs and Culinary Instructors must have clean and presentable attire readily available if and when they are to be exposed to the public. It is expected that the highest standard of personal hygiene and grooming will be followed including having clean hands and fingernails, head coverings, and the use of the appropriate hygiene products.
- c) Those faculty and academic staff who are engaged in work and activities that require other dress (labs, studios, working with machinery, etc.) should use their best judgment.
- d) Sweat suits et al, or sweat pants should not be worn while teaching, or while holding office hours unless you are an Instructor in the College’s athletic programmes.

### **Non-Adherence to the Dress Guidelines**

- a) Administrators are authorized to interpret these guidelines, and their interpretations shall be given reasonable deference.
- b) Employees who appear to ignore the established guidelines above will be addressed by their immediate supervisor. It is expected that such an intervention will be sufficient for the employee to make the necessary adjustment to their appearance. Failure to do so may result in disciplinary action.

## Appendix IV - Policy - Dignity at Work – The Employee Cheat Sheet

### Scope

'Dignity at Work' is a term used to encourage employers and employees to be responsive to the need for everyone to be treated with respect in the workplace. It is an essential part of the conduct of all who work for the Bermuda College.

A person's dignity at work is affected when behavior by an employee or the employer results in undermining the self-respect and self-worth of an individual or group of individuals.

### Goal

It is the goal of this policy to ensure that all employees, irrespective of grade; position; employment status; or personal status, be treated with respect and dignity, and that the College's Core Values are kept at the forefront of all employees' dealings with others, within the College.

### Support

Therefore, the Board of Governors of Bermuda College will have zero tolerance for behaviors that contribute to bringing shame and humiliation to employees. In each case that such behaviors are proven, corrective measures will be taken.

The Executive of Bermuda College and the Bermuda Public Services Union, fully support this policy and the accompanying complaints processes.

### Behaviors Covered Under this Policy

**BULLYING** is defined as repeated, aggressive behavior towards someone who is less powerful. It is about someone attempting to take improper control over another person and/or inappropriate assertion of authority. The aim of bullying is to bring someone perceived to be in a less powerful position, under one's submission. It is a destructive behaviour that is critical of a person and not the person's mistake(s). It seeks to publicly (in front of others) humiliate the person and results in the person feeling fearful and compromised. *For Symptoms of Bullying – see the full policy.*

**VICTIMIZATION** is the act of treating someone unfairly because he/she voiced an opinion or acted contrary to what the employer would, or did wish. Has or intends to give evidence or information in connection with proceedings brought by any employee within the complaints process. Made a complaint, or is contemplating making a complaint against his/her supervisor or manager or executive line officer with regards to the breach of this policy; and has rejected sexual advances. Victimization can also be a consequence of the employer (manager/supervisor/executive line officer) retaliating for a real or imagined slight against him or her. *For Symptoms of Victimization – see the full policy.*

**DISCRIMINATION/EQUAL OPPORTUNITY:** An employee can feel discriminated against for any perceived consequence of their age, race, color, religion, mental or physical disability, local opinion, and pregnancy. Equal opportunity refers to fair treatment of employees by the Administration of

Bermuda College. Therefore, if an employee believes he/she is being discriminated against or being denied equal opportunity, they may follow the procedures within the College's Code of Code and its Collective Agreement. ***For a full definition of Equal Opportunity – see Appendix II in the full policy.***

- A) If any of these situations occur, all employees will have the right to have their complaints addressed in accordance with this policy.
- B) Corrective measures will be taken for all proven cases of non-compliance with this policy.
- C) Complaints in this regard will be dealt with in accordance with College disciplinary procedures under gross misconduct, as outlined in the College's Code of Conduct and the Collective Agreement.
- D) Complaints regarding retaliation against an employee who reports alleged incidents of harassment or bullying in good faith, will be dealt with in accordance with the disciplinary procedures for gross misconduct.

### **Making a Complaint and Handling a Complaint**

**Point 1:** If complaints are against the manager/supervisor, it is done so through the Grievance Procedures as documented in the College's Collective Agreement.

**Point 2:** If complaints are made by one employee against another employee, those persons will be encouraged by their manager to work through the issue between themselves. Employees may have someone accompany them during the meeting if they decide to resolve the matter themselves. The accompanying person cannot be a relative or spouse of the employee.

**Point 3:** If it is not possible for the parties to resolve the matter – then, in the first instance, the Department Head must hear the complaint, conduct the initial interviews with the parties, and then an investigation should proceed.

**Point 4:** The Department Heads' decision to proceed with an investigation must be shared with the Director of Human Resources and Development, who in turn, will provide advice and instruction.

**Point 5:** All decisions and paperwork must be signed by all parties and will be filed in the HR Department in a file that is not connected to either employee's personnel file.

### **Proceeding to the Formal Grievance Process**

**Point 1:** The Director of Human Resources and Development will contact the parties and advise of the steps of grievance and options to include a Shop Steward.

**Point 2:** As a result of any investigation into such complaints, the investigation documentation can be referred to during any formal grievance process. The same documentation will be kept on file for a period of two (2) years from the date of the resolution.

## **Exceptional Cases**

Exceptional cases are those complaints that fall into one of three categories, and normally involve persons in positions of power. The categories are **1) Repeat violations by an employee, supervisor, department head or executive line officer within a period of two (2) years; 2) Victimization; and, 3) Denial of equal opportunity.**

**IMPORTANT:** All complaints in *Exceptional Cases* must be in writing using the prescribed form and follow specific procedures, and be addressed to The Director of Human Resources and Development.

*For Complaint Procedures for Exceptional Cases – see the full policy.*

## **Timeframes for Dealing with Complaints**

Where timeframes for dealing with such matters are not adhered to, and the Director of Human Resources and Development is not notified of the reason(s) for the delay, the matter of non-compliance may escalate up the chain of authority to include the President and/or the Chair of the Board of Governors.

## **Likely Penalties for Proven Behaviors**

If any of the behaviors are proven, it will likely fall under gross misconduct, and penalties are likely to include suspension or dismissal from the Bermuda College.

## **Confidentiality**

This policy requires that confidentiality is upheld at all times by all parties that are involved.

**IMPORTANT:** Where signatures are required, employees are advised this keynotes that the parties have read and understood the document. A signature is not an admission of guilt.

**Click on the link below and scroll down to 'Dignity at Work' Policy.**

[https://portal.college.bm/depts/dept-hure/Shared%20Documents/Forms/AllItems.aspx?&p\\_SortBehavior=0&p\\_FileLeafRef=PD%20Application%20Form%5frev%20March%202015%2edoc&&PageFirstRow=1&&View={6C6633C1-E9C7-4058-B4E2-11179331FAD5}&InitialTabId=Ribbon%2EDocument&VisibilityContext=WSSTabPersistence](https://portal.college.bm/depts/dept-hure/Shared%20Documents/Forms/AllItems.aspx?&p_SortBehavior=0&p_FileLeafRef=PD%20Application%20Form%5frev%20March%202015%2edoc&&PageFirstRow=1&&View={6C6633C1-E9C7-4058-B4E2-11179331FAD5}&InitialTabId=Ribbon%2EDocument&VisibilityContext=WSSTabPersistence)

## Terms Related to Dignity in the Work Place

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**Bullying:** Is defined as the physical or psychological intimidation of one person by another and can occur in a variety of ways such as verbal, non-verbal or physical.

**Complainant:** The employee who files the complaint against another employee who has allegedly breached the policy.

**Confidant:** Someone to provide support.

**Department Head:** The member of the Administrative Management Team who manages a Department.

**Dignity at Work:** A term used to encourage employers and employees to be responsive to the need for everyone to be treated with respect in the workplace. It is an essential part of the conduct of all who work for the Bermuda College.

**Diversity:** Differences among people reflected in a variety of forms, such as race, gender, age, language, physical characteristics, disability, religion, lifestyle, and any other difference.

**Equal Opportunity:** The absence of discrimination in the workplace, based on age, race, color, religion, mental or physical disability, local opinion, and pregnancy.

**Exceptional Cases:** Those complaints that fall into one of three categories, and normally involve persons in positions of power. The categories are:

- Repeat violations by an employee, supervisor, department head or executive line officer with in a period of two (2) years;
- Victimization; and,
- Denial of Equal Opportunity.

**Executive Line Officer:** The President; the Vice President Finance and Operations; the Vice President Academic and Student Affairs.

**Expunged:** To permanently destroy records.

**Harassment:** The act of annoying, provoking another person. It is unwelcomed behavior (s) that is directed at, or offensive to any employee or group of employees of Bermuda College.

**Line Manager:** The person to whom the employee reports to directly.

**Reasonable Justification:** This is defined for the purposes of this policy as normal practices within the organization or department.

**Reassign:** Temporary removal of an employee from his/her work area or department while a complaint is being inquired into or investigated.

**Repeat Respondent:** Any employee in violation of this policy on more than one occasion with the two year period.

**Respondent:** The employee who allegedly has breached the policy.

**Retaliation:** Any act of injury or insult by the respondent to the complainant or vice versa.

#### **Terms - Continued**

**Victimization:** Is the act of treating someone unfairly because he/she:

- Voiced an opinion or acted contrary to what the employer would or did wish;
- Has or intends to give evidence or information in connection with proceedings brought by any employee within the complaints process;
- Made a complaint, or is contemplating making a complaint against his/her supervisor or manager or executive line officer with regards to the breach of this policy; and,
- Has rejected sexual advances.