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Policy: Administrative Appointment Policy  
Policy No: 4.01  
Approved: March 2006

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### **ADMINISTRATIVE APPOINTMENT**

The President shall be appointed by the Board of Trustees in accordance with the provisions of the Education Law which applies to the operation of community colleges. The affirmative vote of a majority of all voting members of the Board shall be required.

Appointments of all other members of the staff and faculty shall be made by the President and shall be noted by the Board of Trustees. Appointments of part-time employees shall be made by the Vice President overseeing the department where the part-time employee shall work. See also Article VII of the Agreement between the County of Sullivan and Teamsters Local 445 (hereafter referred to as the Teamster CBA) and Articles 13, 14 and 15 of the Agreement between Sullivan County Community College and The Professional Staff Association (hereafter referred to as the PSA CBA.)

### **Employment of Managerial/Confidential Employees**

Sullivan County Community College employs individuals to fill certain titles to perform managerial and confidential functions as defined by the New York Civil Service Law. Such employees do not have academic rank, tenure or continuing appointment.

The employment relationship between the College and its Managerial and Confidential employees is “at will.” That means that either Sullivan County Community College or the Managerial and Confidential employees may terminate the employment relationship at any time for any reason. Nothing in any manual, appointment letter, or any other document or statement, whether oral or written, should be construed to create or imply a continuing employment expectation for any Managerial/Confidential (MC) employee.

### **Work Schedule**

MC employees establish a normal work schedule to be approved by the immediate supervisor. Such schedule is result driven and position specific. There are frequent meetings during the evening at which

attendance must be considered as part of the normal responsibilities of those who are in this area of work. Also, there may be times when the workload may be such as to require numerous hours beyond that considered to be the normal working hours. This is considered a part of the responsibility of those who are classified as MC employees. An MC employee's schedule, on the other hand, is sufficiently flexible to allow for time away from the office during the normal work day with the approval of the immediate supervisor. As an exempt employee, MC employees are not eligible for premium overtime pay or compensatory time.

### Separation from Service

Although MC employees may terminate their employment relationship at any time for any reason, MC employees separating from service are encouraged to give the College sixty days notice of resignation and/or four months (120 days notice) of intent to retire.

The President may dismiss any MC employee at any time for any reason. At the discretion of the President, the employee may be offered a severance package in addition to payment of allowed vacation leave accruals.

### Insurance Benefits

Health insurance for MC employees shall be administered in a manner consistent with the provisions of the collective bargaining agreement between the College and the Professional Staff Association ("PSA CBA"). Life insurance for MC employees shall be administered in a manner consistent with the provisions of the PSA CBA. Disability insurance for MC employees shall be administered in a manner consistent with the provisions of the PSA CBA.

Insurance benefits for MC employees are subject to modification by the College at any time, with or without notice.

### Retirement Plan Options

Membership in retirement systems for MC employees shall be administered in a manner consistent with the provisions the PSA CBA and the options and eligibility requirements determined by the State University of New York and the retirement systems' rules.

Retirement Plan Options for MC employees are subject to modification by the College at any time, with or without notice.

### Paid Leave

MC employees are considered twelve month employees and accrue the benefit time during the fiscal year (i.e., September 1<sup>st</sup> through August 31<sup>st</sup>). MC employees accrue the following benefits, which are subject to change by the College, with or without notice:

Sick leave        10.5 hours (1 ½ days) per month

Personal leave 3.5 hours (½ day) per month

Vacation        14 hours (2 days) per month

Holidays        employees will receive their regular daily pay on days where the College is closed in observance of a holiday

College closure employees will receive their regular daily pay on days where the College closes or changes its operating schedule due to weather or other emergencies only if the employee is expected to work on that particular day and has not been granted the day off using benefit time. No additional accrual of leave time will occur if the MC employee works on or off-site during a campus closure.

Sick leave may be used for the employee's own illness or to care for a spouse, child, parent or parent-in-law, or for medical appointments. Unused accrued sick leave may be carried over to the next year. An employee may accrue up to 200 days of sick leave. Sick leave has no monetary value upon separation from service.

Personal leave may be used to attend to personal matters. Unused accrued personal leave shall be converted to sick leave at the end of the fiscal year. Personal leave has no monetary value upon separation from service.

Vacation time must be approved by the MC employee's supervisor prior to being scheduled. Unused and accrued vacation may be carried into the next fiscal year. If an employee's accrual balance exceeds 40 days at the end of the fiscal year (August 31<sup>st</sup>), his or her vacation time will be reduced to 40 days effective September 1<sup>st</sup>. The maximum amount of vacation time that an employee may receive upon separation from service is 30 days.

### Salary

The salary of an MC employee will be approved by the President based on a schedule approved by the Board of Trustees upon the recommendation of the President. Such salary is a fixed annual salary that is paid on a bi-weekly basis. Employees are paid to perform a specific job rather than for specific hours of work and therefore are not authorized overtime pay.

Salary increases for MC employees are determined by the Board of Trustees.

### Waiver of Tenure

It is specifically understood and agreed that MC employees shall not be eligible for continuing appointment (i.e., tenure) or similar status. Persons who vacate a position with academic rank or who have been appointed initially in an academic rank eligible for continuing appointment shall retain their progression toward or achievement of continuing appointment upon accepting an MC position and their progress toward or achievement of continuing appointment will be held in escrow for one year. Should the employee decide to return to the continuing appointment eligible position within one year, tenure or progress toward tenure will be reactivated less the time spent in an MC role.