

Monitoring Report EL-03 Treatment of Employees June 12, 2024

I hereby present my monitoring report on the **Executive Limitations Policy EL-03: Treatment of Employees** according to monitoring report schedule (BPD-04). I certify that the information contained in this report is true and represents compliance with a reasonable interpretation of all aspects of the policy unless specifically stated otherwise.

Signed Leah A. Barrett, President

The President shall not cause or allow a workplace environment that is unfair, disrespectful, unsafe, disorganized, or otherwise interferes with employees' ability to do their jobs.

INTERPRETATION

1. Whether a person is being treated fairly or with respect, or whether a person feels organized, is a matter of perception, so asking employees in surveys is a reasonable way to assess it. Northeast Community College administered an Engagement Survey in the Fall of 2023. The results provide a benchmark score for each driver. Therefore, I interpret a workplace environment that is not unfair, disrespectful, unsafe, disorganized, or otherwise interferes with employees' ability to do their jobs that has a Inclusion Driver and Employee Empowerment scores at or above the benchmark score for higher education institutions that work with our consultant, McLean & Company. Furthermore, the Title IX Climate Survey administered in the Spring of 2024 allowing employees to rate their perceptions of working conditions. A reasonable benchmark of 75% aligns

with the national average for similar institutions. An expectation of 100% on a survey would not be reasonable because surveys measure perception, not fact.

- a. <u>Not unfair</u> to mean a benchmark score or higher on the Engagement Survey 75% positive response or higher on the Title IX Climate Survey to the question: "I believe this school is trying hard to make sure that all students and employees are treated equally and fairly."
- b. <u>Not disrespectful</u> to mean a 75% positive response or higher on the employee climate survey to the question: "I believe that students and employees at this school respect one another."
- c. <u>Not unsafe</u> to mean a 75% positive response or higher on the employee climate survey to the question: "I believe the school is trying hard to make sure that all students and employees are safe."
- 2. Additionally, several studies have found a correlation between the use of sick leave and stressful working conditions https://www.thehrdirector.com/business-news/health-and-wellbeing/stress-biggest-cause-of-absenteeism/ and https://www.rcinet.ca/en/2015/10/05/workplace-stress-means-employees-take-more-sick-days-off/. Therefore, I interpret a workplace environment that is not unsafe to mean the average sick leave per person is below average for our industry. The Bureau of Labor Statistics National Compensation Survey analysis shows that workers take on average, three (3) sick leave days per year. https://www.zenefits.com/workest/what-is-the-average-number-of-sick-days-in-the-u-s/

EVIDENCE

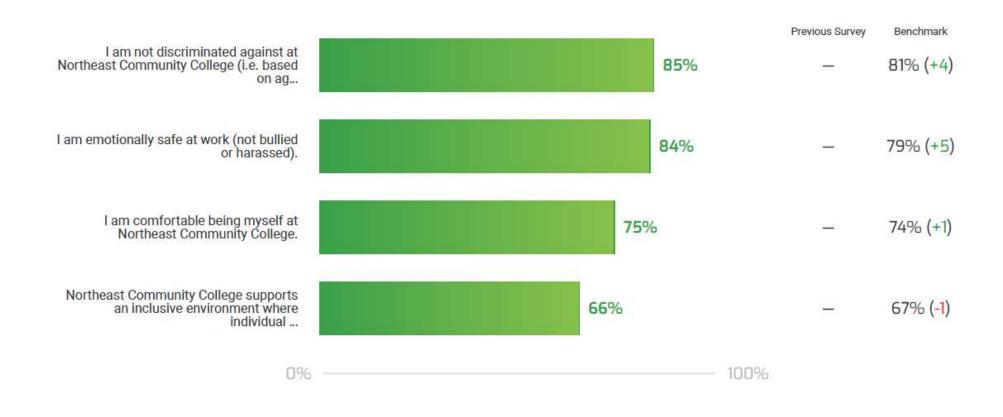
- A. A 78% positive response on the 2024 employee Title IX climate survey to the question: "I believe this school is trying hard to make sure that all students and employees are treated equally and fairly."
- B. A 80% positive response on the 2024 employee Title climate survey to the question: "I believe that students and employees at this school respect one another."
- C. A 93% positive response on the employee 2024 Title IX climate survey to the question: "I believe this school is trying hard to make sure that all students and employees are safe."

DRIVER: Inclusion

Northeast Community College Open Date: Nov 1, 2023 Close Date: Nov 16, 2023 # of employees: 432 # of responses: 346 Response Rate: 80%





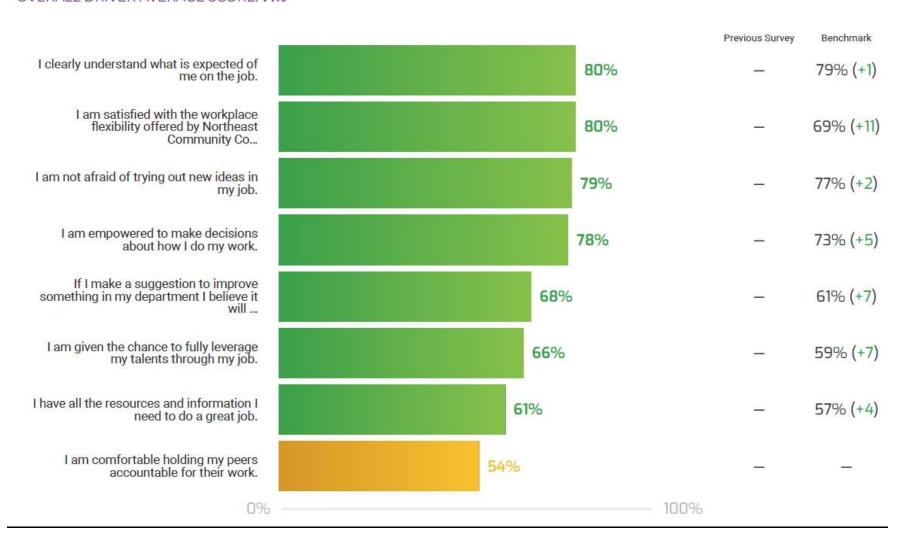


DRIVER: Employee Empowerment

Northeast Community College Open Date: Nov 1, 2023 Close Date: Nov 16, 2023 # of employees: 432 # of responses: 346 Response Rate: 80%



OVERALL DRIVER AVERAGE SCORE: 71%



The results from the survey are very positive. The Engagement Survey is in its first year of administration and we look forward to continuous improvement. For the Title IX Survey the results are all higher than the previous survey. The College is committed to addressing areas of concern. We will continue to invest in bettering the culture working with McLean & Company, our Engagement Team and utilizing focus groups as an additional channel to attain employee feedback outside of the engagement and climate surveys. This includes meetings at the extended campuses to understand their engagement needs.

D. The College's average annual sick leave taken per person per year is 2.00 days, down from 2.85 last year, less than the industry average.

... the President shall not:

1. Allow employees, or those seeking to be employees, to be without current, enforced, written human resource procedures that clarify expectations and working conditions provide for effective handling of grievances, and protect against wrongful conditions.

The table on the following pages provides an interpretation of each policy condition and a description of the evidence to support compliance.

Policy Condition	Interpretation	Evidence
Current, written documentation that clarifies expectations and working conditions and their enforcement	There are written human resource policies and procedures in place, reviewed at least every five (5) years, that address terms of employment, expected hours of work, compensation and benefits, leaves, absenteeism, access to personnel records, emergency procedures, employee evaluation processes, progressive discipline, job classification, criteria for accessing employee professional development funds, and procedures for fair hiring practices. All Human Resources Policies and Procedures are publicly accessible on the College's website: https://northeast.edu/about-us/policies	Continuous and ongoing review of policies and procedures will be conducted; potential, necessary revisions will be made due to changes in federal and state labor laws. Automatic review schedules within PolicyStat ensure policies and procedures are reviewed and implemented based on the five (5) year review schedule. Policies and procedures related to Human Resources are reviewed by the Human Resources Standing Committee and the VP of Human Resources. Additional feedback and insight is sought from the VP of Administrative Services & General Counsel and outside Legal Counsel as needed. This content is consistent with the industry norms for human resource policies and procedures guided by the Society of Human Resource Management (SHRM) and the Colleges & University Professional Association – Human Resources (CUPA-HR).
Clarifies expectations and working conditions	If the Engagement Survey results related to expectations and working conditions are at or above the benchmark, we are in alignment with meeting this objective. If the results fall under the benchmark, it is understood this is a perception and appropriate actions need to be taken to rectify.	The question on the Engagement survey, "I clearly understand what is expected of me on the job," received a score of 80%, which is above the benchmark. The group of questions related to Employee Empowerment, as it relates to that individual's job, on the Engagement Survey were all above the benchmark. Those related to Working Environment, as measured by the Engagement Survey, scored well above the benchmark at an overall score of 78%. Job descriptions are reviewed during the performance review process. This will help ensure expectations and working conditions are current based on each position. Employees and supervisors were refreshed on the Performance Review process in October of 2023. The performance management program integrates job description reviews through an HRIS software system, PeopleAdmin.

Policy Condition	Interpretation	Evidence
Enforcement	All employees have signed an agreement to adhere to all policies and procedures. This provides documented proof employees know about and have agreed to abide by the policies and procedures.	Since the review of HR files in 2019, confirming 100% of employees had a signature on file indicating an agreement to the policies and procedures. All new employees onboarded to the College have been required to sign this agreement prior to starting their position. The HR representative processing onboarding documents will audit this when reviewing new hire signatures to ensure form completion. The HR executive assistant does a second check of signatures upon digitally filing the employee records.
Effective handling of grievances	There are written policies and procedures describing how to report a grievance, including details of the process and deadlines, and the process provides for a fair hearing and legal counsel confirms they are consistent with the principles justice and procedural fairness. This information is stated in AP-7710.0 Employee Grievance Procedures.	The College utilizes Maxient software to provide an electronic complaint process for all grievances and harassment complaints. This software also has modules for academic integrity, student conduct, and Title IX. The software provides further efficiency for handling grievances and complaints as well as meeting compliance for required documentation and reporting, meeting investigation timelines, and ensuring adequate, consistent processes. The procedure is overdue for review but all noted details are present. There were three complaints submitted in 2023 and the process (AP-7710.0) was followed. All were resolved at the Divisional Level. The institution acts with integrity; its conduct is ethical and responsible. This includes President updates and operational reports to the Board as necessary or appropriate. Also stated in the Northeast Community College Higher Learning Commission Assurance Argument (2023), Criterion 2 Summary: Adherence to integrity at Northeast Community College begins with board policies and administrative procedures that direct the ethical and responsible conduct for all constituents – Board members, employees, and students. The College ensures multiple avenues are employed for communicating policies and procedures to internal and external constituencies. Evidence of the College's compliance with this criterion includes established processes to avoid conflicts of interest, internal controls and successful completion of external audits, and practices for conducting open Board meetings. Accreditation with the Higher Learning Commission was notified of reaffirmation in Feb 2024.

Policy Condition	Interpretation	Evidence
Protects against wrongful conditions	Internal and external legal counsel experienced in labor relations and Title IX federal and state laws, confirms that written policies and procedures provide clear guidelines explaining employees' options if they are unfairly treated by a supervisor, or unfairly disadvantaged in comparison with others who are related to a supervisor. Wrongful conditions include unfair treatment, nepotism, discrimination, and harassment.	The Human Resource policies and procedures related to unfair treatment and wrongful conditions have been reviewed according to the policy review process. Freedom of Speech was updated in May 2024. There are clear written guidelines explaining circumstances that are not acceptable, the steps to be taken if an employee encounters such situations, including details of the process, and the consequences. This is reasonable as knowledge of the process to follow is a crucial part of protection.
	Applicable procedures: AP-1010.0 Nondiscrimination (includes Harassment and Nondiscrimination for all Faculty, Students, Employees, and Third-Parties attachment) AP-1010.1 Harassment, (includes Harassment and Nondiscrimination for all Faculty, Students, Employees, and Third-Parties attachment) AP-1030.0 Freedom of Speech AP-7121.0 Nepotism and Personal Relationships	The reporting process provides an option to submit a complaint without complaining directly to the immediate supervisor. This is reasonable as it is important for an employee to be able to submit a complaint without fear of retaliation. The Title IX Coordinator is monitoring the U.S. Department of Education 2024 Amendments to its regulations and reviewing what changes need to be made. https://www2.ed.gov/about/offices/list/ocr/docs/t9nprm-factsheet.pdf The results from the 2024 Title IX Survey noted above are further evidence that employees feel they are treated fairly and work in a safe environment.

...the President shall not:

1.1 Permit Employees to be without adequate protection from harassment and bias.

INTERPRETATION

I interpret <u>adequate protection</u> from harassment and bias to mean the organization has policies and procedures in place to address harassing conduct and hold employees accountable at the earliest possible stage before the conduct becomes so "severe and pervasive, and/or objectively offensive."

AP-1010.0 Nondiscrimination

AP-1010.1 Harassment

This is reasonable because inadequate protection from harassment and bias for employees could result in severe consequences it can have for the victims and those who witness it. Additionally, workplace harassment and/or bias can have a direct effect on the College in terms of increased absenteeism, lower productivity, higher employee turnover, loss of morale, and the potential costs of fighting or settling harassment lawsuits.

Furthermore, survey results from both the 2023 Engagement Survey and 2024 Title IX Climate Survey are indicators of the employee's perception of their working environment.

EVIDENCE

- A. Internal review of applicable policies and procedures confirmed they are consistent with all legal requirements. (see section #1). Nondiscrimination went through formal review in March of 2024 and Harassment went through in May of 2021.
- B. Internal review of applicable policies and procedures confirmed they include descriptions of unacceptable circumstances and a detailed reporting process. (see section #1)
- C. Internal review of policies and procedures confirmed a process to submit a complaint other than to an immediate supervisor is present. See section F.
 - Source: Harassment and Nondiscrimination for all Faculty, Students, Employees, and Third-Parties Attachment from <u>AP-1010.0</u> <u>Nondiscrimination</u> and <u>AP-1010.1 Harassment</u>.
- D. A review by VP-HR of HR files on harassment confirmed there was one report (Year 2023) of harassment that after the investigation commenced, the complainant chose to withdraw the complaint for informal resolution. Professional development was completed by the accused. In the event there are any substantiated claims, the appropriate discipline is

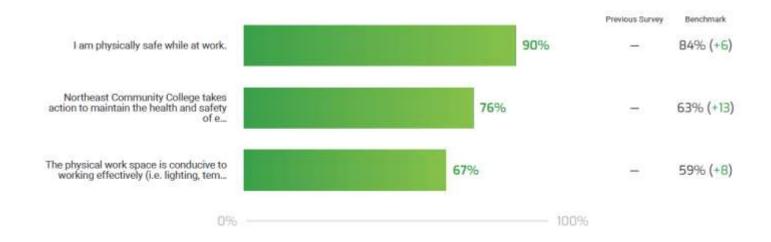
- applied by VP-HR or designee, which is consistent with the progressive discipline procedures AP-7322.0 Progressive Discipline for Non-Faculty Employees and AP-7322.1 Progressive Discipline for Faculty Employees.
- E. Campus Climate Surveys are administered regularly to attain feedback and metrics related to a safe and secure work environment. The Engagement Team reviews priorities and develops action plans to improve the culture and environment. The Working Environment driver is significantly above the industry benchmark suggesting employees feel free from harassment and bias.

DRIVER: Working Environment

OVERALL DRIVER AVERAGE SCORE: 78% OVERALL BENCHMARK AVERAGE SCORE: 69% Northeast Community College Open Date: Nov 1, 2023 Close Date: Nov 16, 2023 Response Rate: 80%

of employees: 432 # of responses: 345





- F. Maxient Software is utilized for managing student and employee misconduct, harassment, or discrimination reports . This tool provides an effective, efficient process when responding to reports. There is increased awareness of prohibited forms of conduct and information about how to use the College's reporting system.
- G. Annual harassment prevention and Title IX training is administered to all employees through the Learning Management System, SafeColleges. All safety (SafeColleges), information security (SANS) and Title IX training is launched in October of each calendar year and employees have 1 month to complete all required, virtual compliance annual training. All training is 100 percent complete. If training is not completed as scheduled, a warning is provided to the employees notifying them that computer access will be suspended. All new hires are provided with 30 days to complete the training.
- H. The Title IX survey for employees was administered once again in the spring of 2024. The survey is administered every two years. This survey is a necessary component of the annual State of Nebraska Legislative Report for Title IX subject to §85-608. The last report was submitted in the fall of 2023 (link below). Per state statute, this report is required for odd-numbered years.
 - a. https://nebraskalegislature.gov/FloorDocs/108/PDF/Agencies/Northeast Community College/761 20230913-143127.pdf
 - b. https://nebraskalegislature.gov/laws/statutes.php?statute=85-608

...the President shall not:

1.2 Permit employees to be uninformed of the performance standards by which they will be assessed.

INTERPRETATION

Compliance will be demonstrated through the performance management program where employees create their own annual performance goals that include frequent discussions, ambitious scope, specific milestones, and transparency. Employee performance expectations for the coming year include 1) department goals, 2) professional development goals, and 3) performance goals. This is reasonable because according to the American National Standards Institute, Inc., departmental, behavioral, and performance goals which are specific and measurable "describes the minimum effective standard for performance goal setting".

EVIDENCE

An internal review of goal submissions was at 99% for all permanent employees as of December 1, 2022. Employees will be evaluated at the end of the fiscal or academic year for their goal progress and completion, overall work performance, behavior, and individual professional development accomplishments.

Staff performance evaluations are conducted through PeopleAdmin, which is the software tool Human Resources uses for talent and record management. This tool also supports recruiting, hiring, and job descriptions. The evaluation process consists of steps taken throughout the year by both the employee and their supervisor. In addition to the performance evaluation, there is a "Mid-Year Coaching Check-in". The evaluations are used as a coaching opportunity, and the College encourages supervisors to have regular communication with their staff and faculty throughout the year. Having a mid-year check-in, and regular communication will allow the supervisor to coach, guide, and direct their employees in a positive manner.

Faculty evaluations have a slightly different process. The Vice President of Education Services (VP-ES) in collaboration with the VP-HR and VP-AS has established standardized responsibilities included in the standard 15% essential function portion "general additional duties beyond teaching." Specific additional duties may vary as they are determined in collaboration with the VP-ES, appropriate dean, and individual faculty member to fit the instructor and benefit the institution. All faculty credentials were reviewed in summer 2023 to ensure faculty are appropriately credentialed for the courses they teach. In addition, faculty performance evaluations now include a credential review by the Academic Dean or Academic Program Director to cross-reference the courses being taught by the instructor to ensure appropriate credentialing. In summer 2024, the VP-ES will develop a credential to subject crosswalk matching standards established by the Higher Learning Commission for all programs offered at Northeast. The crosswalk will be a valuable resource to ensure consistency and appropriate credentials when hiring new faculty and during faculty evaluation review.

<u>AP-7315.0 Employee Performance Review</u> procedure was revised May 2023 to reflect the new process going forward.

...the President shall not:

2. Allow conditions or practices inconsistent with a trusting, cooperative, and collaborative workplace environment.

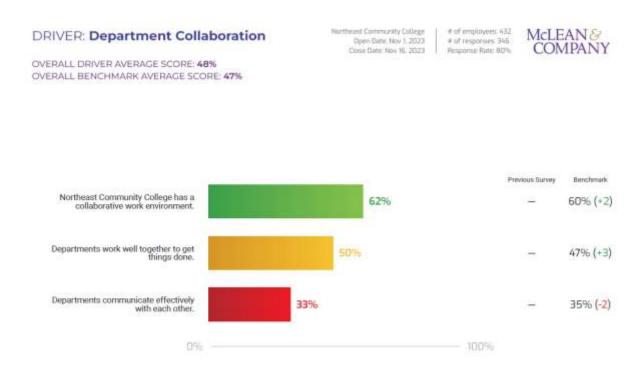
<u>INTERPRETATION</u>

Asking employees for their perceptions anonymously is most likely to provide a valid response. 75% is reasonable or at an industry benchmark because if a person disagrees with something, there may be a tendency to criticize the workplace environment even though there is trust, cooperation, and collaboration. Two questions from the Title IX Survey seem to be most appropriate to describe a trusting, cooperative and collaborative work place: "I feel like I am a part of this school." and "I am happy to be an employee at this school." In the Engagement survey questions related to departmental collaboration will provide the best evidence for creating these conditions.

EVIDENCE

On the most recent employee survey conducted in the Spring of 2024, an average of 90% of respondents replied positively to the statement, "I feel like I am a part of this school." And 92% responded positively to the statement, "I am happy to be an employee at this school."

In reference to the Engagement Survey Department Collaboration Driver, the overall score is above the benchmark, there is a need to improve the working relationships and communication between departments.



The evidence of this data point is influenced by the work of the Human Resources and the Engagement Team.

The Engagement team has approximately twenty members to represent all divisional areas of the college. Their vision is to empower and inspire employees through active engagement with their respective divisions and departments throughout the college community. The team's purpose is to empower and inspire employees through active engagement within their respective departments and positions, through the college community.

Purpose:

- Develop an environment where employees feel motivated, appreciated, energetic, and committed to their work.
- Promote interaction and trust between administration, leadership, and employees.
- Seek to understand and appreciate different perspectives.
- Address employee concerns and issues.
- Encourage, celebrate, and recognize employees.
- Actively solicit employee feedback; evaluate and recommend strategies for improving employee engagement.
- Review employee survey results, assess results and recommend appropriate actions to address priorities for change.

Professional Development training programs for all employees are being scoped and will be implemented during the 2024 – 2025 school year. The topics will be derived from feedback from the Engagement Survey, Engagement Survey Focus Groups and other feedback or needs assessment mechanisms.

...the President shall not:

3. Retaliate against any employee for non-disruptive expression of dissent.

INTERPRETATION

Engagement Survey results from the Inclusion Driver as noted above seem to provide an anonymous perception of their emotional safety.

It is also important to articulate employees' freedom of speech and provide opportunities for engagement in policy development and approval. Moreover, the President needs to demonstrate openness to feedback and criticism.

EVIDENCE

- As noted previously, the Engagement Survey driver related to Inclusion was above the benchmark by 3 percentage points.
- A new procedure was developed and approved related to (AP-1030.0) Freedom of Speech.
- The College developed a Governance Taskforce in the spring of 2022 to review the current shared governance structure at Northeast Community College. This included reviewing data and feedback to inform changes to move towards a more collaborative structure. In May 2024, revisions to the existing structure were approved to be launched August 2024. The revision organizes committees by function rather than hierarchy and aligns all under the strategic priorities. Northeast Community College is organized into two distinct yet interrelated structures. One is the line structure of full, direct authority and administrative responsibility. The other is the channel of communications, under which the students and staff participate through committees in the decision-making process. Both structures are utilized to ensure the continuation of active and productive input into college planning and decision making. The structure is governed by the Guidelines for Shared Governance. The Engagement Team had identified governance and decision-making as high-priority action items that were spearheaded by this Taskforce. Regular newsletter communications and informational sessions about changes related to policy and procedure management are a few examples of efforts to provide additional transparency into governance at the institution. A SharePoint site was developed in 2023 to centrally house all shared governance agendas, notes, and supporting documentation that all employees have access to. A committee membership dashboard was developed to provide further transparency into committee membership, and also provide supervisors and vice presidents with additional insight into professional development opportunities via committee membership for those employees that are seeking it.
- PolicyStat software was implemented to simplify policy/procedure management. In 2024, the College began adding protocols
 to this platform for ease of access and versioning capabilities.

Although the College provides anonymous opportunities for gathering valuable employee feedback opportunities, the VP-HR and Cabinet members welcome opportunities for open expressions of dissent to align with the organizational values of continuous quality improvement. Trust is the desired condition, and we are dedicated to improving this as articulated throughout this document. Throughout the year several "coffee and convos" were hosted by the VP for Educational Services; open houses were hosted by the president; and meetings with the employee group leaders occurred. These are opportunities where employee leadership can share concerns and celebrations in an effort to promote open communication and trust.

...the President shall not:

5. Allow employees to be unprepared to deal with emergency situations.

INTERPRETATION

I interpret employees to be not unprepared to mean:

- A. There are written emergency management procedures and protocols available to all employees, which include detailed instructions for handling threats such as fire, weather-related emergencies, security-related emergencies such as bomb threats, physical violence by a hostile person, or cyberattacks. Access to written instructions is a reasonable first step in being prepared.
- B. Annual safety and emergency-related training is administered for all employees to provide the basic background knowledge and information of necessary actions when there is an emergency, or disruption of college operations.
- C. There are fire and emergency response drills conducted on an annual schedule to conform to standards required by law. Having actual safety trainings and drills provides "practice" and adds to preparedness should a real situation occur.
- D. A 75% positive response rate on an employment survey to the question: "I believe this school is trying hard to make sure that all students and employees are safe." Asking employees for their perceptions anonymously is most likely to provide a valid response. 75% is reasonable, because if a person disagrees with something, there may be a tendency to criticize the work environment and health and safety practices.

EVIDENCE

- A. Written emergency management procedures and protocols are available to all employees on the Northeast website: https://northeast.edu/about-us/risk-and-safety-information. As protocols are revised, they are also being added to PolicyStat.
- B. Virtual safety and cybersecurity emergency training is administered twice a year to ensure employees understand and agree to campus safety and security protocols. Compliance is demonstrated if there is a 100% virtual safety and cybersecurity emergency training completion in a calendar year. In 2023, there was 100% completion of these trainings, including Title IX. These training programs are administered through SafeColleges. Users who complete their training, report a phish campaign properly, or report a security incident earn a security badge sticker to display on their laptop cover or in their office.

 There have been changes made to the compliance training annual cycle and due dates. The new process is to have all safety
 - (SafeColleges), information security (SANS) and Title IX training be launched in October of each calendar year. Employees will have 1 month to complete all required, virtual compliance training on an annual schedule.

The College hired a Director of Risk Management and Associate Director of Environmental Health and Safety who will contribute to the success of safety and security compliance. There is an information security sub-committee that meets monthly to oversee compliance practices of this work.

A number of training programs and exercises have been conducted to build awareness and make our campus safe. A few of these are listed below:

- Sept 13. 2023—Campus Guard TTX—was with IT.
- November 20, 2023—conducted a hotwash regarding student suicide.
- January 3, 2024—Presentation on risk vulnerability assessment tool; presentation on bomb threats and overview of Building Emergency Action Plans
- January-May 2024—Commencement workgroup—created Event Action Plan that was used during commencement this year; included adding an Incident Command Post in the CAC and an active EOC in the Union on May 10th.
- Feb 9—presentation with custodial crew re. building emergency plans
- March 1—Fish Out of Water TTX with Northeast EOC staff (NEOC)
- March 4—first planning meeting for Cyber Ready board game; will be taken throughout the area and conducted in various communities
- Physical building assessments—started in March—have completed CAC, CWC, CON, Union, AAH, Acklie Farm, Ag
 Complex, Physical Plant, and the outside area by Paradise Courtyard and the picnic shelter to the north of the L
 Building. From March May on various dates; this included an environmental scan for the JED Campus, as well.
- March 27 —participated in the statewide tornado drill
- April 5 Conducted an FBI Active Shooter Training and Drill
- April 17—participated in the citywide full-scale exercise for a water plant security breach. We ran an EOC in conjunction with the city's EOC during the event. We were participants in this and did not facilitate it.
- May 7 9 Phoney Bombardment Functional Drill
- Upcoming—Quietus TTX with Residence Life, NEOC, law enforcement; scenario will be a student's death in the residence halls on June 10th.
- Working more on the Cyber Ready game to roll out in various towns across our service area. We're doing a run through with some of our staff on June 11th. Once we've done that, we're going to work on scheduling this at each of our campus locations (Norfolk, O'Neill, West Point, South Sioux City, and Ainsworth so far), and maybe some

other places that are interested, as well. We're not sure on the timeline for this, but we would hopefully have this completed before the snow flies this year.

- C. The College conducts an annual, internal fire and emergency response drill schedule per the emergency response protocols.
- D. On the most recent employee survey conducted in the Spring of 2024, 93% of respondents agreed with the statement "I believe this school is trying hard to make sure that all students and employees are safe."