Policy #:	**HRS.100.3**
Policy Title:	Employment Principles, Employee Types, & Hiring
Approval Date:	4/26/21
Review Date:	N/A
Related Documents:	C.R.S. 22-32-109 (1)(f) C.R.S. 22-63-101 C.R.S. 22-63-203 C.R.S. 22-63 (1990) C.R.S. 22-32-109 (1) (f) C.R.S. 22-63-206 Employee Contract Independent Contractor Contract MVCS Employee Handbook

Employment Principles

Employment is with the mutual consent of the employee and Mesa Valley Community School. Either has the right to terminate the employment relationship at any time, with or without explanation, justification, cause, or advance notice. There is no property interest in continued employment. All MVCS staff members are employees of Mesa Valley Community School and have no claim to rights arising under the Colorado Teacher Employment Compensation and Dismissal Act, including those pertaining to probationary/non-probationary conditions. This employment at-will relationship will remain in effect throughout the employment with MVCS. This employment relationship may not be modified by any oral or implied agreement. MVCS retains final decision-making authority regarding hiring or firing decisions in connection with MVCS staff.

Mesa Valley Community School is an equal opportunity employer. It is the policy of MVCS to afford equal employment opportunities to all qualified individuals without discrimination with regard to race, religious creed, color, national origin, ethnicity, ancestry, sex, gender, gender identity, age, physical or mental disability, marital status, medical condition, military or veteran or qualified disabled veteran status, or any other legally protected status.

MVCS is committed to maintaining a work environment which is free from discrimination, harassment, bullying, and retaliation. Employees are prohibited from discriminating against other employees, against applicants, or against students based upon the aforementioned protected classes. MVCS also honors the Crown Act of 2020 and will not discriminate against an individual based on the individual's hair texture or hairstyle if that hair texture or that hairstyle is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, locs, cornrows, twists, braids, Bantu knots, and Afros).

If an employee needs to request a reasonable accommodation or a variance in MVCS's stated policies and/or procedures due to the employee's disability, as defined by the Americans with

Disabilities Act, or the employee's sincerely held religious belief, the employee should notify his or her supervisor.

Employee Types

- Exempt—employees with job assignments that meet exemption tests under state and federal law. Exempt employees are compensated on a salary basis and are not eligible for overtime pay. The following positions are considered Exempt: Director, Assistant Director, Business Manager, Student Liaison, SST, AAs, Teachers, and Parent Education Coordinator.
- Non-Exempt—employees with job assignments that do not meet exemption tests under state of federal law. These employees receive compensation for overtime (exceeds 40 hours in a week) based on their hourly rate. The following positions are considered Non-Exempt: Financial Administrator, Educational Systems Administrator, Family Advisors, Office Manager, Community Liaison, and Grounds & Maintenance Manager.
- Full-Time—scheduled to work at least 30 hours in a week.
- Part-Time—scheduled to work less than 30 hours in a week.

Posting Positions

MVCS follows the Equal Pay for Equal Work Act (January 1, 2021) which states that employers make "reasonable efforts" to announce, post, or otherwise make known all job openings and opportunities for promotion to all employees on the same day should there be a vacancy. This does not include opportunities for "in line" advancement due to the needs of the employer. No notice is required to fill temporary positions for up to six months if the position is not expected to become permanent.

Employee Information/Forms

Employees are expected to provide truthful and accurate information in connection with their employment at MVCS. Any falsification or misrepresentation in connection with application materials or during the course of employment is a serious offense and may lead to discharge from employment or non-selection of an applicant.

Current employees may be required to update or execute any employee information forms. Current employees will be asked to complete an Intent to Return form each year to confirm the desire to return to MVCS the following school year. Contracts will be provided prior to the end of the school year for the following academic year.

Hiring Relatives

Mesa Valley Community School is committed to a procedure of employment and advancement based on qualifications and does not discriminate in favor of or in opposition to the employment of relatives of current employees or students. A candidate who is related to a current employee will be considered if that person is the best fit for the position. A "relative" is defined as one of the following: spouse or significant other, parent/step parent, child/step child, grandparent/grandparent-in-law, grandchild, brother/brother-in-law, sister/sister-in-law, step-sibling, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son or daughter).

Due to potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment which can be carried into the daily working relationship, MVCS employees may not:

- Work directly for or supervise a relative.
- Occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to a relative.
- Hold the same position/job duty as a relative (i.e. Academic Advisor, Family Advisor, etc.).
- Participate in the interview/hiring process of a relative.

Should employees become related after being hired, the Administration will ensure that the employees do not violate this procedure. If this is an issue, one of the employees must be transferred to a different position (if available) or a decision will be made regarding the discontinuation of the at-will contract based on current need. This applies to all employees regardless of status, position, or department, and includes both current employees and candidates for employment.

Hiring D51 Employees

There is no possibility of staff transfer between MVCS and School District #51 as these are two distinct hiring entities. Staff movement between the two entities is not a transfer; it is a dissolution of one employment contract and agreement to another.

Hiring Retirees

MVCS recognizes the wealth of experience of retired teachers and other employees and provides them with the opportunity for reemployment. Retirees are paid in accordance with the MVCS salary schedule according to years of previous experience. Retirees are eligible for medical insurance based on MVCS's eligibility policy. Leave time will be advanced and accrued at the same rate as a new hire.

A one-month separation period is required of a person retiring from a PERA position if the retiree plans to return to work for MVCS. A retiree may not return to work or volunteer his or her services during this separation period. During employment after retirement, a retiree and MVCS will pay required contributions to PERA. Retired PERA employees may work 110 days or 720 hours per calendar year. Retirees are responsible to keep record of hours worked so as not to exceed the days/hours allowable. Benefits will be reduced if the employee works more than the limits of days/hours.