

Personnel Policies

Highland Rim Economic Corporation

P. O. Box 208
Erin, TN 37061

Telephone: 931-289-4101

Effective: September 30, 2013
Amended: September 15, 2016
Amended: December 15, 2016
Amended: March 16, 2017

TABLE OF CONTENTS

Section I – General.....	3
Section II – Classification of Employees	4
Section III – Hiring of Employees	5
Section IV – Compensation	11
Section V – Work Schedule	25
Section VI – Required Training, Career Development, and Meetings	27
Section VII – Employee Conduct	29
Section VIII – Maintenance of a Drug-Free Workplace	35
Section IX – Head Start Child Discipline Policy	38
Section X – Employee Discipline Policy	40
Section XI – Performance Evaluation	42
Section XII – Termination of Employment	44
Section XIII – Grievance Procedures	48
Section XIV – Maintenance of a Smoke-Free Environment	51
Section XV – Adoption, Amendment, and Repeal	52

HIGHLAND RIM ECONOMIC CORPORATION

PERSONNEL POLICIES

SECTION I - GENERAL

- A. Purpose: Highland Rim Economic Corporation (HREC) is the primary Community Action Agency serving residents of Dickson, Houston, Humphreys, and Stewart Counties and a supporting Agency for residents of Montgomery County. Because HREC operates with taxpayer and donated funds, it is essential that personnel resources be managed efficiently and that employees conduct themselves in a professional manner, free of inappropriate behavior or behavior that might give the appearance of impropriety. These Personnel Policies are established to provide definitive guidance in the classification, hiring, compensation, conduct, training, evaluation, and termination of employees.
- B. Interpretation: In the event a question is presented which cannot be addressed either directly or indirectly within the four corners of these Policies, the Executive Director or Head Start Director (for Head Start staff issues) shall have the authority to answer that question based upon their interpretation of these Policies as well as their knowledge and experience. This interpretation may be challenged by the use of established grievance procedures (see Section XIII).
- C. Nothing contained in these Policies is meant nor should be construed as abolishing any federal or state mandated statute.

SECTION II – CLASSIFICATION OF EMPLOYEES

- A. Regular Employee: A regular employee is one who serves in a full-time job capacity and has successfully completed a 1040 hour probationary period.
- B. Probationary Employee: A probationary employee is one who serves in a full-time job capacity but has not yet completed the required 1040 hours of successful work performance.
- C. Full-Time Employee: A regular or probationary employee who ordinarily works a minimum of forty (40) hours per calendar week.
- D. Part-Time Employee: An employee who ordinarily works less than thirty (30) hours per calendar week.
- E. Temporary Employee: An employee who in a given calendar year works less than six (6) calendar months or who is employed to work full-time for a fixed period which does not exceed six (6) months at a time.
- F. Employees who voluntarily leave the Agency and then return to full-time employment shall be considered as new employees with probationary status (amended 6/18/2015).
- G. A full-time employee who goes to part-time status and then within one year goes back to full-time status will retain their seniority but will be subject to a probationary period in their new job assignment.

SECTION III - HIRING OF EMPLOYEES

A. HREC Central Staff: Hiring of employees assigned to the HREC Central Staff (including Neighborhood Service Center Supervisors) shall be in accordance with the following procedures:

1. Executive Director: The Executive Director shall be hired by the HREC Board of Directors in accordance with the following procedures:
 - a. When a vacancy in the Executive Director position occurs or is projected to occur, the Personnel Committee of the HREC Board of Directors will advertise the vacancy within the Agency to determine if there are qualified applicants for the position.
 - b. The Board of Directors may select one of the intra-agency applicants for the position or, at its discretion, may direct the Personnel Committee to advertise the position outside the Agency.
 - c. The Personnel Committee will interview all intra-agency applicants and review their personnel files to determine job qualifications and past work performance.
 - d. All applicants deemed by the Personnel Committee as fully qualified will be ranked and presented to the full membership of the Board for their consideration.
 - e. In the latter case, the Personnel Committee will advertise the position and secure sufficient applications to insure that a qualified applicant is available.
 - f. The Personnel Committee will review the applications and establish an order of priority.
 - g. Reference checks will be made on at least the top three candidates and personal interviews will be conducted if necessary.
 - h. The top three (3) candidates will be presented to the full membership of the Board for their consideration or the Board may request that all applicants be presented for their consideration.

- i. The Board will then select the Executive Director and he/she will be notified immediately, however, hiring is subject to the approval of the Head Start Regional Office.
2. Other Central Staff Positions: All other HREC central staff employees shall be hired by the Executive Director in accordance with the following procedures:
 - a. Temporary Employees: Temporary employees required because of emergency/unforeseen circumstances may be hired by the Executive Director without advertising.
 - b. Vacant positions will be advertised within the Agency to give current employees (to include part-time and temporary employees) the opportunity to apply for transfer and/or advancement.
 - c. In the case of transfer of a current employee into the vacancy, the above procedure will be repeated until there are no internal applicants for the remaining vacancy.
 - d. In-agency advertising will not exceed five (5) working days for each vacancy.
 - e. Following in-agency advertising, vacant positions will be publicly advertised for one (1) weekly publication date in area newspapers, posted at Agency facilities, and posted online (amended 6-18-2015). If the position is a minimum wage or very low paying position, advertisement may be limited to the county in which the individual will be working.
 - f. All applicants will complete a HREC Employment Application, attaching resumes, letters of recommendation, or other relevant information and returning same to the central office.
 - g. The Executive Director will select the most qualified applicants for reference checks, interviewing, and pre-employment drug testing (drug testing is at applicant's expense unless grant funds are available) and will be administered by WFE.
 - h. Based on the application, reference checks, interview results, and drug testing results, the Executive Director will select the individual to be hired.

B. Head Start: Hiring of employees assigned to Head Start positions shall be in accordance with the following procedures:

1. Head Start Director: The Head Start Director will be hired by the Board of Directors with the approval of the Head Start Policy Council in accordance with the following procedures:
 - a. When a vacancy in the Head Start Director position occurs or is projected, the Personnel Committees of the Head Start Policy Council and the Board of Directors will advertise the position both inside and outside the Agency to obtain sufficient applications to insure that a fully qualified applicant is available.
 - b. The Personnel Committees will review the application of each candidate and establish an order of priority.
 - c. Reference checks will be made if necessary on at least the top six (6) candidates. Personal interviews will be conducted.
 - d. After consideration of the candidates by the Personnel Committees, the most qualified will be selected to present to the Policy Council and the Board of Directors or the Executive Committee of each.
 - e. The individual selected as Head Start Director will be notified immediately and those not selected will be notified in writing by the Executive Director.
2. Other Head Start Positions: All other Head Start positions will be filled by the Head Start Director in accordance with the following procedures:
 - a. Temporary Employees: Temporary employees required because of emergency/unforeseen circumstances may be hired by the Head Start Director without advertising. However, for such hiring's to remain in effect, the Head Start Policy Council must give their approval at the next regular or called meeting.
 - b. Part-Time and Full-Time Employees: Part-time and full-time employee will be hired by the Head Start Director in accordance with the following procedures:
 - 1) Vacant positions will be advertised within the Agency for at least five (5) working days to give current employees (to include part-time and temporary

employees) the opportunity to apply for transfer and/or advancement, and positions may be advertised concurrently in the community. The Head Start Director will effect such transfers/promotions only upon approval by the Head Start Policy Council at the next regular or called meeting.

- 2) In the case of transfer and/or promotion of a current employee into the vacancy, the above procedure will be repeated until there are no acceptable internal applicants for the remaining vacancy.
- 3) Vacant positions will be posted at Agency facilities, forwarded to on-line resources, advertised on job boards, and may be advertised in at least one (1) edition of an area newspaper having circulation within the county where the vacancy exists.
- 4) Each candidate will complete an application and provide any information that tends to verify their qualifications for the position.
- 5) An applicant file will be created for each candidate and will contain the application and other pertinent information such as letters of recommendation, resumes, degrees, training certificates, etc.
- 6) A Head Start Screening Committee composed of the Head Start Director, a member of the Head Start Policy Council Personnel Committee, and staff members who will supervise or work directly with the selected applicant will screen all applications and select the most qualified for interviewing.
- 7) The Head Start Director (or designated staff) will check job references of applicants and document the results in writing.
- 8) Interviews will be conducted by the Head Start Director or designee with other members of the Personnel Committee or Policy Council invited to attend. Results will be documented in writing and placed in the applicant's file.

- 9) The Head Start Director will present a recommendation to the Head Start Policy Council Personnel Committee for concurrence.
- 10) The Personnel Committee will then submit their recommendation at the next regular or called meeting of the Head Start Policy Council where approval of the Policy Council is required prior to hiring.
- 11) The hiring of potential Head Start employees is contingent upon their obtaining and passing the following:
 - (a) A medical examination at their own expense.
 - (b) A pre-employment drug test. Pre-employment drug testing (drug testing is at applicant's expense unless grant funds are available) will be administered by WFE.
 - (c) A criminal history background check.
 - (d) A driving records check.

C. New Positions: The HREC Executive Director is responsible for recommending to the Governing Board when there is a need to hire additional employees. He/She shall provide adequate justification, job description, and suggested salary for the position. With the approval of the Board, hiring will be in accordance with the above procedures.

D. Non-Discrimination Policy: HREC shall not discriminate in its hiring procedures against any applicant because of race, creed, color, national origin, sex, age, or disability.

E. Nepotism: The following rules shall be observed with respect to persons employed by HREC:

1. No person shall be employed by HREC who has an immediate family member currently employed by HREC.
2. No person shall hold a position while any member of their immediate family serves on a HREC Board, Council, or Committee

which either by rule or practice nominates, recommends, or screens candidates for the position for which they were hired.

3. For the purposes of these policies, a member of the immediate family shall include any of the following persons (amended 6-18-2015):

- Spouse
- Child
- Step-Child
- Parents
- Step-Parents
- Siblings
- Foster Parents
- Parents-In-Law
- Grandparents
- Grandchildren

- F. Direct Deposit: No person shall be hired who does not have a valid checking or savings account as direct deposit is utilized for the payroll function.
- G. Rehire Policy: To be eligible for rehire, former employees who resigned in good standing with a satisfactory performance evaluation may be considered for reemployment. Former employees who left without proper notice or who were involuntarily separated will not be considered for reemployment. Rehired employees will be required to complete the new employee probationary period of 1040 hours. Rehired employees are not entitled to restoration of any benefits previously accrued or length of service credits. Rehires must have the approval of the Executive Director. Rehires in Head Start must have the the Executive Director, Head Start Director, and majority approval of the Head Start management team. Employees who leave employment either voluntarily or through no fault of their own and who make application for reemployment will be given consideration (amended 6-18-2015).
- H. All current and prospective Head Start employees must sign a declaration prior to employment that lists:
 1. All pending and prior criminal arrests and charges related to child sexual abuse and their disposition.
 2. Convictions related to other forms of child abuse and neglect.
 3. All convictions of felonies.

SECTION IV - COMPENSATION

- A. Salaries and Wages: In order to insure the recruitment and retention of skilled personnel, salaries shall be reasonably related to the scope of responsibility of the position, work performance, and seniority.
1. Salary and wage schedules will be reviewed for comparability with similar positions in public and/or private agencies.
 2. The Executive Director shall recommend all salary levels and adjustments to the Governing Board for their approval. The Head Start Director shall recommend all Head Start salary levels and adjustments to the Policy Council for their approval.
 3. No employee shall be paid at a rate lower than federal minimum wage.
 4. No employee shall be paid at a rate exceeding 95% of the Executive Director's salary.
 5. A copy of current salary scales shall be maintained by the Executive Director, Director of Finance, and Head Start Director (for Head Start positions only).
 6. Employees shall be paid Bi-Weekly starting on Friday January 13th, 2017. When the payday falls on a scheduled holiday staff will be paid on the day that precedes. All staff will be held back one (1) week of pay starting January 2017.
 7. HREC is required by law to withhold Federal Income Tax, Social Security, and Medicare from all employee wages.
 8. No employee shall be paid in excess of the employee compensation limit established by federal regulations for Level II of the Executive Schedule.
- B. Reimbursable Expenses: HREC employees will be reimbursed for legitimate expenses incurred during required work activities. These include travel, meals, and lodging while participating in out of town overnight meetings, conferences, and training required by the Agency and approved in advance. In addition, use of privately owned vehicles in conducting Agency business will be reimbursed at the rate specified in the current State of Tennessee Comprehensive Travel Regulations.

C. Employee Benefits: HREC employees are granted certain recreational, financial, medical, and insurance benefits designed to improve their personal/family health and security.

1. Leave: Leave is designed to provide a respite from job related stress, to allow for personal attention to family crises, to provide sufficient time to recover from illness, and to permit personal/professional growth.

a. Personal Time Off: The following policy will apply to full time Head Start staff working for 10 months only. Staff will accrue 10 days (80 hours) of personal leave time at the beginning of the school year or if hired after January 1 will accrue 5 days (40 hours) (amended 6-18-2015). PTO should be pre-approved by the immediate supervisor. A leave sheet must accompany the time sheet at the end of each pay period.

Effective with the program year beginning July 1, 2013, any remaining annual leave was transferred to sick leave and may be used until exhausted. The same rules will apply concerning doctor statements as is currently in these policies.

All staff will be encouraged to maintain sufficient personal time off to cover their Christmas break in order to receive holiday pay.

Personal time off not used by June 30 of each school year will be forfeited.

b. Annual Leave: Annual leave is provided to allow employees to take sufficient time away from the work environment to relieve stress and permit attention to business and social activities.

- 1) Annual leave is granted with the approval of the Executive Director/Head Start Director.
- 2) Twelve month employees accrue annual leave based on years of service in accordance with the following scale:

<u>Years of Service</u>	<u>Hours Earned Per Pay Period</u>
1-5	4
5-10	6
10-20	7
20+	8

- 3) Probationary regular employees earn annual leave from the date of employment but may not use it until after working 1040 hours and successfully completing their probationary period with satisfactory job performance. If the probationary period is extended, an employee will not be allowed to use the annual leave until the end of the extension. If they are terminated during this period they have no rights to the accumulated annual leave.
- 4) Part-time employees who complete the probationary period and then revert to regular employee status are entitled to annual leave calculated from the date of their full time employment.
- 5) Twelve month (full-time) employees are limited to a 104 (for 5 day work week) or 128 (for 4 day work week) hour carry over balance of accrued annual leave from one contract period to the next. Should an employee be unable to use enough leave to be at the 104 or 128 hour level at June 30, the balance over the 104 or 128 hours will be transferred to sick leave.
- 6) Upon resignation, an employee may receive cash in lieu of time off for accrued annual leave subject to the availability of funds. Accrued leave must be taken when funds have not been budgeted for this purpose.

Upon termination, an employee may not receive cash in lieu of time off for accrued annual leave.

- 7) Annual leave may not be taken in advance.
 - 8) Hours accrued for annual leave are based on hours worked.
- c. Sick leave: Sick leave is provided to allow employees sufficient time to recover from illness or to tend an illness within the immediate family.
- 1) Eight (8) hours of sick leave will be earned for each month worked on an unlimited accrual basis. Hours accrued are based on hours worked.

- 2) Sick leave may be used only for the following purposes:
 - a) Sickness or disability of the employee.
 - b) Doctor or dentist appointments.
 - c) Restrictions on the employee because of quarantine.
 - d) Serious illness or death in the immediate family after bereavement leave has expired. For the purposes of sick leave, immediate family includes spouse, child, step-child, parents, step-parents, siblings, foster parents, parents-in-law, grandparents, grandchildren, or other relatives by blood or marriage if they are living with the employee (amended 6-18-2015).
 - 3) Approval authority for sick leave will be the same as for annual leave.
 - 4) All full-time employees may use sick leave by submitting a leave request form with hours and justification stated. However, in the case of sudden illness, sick leave may be approved by telephone and the leave form submitted upon return to work.
 - 5) A doctor's certificate will be required for sick leave exceeding four (4) days or whenever abuse is suspected.
 - 6) Sick leave may not be taken in advance and shall have no cash redemption value upon employee termination/resignation.
- d. Conversion of Leave: Upon notification that an employee who is on annual leave has become ill, the annual leave shall be terminated and the employee placed on sick leave status.
 - e. Bereavement Leave: Bereavement leave of up to three (3) days may be used by employees with a death in the immediate family. Immediate family is as defined in paragraph C.1.c.2.d). above.

- f. Civil Leave: Employees on jury duty in a State or Federal Court shall be granted civil leave and be paid their regular salary. The compensation received for jury duty service shall be forwarded to the Director of Finance for deposit.
- g. Military Leave: Military leave may be provided with full pay for up to fifteen (15) working days for employees who are members of the Tennessee National Guard or a United States Military Reserve component.
- h. Educational Leave: Educational leave may be granted for training or education that will clearly enhance the employee's job performance.
 - 1) Educational leave may not exceed seven (7) hours per week.
 - 2) The Executive Director and/or Head Start Director will evaluate all educational leave requests to determine if requests are in the best interest of the Agency.
- i. Leave Without Pay: Employees may request leave without pay in accordance with the following procedures:
 - 1) Leave without pay may be requested for a period of up to six (6) months.
 - 2) Requests for leave without pay must be approved by the Executive Director and/or Head Start Director and will be judged on merit and the individual circumstances of the employee.

Should an employee/employees request a leave of absence to pursue educational objectives, the following criteria will be utilized in determining if and for whom the leave of absence will be approved:

 - Seniority;
 - Hours required to complete degree;
 - Performance evaluation;
 - Benefit to program;
 - Agency ability to staff position.
 - 3) All annual leave and/or personal time off leave must be exhausted before leave without pay will be approved if requested for non-health reasons. If leave without pay

is health related, all annual, personal time off, and sick leave must be used before leave without pay is approved.

- 4) After the initial leave without pay has been exhausted, the employee may request additional leave of up to six (6) months and approval will be contingent upon a reevaluation of the situation.
 - 5) While on leave without pay, benefits such as health insurance, dental insurance, vision insurance, and long term care insurance will be the responsibility of the employee.
- j. Retirement Plan: A payroll deduction will be made available for employees wishing to contribute to a retirement plan. Employer contributions as an employee benefit will be subject to budgetary restrictions and Governing Board approval and requires successful completion of a probationary period.
- k. Family Medical Leave (FMLA): The federal Family and Medical Leave Act of 1993 (FMLA) as amended, requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12-week leave entitlement (Basic FMLA Leave) as well as the military family leave entitlements (Military Family Leave) described in this policy.

Eligibility for FMLA Leave: Employees are eligible for FMLA leave if they:

- Have worked for the company for at least 12 months;
- Have worked at least 1250 hours for the company during the 12 calendar months immediately preceding the request for leave; and
- Are employed at a work site that has 50 or more employees within a 75 mile radius.

Employees with any questions about their eligibility for FMLA Leave should contact the Director of Finance, Assistant Director of Finance, or Bookkeeper (amended 6-18-2015) for more information.

Basic FMLA Leave: Employees who meet the eligibility requirement described above are eligible to take up to 12 weeks

of unpaid leave during any 12 month period for one of the following reasons:

- To care for the employee's son or daughter during the first 12 months following birth;
- To care for a child during the first 12 months following placement with the employee for adoption or foster care;
- To care for a spouse, son, daughter, or parent (covered relation) with a serious health condition;
- For incapacity due to the employee's pregnancy, prenatal medical or child birth; or
- Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

Military Family Leave: There are two types of Military Family Leave available:

- Qualifying exigency leave. Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of the Basic FMLA Leave for a qualifying exigency while the employee's spouse, son, daughter or parent (the military member) is on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty).
- For Regular Armed Forces members, "covered active duty or call to covered active duty status" means during the deployment of the member with the Armed Forces to a foreign country (outside of the United States, the District of Columbia or any territory or possession of the United States, including international waters).
- For a member of the Reserve components of the Armed Forces (members of the National Guard and Reserves), "covered active duty or call to covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.

Qualifying exigencies may include:

- Short-notice deployment (seven or less calendar days);
- Attending certain military events and related activities;
- Childcare or school activities;
- Addressing certain financial and legal arrangements;
- Period of rest and recuperation for the military member (up to 15 calendar days of leave, dependent on orders);
- Attending certain counseling sessions;
- Attending post-deployment activities (available for up to 90 days after the termination of the covered military member's covered active duty status and to address issues arising from death of military member);
- Attending to parental care needs arising from covered active duty or call to duty (arrange for alternative care for a parent of a military member, provide urgent or immediate care, admit or transfer to a care facility or attend non-routine caregiver meetings with care facility staff);
- Other activities arising out of the military member's covered active duty or call to active duty and agreed upon by the company and the employee.

Leave to care for a covered service member: There is also a special leave entitlement that permits employees who meet the eligibility requirement for FMLA leave to take up to 26 weeks of leave during a single 12 month period if the employee is the spouse, son, daughter, parent or next of kin caring for a covered military service member or veteran recovering from a serious injury or illness, as defined by FMLA's regulations.

Leave to care for a covered service member: There is also a special leave entitlement that permits employees who meet the eligibility requirement for FMLA leave to take up to 26 weeks of leave during a single 12 month period if the employee is the spouse, son, daughter, parent or next of kin caring for a covered military service member or veteran recovering from a serious injury or illness, as defined by FMLA's regulations.

For a current member of the Armed Forces, including a member of the National Guard or Reserves: The member must be undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list for a serious injury or illness.

For a covered veteran: He or she must be undergoing medical treatment, recuperation or therapy for a serious injury or illness. Covered veteran means an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

An eligible employee must begin leave to care for a covered veteran within five years of the veteran's active duty service, but the single 12 month period may extend beyond the five year period.

Use of Leave: An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave.

Pay, Benefits and Protections During FMLA Leave:

Leave Is Unpaid: Family medical leave is unpaid (although employees may be eligible for workers' compensation benefits under the insurance plan) if leave is taken because of an employee's own serious health condition.

Family Medical Leave Runs Concurrently With Other Types Of Leave. An employee will be required to use any accrued leave (annual, sick or personal time off), until exhausted, while on FMLA leave. This does not extend the 12 week leave period. Furthermore, in no case can the substitution of paid leave time for unpaid leave time result in the receipt of FMLA leave taken for a qualifying exigency, the employee will be required to use any accrued leave (annual, sick or personal time off) for unpaid FMLA leave. The same rules apply as if the employee took FMLA leave to care for a family member with a serious health condition or for the birth or placement of a child.

Medical and Other Benefits: During an approved family medical leave, HREC will maintain the employee's health, life, and retirement benefits as if the employee continued to be actively employed. Any premiums for dental, vision or other supplemental insurance policies are the sole responsibility of the employee. Premiums for the above mentioned supplemental policies will continue to be deducted as a regular payroll deduction as long as the employee is receiving a regular payroll check. At such time that the employee is no longer receiving a regular payroll check the employee will submit supplemental insurance payments to HREC's central office location (P. O. Box 208, Erin, TN 37061) by the 15th of each month. The acceptable form of payment is a money order. If any employee's supplemental insurance premiums are 15 days late, HREC will send the employee a letter to that effect. If an employee's supplemental insurance premiums are more than 30 days late their coverage will cease.

During FMLA leave, HREC must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Use of FMLA leave will not result in the loss of any employment benefits that accrued prior to the start of the employee's leave.

Return to Job at End of FMLA Leave: Upon return from FMLA leave, eligible employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.

Employee Responsibilities When Requesting FMLA Leave: If the need to use FMLA leave is foreseeable, the employee must give HREC at least 30 days prior notice of the need to take leave. When 30 days' notice is not possible the employee must give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of FMLA leave.

Requests for FMLA leave should be submitted to the Director of Finance, Assistant Director of Finance, or Bookkeeper (amended 6-13-2015).

If the need for leave is not foreseeable, employees are required to provide as much notice as soon as practicable under the facts

of the particular case. An employee requiring unforeseeable leave, absent extraordinary circumstances, must call his or her direct supervisor and provide sufficient information regarding the employee's need for leave to support a request for FMLA leave. It generally should be practicable for the employee to provide notice of leave within one business day.

When submitting a request for leave, the employee must provide sufficient information for HREC to determine if the leave might qualify as FMLA leave and also provide information on the anticipated date when the leave would start as well as the duration of the leave. Calling in "sick" is not sufficient. Sufficient information may include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or continuing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. Employees also must inform HREC if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also will be required to provide a certification and periodic recertification supporting the need for leave.

HREC Responsibilities: When an employee requests leave, HREC will inform the employee whether he or she is eligible under FMLA. If the employee is eligible for FMLA leave, the employee will be given a written notice that includes details on any additional information he or she will be requested to provide. If the employee is not eligible under the FMLA, HREC will provide the employee with a written notice indicating the reason for ineligibility. The notice will be delivered via the United States Postal Service as a certified letter.

Medical Certification: If the employee is requesting leave because of the employee's own or a covered relation's serious health condition, the employee and the relevant healthcare provider must supply appropriate medical certification. Employees may obtain Medical Certification forms from the Director of Finance, Assistant Director of Finance, or Bookkeeper (amended 6-18-2015). When the employee requests leave, HREC will notify the employee of the requirement for medical certification and when it is due (no more than 15 days after the leave is requested). If the employee provides at least 30 days' notice of medical leave, he or she should also provide the medical certification before the leave begins.

Failure to provide requested medical certification in a timely manner may result in the denial of leave until it is provided. HREC, at its expense, may require an examination by a second healthcare provider designated by HREC, if it reasonably doubts the medical certification initially provided. If the second healthcare provider's opinion conflicts with the original medical certification, HREC, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

HREC may require subsequent medical certification. Failure to provide requested certification within 15 days, except in extraordinary circumstances, may result in the delay of further leave until it is provided. Employees must provide a fitness-for-duty certification upon return to work, or during intermittent leave, as requested.

Reporting While on Leave: If an employee takes leave because of the employee's own serious health condition or to care for a covered relation, the employee must contact HREC on the 1st day of each month regarding the status of the condition and his or her intention to return to work. In addition, the employee must give notice as soon as practicable (within 2 business days, if feasible) if the dates of the leave change, are extended, or were unknown initially.

Actions for termination: Termination of employment may take place when:

- An employee, while on approved family and medical leave, accepts other gainful employment; or
- An employee fails to return from FMLA leave at the specified time agreed upon by the employee and management.

2. **Employee Benefit Plan:** HREC provides the following mandatory and optional benefits:

a. **Mandatory benefits include the following:**

- 1) F.I.C.A.
- 2) Medicare

- 3) State Unemployment Insurance
- 4) Worker's Compensation

b. Optional benefits include the following:

- 1) Individual/Family Dental Insurance
- 2) Individual/Family Vision Insurance
- 3) Individual/Family Long Term Care Insurance
- 4) Individual Disability Insurance
- 5) Individual Cancer/Intensive Care Insurance
- 6) Individual/Family Medical Insurance

Optional benefits are offered with the following stipulations:

- a) Inclusion of optional benefits is subject to Board approval.
- b) If an employee is on leave without pay status, he/she must pay their own health insurance premium, life insurance premium, long-term care insurance premium, vision insurance premium, dental insurance premium, disability insurance premium, and cancer/intensive care insurance premium.
- c) Head Start employees who are in lay off status shall receive health insurance coverage subject to funding availability.
- d) An employee who leaves HREC is eligible to maintain coverage at their own expense as provided under existing COBRA regulations and will be notified by the State of Tennessee.
- e) Eligibility for health insurance requires that an employee work no less than 30 hours per week.
- f) Premiums for family insurance of any type are the responsibility of the employee.

SECTION V – WORK SCHEDULE

A. Standard Work Day: The HREC standard work day shall be as follows:

1. HREC Central Office: The standard work day shall be eight (8) hours, from 8 A.M. to 4:30 P.M. or ten (10) hours, from 7 A.M. to 5:30 P.M. with one-half hour for lunch with all employees on the same schedule (amended 6-18-2015). However, at no time will the processing of client services be terminated simply by the end of the work day. If a client arrives prior to the end of the work day, he/she will receive full and complete service until their requirements have been met.
2. Head Start Central Office: The standard work day shall be eight (8) hours, from 8 A.M. to 4:30 P.M. with one-half hour for lunch with all employees on the same schedule. Managers will flex their work day hours to cover Head Start Center staff (amended 6-18-2015).
3. Head Start Center Staff (amended 6-18-2015): The standard work day for the Head Start Center Staff shall be from 7:30 A.M. to 3:30 P.M., Monday through Friday, unless advised otherwise by Management.

B. Standard Work Week: The standard work week shall be forty (40) hours with the work week beginning on Sunday and extending through Saturday.

C. Holidays: It is the policy of HREC to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

The following holidays will be observed:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving (2 Days)
- Christmas (3 Days)

To receive holiday pay, an eligible employee must be at work for ten hours or eight hours if on a five day schedule, or on pay status, on the **last scheduled** work day immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent on one or both of these days because of an illness or injury (paid sick leave), HREC reserves the right to verify the reason by requiring a doctor's certificate for the absence before approving holiday pay. If a holiday falls on a Friday, Highland Rim employees will be granted off on the Thursday prior to the holiday or if the holiday falls on a Monday and they are usually off on Mondays then they will be granted off on Tuesday if on a four day work schedule. All other employees will observe the holiday.

- D. Flex Time: The Executive Director or Head Start Director (for Head Start employees) may approve flex time off for non-exempt employees who have participated in work or work related activities after normal work hours.
- E. Hazardous Weather: During periods of hazardous road conditions, the Executive Director will determine if the situation warrants normal operations, limited operations, or suspended operations. Employees will be notified through a pyramid telephone system with the exception of Head Start classroom personnel who will mirror local public school operations.
- F. Ten month staff will be paid the first four inclement weather school closures of the program year.
- G. After the four paid days for ten (10) month staff, no leave may be taken during unplanned school closings as these days are made up during the program year.

SECTION VI - REQUIRED TRAINING, CAREER DEVELOPMENT, AND MEETINGS

- A. Training: All new HREC employees shall undergo an initial orientation/training program designed to familiarize them with HREC and their responsibilities. At a minimum, the following subjects will be addressed:

Personnel Policies
Job Performance Training
In-House Records and Forms
Reporting Child Abuse and Neglect (Head Start)
Plans and Programs
Organization and Chain of Command
Introduction to Key Staff

Additional training for staff will be determined based off the individual needs as determined by each supervisor and as noted on the employee's evaluation. The governing board will be tasked with determining the training needs of the Executive Director and other key staff. (9)/15/16

- B. Career Development: All HREC employees are encouraged to continue both their academic and professional education.

Efforts will be made to assist and accommodate educational pursuit so long as it does not adversely impact program effectiveness or client services. Educational leave may be granted to an employee on a case by case basis with pay not to exceed 156 hours in the agency fiscal year (July-June) if the specific class or classes are not available after regular working hours. Head Start employees will be required to enter into a contract to work for the agency for three (3) years if educational assistance is provided.

- C. Meetings: In order to be kept abreast of current plans, programs, and activities, all HREC employees are required to attend specific meetings and are encouraged to attend others. The following meetings are scheduled on a continuing basis with attendance as indicated:

1. Board of Directors: The HREC Board of Directors meets quarterly (March, June, September, and December) on the third Thursday of the month or as determined by the Board of Directors. The Executive Director, Director of Finance, and specifically tasked staff members will attend. All other staff are invited to attend.
2. Head Start Policy Council: The Head Start Policy Council meets monthly on the fourth Tuesday of each month or as determined by

the Policy Council. The Head Start Director and specifically requested staff members will attend. The Executive Director is invited to attend.

3. HREC Staff Meetings: All HREC Central Office and Outreach Staff and all Head Start Management Staff are required to attend staff meetings at the HREC Central Office held bi-monthly (January, March, May, July, September, and November) or as determined by the Executive Director.
4. Neighborhood Service Center Supervisors: HREC Neighborhood Service Center Supervisors will meet directly after the HREC staff bi-monthly meeting.
5. Parent Center Committee Meetings: Parent Center Committees meet monthly at a date/time announced to discuss the education format of the classroom, provide parent training, plan special events, and vote on the use of Parent Activity funds. Designated staff will attend Parent Committee Meetings (amended 6-18-2015).
6. Other Meetings: Directors, staff, and program managers may periodically schedule meetings to disseminate information, plan activities, or obtain assistance from selected employees. Although not scheduled on a continuing basis, these meetings are important to HREC operations and attendance is expected.

SECTION VII – EMPLOYEE CONDUCT

- A. Appearance: All HREC employees are expected to maintain a standard of dress and grooming that reflect good taste and common sense. Employees are to dress in a professional manner (dresses, dress slacks, jeans, walking shorts-knee length). Jean shorts or shorts of any kind other than walking shorts (knee length) are inappropriate attire in an office except under unusual circumstances such as the distribution of commodities, the moving of supplies/furniture, staff outings, etc.
- B. Attitude: It is essential that all employees present a professional, concerned, and impartial attitude with every individual seeking services. Even when the service cannot be provided due to funding limitations or failure to meet eligibility guidelines, it is important that the client fully understands why the service cannot be provided and leave feeling that they have been treated fairly. A callous, impatient, or indifferent attitude will not be tolerated and will constitute grounds for disciplinary action.
- C. Attendance: HREC employees are expected to report to work on time and ready to perform their duties in order to establish continuity of services to clients, families, and children. An unexcused absence shall occur when an employee fails to notify their immediate supervisor of an absence either prior to or within sixty (60) minutes of the employee's scheduled starting time and/or approval is not granted by the supervisor. Unexcused, chronic absence/lateness shall call for disciplinary action or dismissal.
- D. Code of Conduct: HREC has established a code of conduct for employees engaged in the award and administration of contracts which require that officers, employees, or agents of HREC shall not solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contractors. If it is determined that a violation has occurred, corrective action will be taken. The corrective action may include a reprimand, demotion, discharge, or other appropriate action.
- E. Sexual Harassment: HREC has a strict policy against sexual harassment. Sexual harassment by any employee will not be tolerated.

Sexual harassment is unwanted sexual conduct, or conduct based upon sex, by an employee's supervisor(s) or fellow employees or others at the work place that adversely affects an employee's job or job performance. Examples of conduct that may constitute sexual harassment are: sexual advances, requests for sexual favors, propositions, physical touching, sexually provocative language, sexual jokes, and display of sexually-oriented pictures or photographs.

Any employee who believes that he or she has been subjected to sexual harassment should immediately report this to the Executive Director or Board Chairperson of HREC. HREC will handle the matter with as much confidentiality as possible. There will be no retaliation against an employee who makes a claim of sexual harassment or who is a witness to the harassment.

HREC will conduct an immediate investigation in an attempt to determine all the facts concerning the alleged harassment. In doing the investigation, HREC will try to be fair to all parties involved.

If HREC determines that sexual harassment has occurred, corrective action will be taken. This corrective action may include a reprimand, demotion, discharge, or other appropriate action. HREC will attempt to make the corrective action reflect the severity of the conduct.

If it is determined that no harassment has occurred or that there is not sufficient evidence that harassment occurred, this will be communicated to the employee who made the complaint, along with the reasons for this determination.

Confidentiality Policies and Procedures: HREC personnel are responsible for maintaining the confidentiality of and protecting the privacy of personally identifiable information about children, families, and employees (amended 6-18-2015).

Personally identifiable information is defined as information about a child, family, or employee which would make it possible to identify the family, child, or employee with reasonable certainty. This includes any information that has the name of any family member, address, telephone number, Medicaid number, social security number, race, disability, or any other data that can readily identify the child, family, or employee. This includes any information regarding employment or personal information on individual employees (amended 6-18-2015).

Staff are advised that compliance with these policies and procedures is necessary for satisfactory job performance and for the establishment and maintenance of credibility and trust in our community and with our families.

Violation of any of these procedures is a very serious matter, and could result in irreparable harm to children, families, employees, and the programs we operate (amended 6-18-2015). Further, such violation will result in disciplinary action, including possible termination of employment.

F. Misconduct and Dishonesty: Like all organizations, HREC is faced with the risks that come from wrongdoing, misconduct, dishonesty, and fraud. As with all business exposures, we must be prepared to manage these risks and their potential impact in a professional manner.

The impact of misconduct and dishonesty may include but not be limited to:

- The actual financial loss incurred;
- Damage to the reputation of HREC and its employees;
- Negative publicity;
- The cost of investigation;
- Loss of employees;
- Loss of clients;
- Damaged relationships with our contractors and suppliers;
- Litigation;
- Damaged employee morale.

Our goal is to establish and maintain a business environment of fairness, ethics, and honesty for our employees, our clients, our suppliers, and anyone else with whom we have a relationship. To maintain such an environment requires the active assistance of every employee and manager every day.

HREC is committed to deterrence, detection, and correction of misconduct and dishonesty. The discovery, reporting, and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and inclu

ding dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of assets.

Definition of Misconduct and Dishonesty: For purposes of this policy, misconduct and dishonesty includes but is not limited to:

- Acts which violate HREC's Code of Conduct;
- Theft or other misappropriation of assets, including assets of HREC, our clients, suppliers, or others with whom we have a business relationship;
- Misstatements and other irregularities in HREC's records, including the intentional misstatement of the results of operations;
- Intentionally enrolling ineligible families;
- Wrongdoing;
- Bullying;-
- Forgery or other alteration of documents;
- Fraud and other unlawful acts;
- Disparaging comments on social media;
- Any similar acts.

HREC specifically prohibits these and any other illegal activities in the actions of its employees, supervisors, program directors, executive director, and others responsible for carrying out HREC's activities.

G. Whistleblower Protection Policy Against Retaliation – Reporting and Responsibilities: A whistleblower as defined by this policy is an employee of HREC who reports any activity that he/she reasonably and in good faith considers to be illegal or dishonest to one or more of the parties specified in this Policy. It is the responsibility of every employee to immediately report suspected misconduct or dishonesty to their immediate supervisor or the Director of Finance, Assistant Director of Finance, or Bookkeeper (amended 6-18-2015). The employee must exercise sound judgment to avoid baseless allegations. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities. However, an employee who intentionally files a false report of wrongdoing will be subject to disciplinary action up to and including termination.

H.

I. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden. HREC will not retaliate against a whistleblower. This includes, but is not limited to, protection retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who

believes he/she is being retaliated against must contact the Director of Finance, Assistant Director of Finance, or Bookkeeper (amended 6-18-2015) immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

- J. Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. Managers, while appropriately concerned about “getting to the bottom” of such issues, should not in any circumstances perform any investigative or other follow-up steps on their own. Concerned but uninformed managers represent one of the greatest threats to proper incident handling. All relevant matters, including suspected but unproved matters, should be referred immediately to appropriate management officials who are charged with follow-up responsibilities. The accused may be suspended with pay.

Employees with supervisory and review responsibilities at any level have additional deterrence and detection duties. If you have supervisory or review responsibility then in addition to reporting suspected violations as is required above, you have three additional responsibilities.

First, you must become aware of what can go wrong in your area of responsibility.

Second, you must put into place and maintain monitoring, review, and control procedures which will prevent acts of wrongdoing.

Third, you must put into place and maintain monitoring review, and control procedures which will detect acts of wrongdoing promptly should prevention efforts fail.

Authority to carry out these three additional responsibilities is often delegated to subordinates. However, accountability for their effectiveness cannot be delegated and will remain with supervisors and managers. Assistance in effectively carrying out these responsibilities is available through the Director of Finance, Assistant Director of Finance, Bookkeeper (amended 6-18-2015), the Executive Director, and through other sources.

Administration has the primary responsibility for all investigations involving HREC.

Properly designated members of the investigative team will have:

- Free and unrestricted access to all HREC records and premises, whether owned or rented;
- The authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow-up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and HREC procedures.

Care must be taken in the follow-up of suspected misconduct and dishonesty to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow-up and investigation is underway, and to avoid making statements which could adversely affect HREC, an employee, or other parties.

Accordingly, the general procedures for follow-up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details as indicated above.
2. Administration has the responsibility for follow-up and, if appropriate, investigation of all reported incidents.
3. All records related to the reported incident will be retained wherever they reside.
4. Do not communicate with the suspected individuals about the matter under investigation.
5. In appropriate circumstances and at the appropriate time, the Director of Finance, Assistant Director of Finance, or Bookkeeper (amended 6-18-2015) will notify the Executive Director of the program in which the employee works.
6. The Director of Finance, Assistant Director of Finance, or Bookkeeper (amended 6-18-2015) may also obtain the advice of legal counsel at any time throughout the course of an investigation or other follow-up activity on any matter related to the report, investigation steps, proposed disciplinary action, or any anticipated litigation.
7. Neither the existence nor the results of investigations or other follow-up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
8. All inquiries from an attorney or any other contacts from outside HREC, including those from law enforcement agencies or from the

employee under investigation should be referred to the Director of Finance, Assistant Director of Finance, Bookkeeper (amended 6-18-2015) or the Executive Director.

Investigative or other follow-up activity will be carried out without regard to the suspected individual's position or level, or relationship with HREC.

All questions or other clarifications of this policy and its related responsibilities should be addressed to the Director of Finance, Assistant Director of Finance, or Bookkeeper (amended 6-18-2015), who shall be responsible for the administration, revision, interpretation, and application of the policy.

SECTION VIII – MAINTENANCE OF A DRUG-FREE WORKPLACE

- A. Policy: It is the policy of HREC to maintain a workplace that is free from the effects of drug and alcohol abuse.
1. Employees are prohibited from the use, sale, dispensing, distribution, possession, or manufacture of illegal drugs and narcotics or alcoholic beverages on HREC premises or work sites. Employees are also prohibited from the possession, use or sale of illegal drugs when such activities adversely affect job performance, job safety, or HREC's reputation in the community. In addition, employees are prohibited from the off-premises use of alcohol when such activities adversely affect job performance and/or job safety.
 2. HREC will not hire, unless state or local law provides otherwise, alcoholics or drug abusers whose current use of such substances prevents them from performing their jobs or who would constitute a direct threat to the property or safety of others. An applicant who is being considered for employment must successfully pass drug testing as a condition of employment. The cost of drug testing will be the responsibility of the applicant and will be deducted from the first payroll check.
 3. Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Such violations include, but are not limited to, possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of such substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on HREC premises and work sites. Employees, their possessions, and HREC issued equipment and containers under their control are subject to search and surveillance at all times while on HREC premises or while conducting HREC business.
 4. Employees may be required to take a test at any time to determine the presence of drugs, narcotics, or alcohol, unless such tests are prohibited by law. Testing positive for illegal drugs or alcohol is a violation of the policy.
 5. Employees who are ticketed, arrested, etc. concerning a drug violation should immediately notify the Executive Director of the occurrence and should within five days submit written notification of the occurrence as any such activity could adversely affect the reputation of HREC. As an absence from the workplace can also

affect agency operations, the employee should notify the Executive Director of court dates in writing as soon as the dates are available.

6. Employees subject to the Drug-Free Workplace Act who are convicted of any criminal drug violation occurring in the workplace must report such conviction in writing to the Executive Director within five days, and the Executive Director is then to take appropriate action as required by law.
7. Supervisors should report immediately to the Executive Director any action by an employee who demonstrates an unusual behavior pattern. The Executive Director will determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises. HREC should make arrangements for safe transport.
8. Any employees who use legal drugs or narcotics during work and have any reason to expect such use may affect their ability to perform their work, must report this fact to the Executive Director. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and properly.
9. Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek counseling help at the employee's expense. Required counseling should be kept confidential and should not have any influence on performance evaluations. Job performance alone, not the fact that an employee seeks counseling, is to be basis of all performance appraisals.
10. Any employee who is abusing drugs or alcohol may be granted a leave of absence to undertake rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the Executive Director that the employee is capable of performing his job. Failure to cooperate with an agreed-upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other HREC policies.
11. HREC will, to the extent feasible, provide continuing awareness programs for the work force about the harmful effects of drug and alcohol abuse.

- B. Notification: HREC will notify the appropriate state or federal agency within ten (10) days after receiving notice that an employee has been convicted of a drug offense. Within thirty (30) days, HREC will take appropriate action as specified above.
- C. Applicability: All HREC employees are required to abide by this policy as a condition of employment or continued employment.

SECTION IX - HEAD START CHILD DISCIPLINE POLICY

- A. General: This policy forbids the use of corporal punishment and total/extended isolation as disciplinary measures in the Head Start Program. Physical punishment and total isolation are no consistent with Head Start Performance Standards/Child Care Licensing Standards which establish goals of increased social competence, development of patterns and expectations of success for the child, and the enhancement of dignity and self-worth within the child. Child safety is defined as methods to ensure children are not alone one on one with staff. Such measures safeguard children while protecting staff from false accusations of misconduct.
1. Corporal Punishment: Corporal punishment is defined as the use of physical force as a disciplinary measure. This includes, but is not limited to, spanking, slapping, pulling of hair, etc.
 2. Isolation: Isolation refers to separating the child from normal association with classroom activities as a disciplinary measure. This includes, but is not limited to, confining the child in a small area, retaining the child in the classroom when other children go to play, or restricting the child from lunch with his/her classmates.
 3. Child Safety: Two staff members must be present with a child/children at all times. All staff members must actively supervise the children at all times.
- B. Prohibitions: The use of corporal punishment and total isolation of a child will not be tolerated. Isolation in which the child is left totally unattended is prohibited.
1. If it is necessary to isolate a child from a group, adult supervision will be maintained and the isolation period will be minimal.
 2. Performance Standards/Child Care Licensing prohibit the use of meals as punishment, therefore, isolation at meal times is forbidden.
 3. Conduct of preschool children that disrupts normal classroom activities on a frequent basis may be indicative of physical or emotional problems which the Head Start Program must take steps to address.
- C. Two staff persons must be together at all times, particularly during breaks. If a classroom teacher needs relief they must provide the

remaining staff the support of a second person. One teacher or any other staff person must not be alone with a child at any time.

D. Staff Responsibility: The use of corporal punishment or improper isolation of a child is grounds for dismissal.

1. Each staff member will read this policy annually during pre-service training and sign a statement that the policy has been read and understood.
2. This statement will be maintained in a file located at the Head Start Central Office.
3. Staff must report to the Department of Children's Services any instances of child abuse, neglect, and corporal punishment, isolation, or child safety violations. They are required to report it if they violate the policy or if they witness the policy being violated. See Head Start Standard Operating Procedures for reporting
4. Upon notification of a pending abuse/neglect investigation of any agency staff member, the agency shall enter into a Safety Plan with the Department of Human Services regarding the individual's access to the agency and to children in the care of the agency.
5. Failure of teaching staff to adhere to this policy will result in counseling, written reprimand, suspension, and/or termination of employment.

SECTION X – EMPLOYEE DISCIPLINE POLICY

A. HREC will adhere to the following progressive discipline process for its employees:

1. **Informal Discussions:** Supervisors are encouraged to resolve discipline matters informally with their employees. In cases of minor misconduct or performance issues, Supervisors should verbally discuss the problem(s) with the employee and develop solutions. Informal Discussions may be utilized for instances of substandard performance, poor attendance, and other types of minor offenses or misconduct that occur for the first time. As the first step in the progressive discipline policy, an Informal Discussion will alert the employee that a problem exists or that one has been identified which must be addressed. The Supervisor will be responsible for keeping notes on the Informal Discussion, and the notes will be maintained by the Supervisor.
2. **Verbal Warning:** A Verbal Warning is more serious than an Informal Discussion. An employee will be given a Verbal Warning when a problem is identified, is repeated behavior from the Informal Discussion, and/or problem is unacceptable behavior. Verbal Warnings will be documented and a copy maintained by the Supervisor and a copy placed in the employee's personnel file.
3. **Written Warning:** A Written Warning may be given by an employee's Supervisor for substandard performance, chronic attendance issues, misconduct, and other types of more serious offenses that occur after the first Informal Discussion and Verbal Warning. A Written Warning may be given instead of an Informal Discussion or Verbal Warning for first time gross misconduct or any major offense. Written Warnings are issued when a problem continues or when the nature and severity of the problem warrants more stringent action. Before a Written Warning is issued, previous verbal or written warnings, and supervisory counseling session notes should be thoroughly reviewed.
4. A written letter of warning will contain the details and history of the problem including any prior counseling, discipline or training; the rules or standards violated; the improvement required; and the time table for improvement (a separate Program Improvement Plan may be utilized). It will warn that further disciplinary consequences (up to and including termination) may occur if the problem is not corrected. A copy of the Written Warning will be maintained by the Supervisor and a copy placed in the employee's personnel file.

5. Administrative Leave Without Pay: This may be imposed in cases in which the operation of HREC warrants such action. Administrative Leave Without Pay most often is used when it is believed that normal operations or safety would be affected or when HREC personnel need time to gather information for determining the specific corrective action which needs to be taken. The HREC Executive Director and the Director of the agency program involved should consult before the Administrative Leave Without Pay is imposed and both should concur with the decision. Administrative Leave Without Pay will be documented in the employee's personnel file and the Supervisor will also maintain a copy for their records. No benefits will be paid during Administrative Leave Without Pay.
6. Suspension Without Pay: Continued substandard performance, chronic attendance issues, insubordination, misconduct, and other serious offenses or behavior problems may result in Suspension Without Pay for a period to be determined by the employee's Supervisor. Suspension may occur after one Written Warning for minor or major offenses or as the first step if the infraction is serious enough. All suspension notices will be given verbally and in writing by the Supervisor, will be approved by the HREC Executive Director and the Director of the agency program involved, and a copy will be maintained by the Supervisor and a copy placed in the employee's personnel file. No benefits will be paid during Suspension Without Pay.
7. Termination: Continued substandard performance, chronic attendance issues, insubordination, misconduct, and other serious offenses or behavior problems that continue after other disciplinary actions have been taken may result in Termination. Termination also may occur without notice. The recommendation for discharge must be approved by the HREC Executive Director and in the case of the Head Start Program must be approved by the Head Start Director, the Personnel Committee of the Policy Council, and the Policy Council or the Executive Committee thereof (see Section XII - Termination of Employment for further information).

SECTION XI – PERFORMANCE EVALUATION

A. Probationary Performance Evaluation: Each new HREC employee shall undergo a probationary period of 1040 hours.

1. The probationary period will allow supervisors to observe/evaluate employee work performance and determine if the employee can fulfill the requirements of the position.
2. During the probationary period, employee performance will be evaluated orally by the supervisor each thirty (30) days with heavy emphasis on suggested improvement areas.
3. Each new employee will be evaluated in writing thirty (30) days prior to the end of the probationary period and a final recommendation as to continued employment will be made.
4. Employment may be terminated at any time during the probationary period if the quality of the employee's work is unsatisfactory and shows little or no potential for improvement.
5. The Executive Director/Head Start Director will determine if the new employee has successfully completed the probationary period.

B. Regular Employee Evaluation: All HREC employees shall be evaluated in writing annually or as deemed necessary by the immediate supervisor.

1. Evaluations are accomplished for the following reasons:
 - a. To determine if the employee's work performance is satisfactory.
 - b. To advise the employee of areas where improvement is necessary.
 - c. To give recognition for above standard performance.
 - d. To establish a basis for making appraisals for promotion, for reassignments, and for terminating unsatisfactory employees.
2. Each evaluation will be accomplished using the performance evaluation forms available.

3. Once the evaluation has been completed, the supervisor will discuss the ratings with the employee and suggest any needed improvement areas.
4. Supervisors and employees will sign the evaluation form to acknowledge that it has been debriefed.
5. The Executive Director and Head Start Director (for Head Start evaluations) will review the evaluation whereupon the form will be placed in the employee's personnel file.
6. Unsatisfactory Evaluations: When an employee receives an overall unsatisfactory evaluation, the following actions will be taken:
 - a. The employee will be given very specific guidance as to the deficiencies and the corrective actions required.
 - b. The employee will be re-evaluated every thirty (30) days to determine if job performance has improved.
 - c. If the employee's work performance does not meet standards within a reasonable amount of time, the supervisor will recommend termination in accordance with Section XII.A.2.

SECTION XII – TERMINATION OF EMPLOYMENT

A. Reasons for Termination: HREC employees may be terminated from employment for the following:

1. Failures to perform satisfactorily during the probationary period.
2. Continued substandard performance as documented during annual/follow up evaluations.
3. Failure of a Head Start employee to obtain the required credential within the time allowed.
4. Failure to work during a twelve (12) month period.
5. Gross misconduct to include:
 - a. Reckless endangerment of personnel.
 - b. Careless, negligent, or improper use of Agency equipment/property or damage to same.
 - c. Theft.
 - d. Chronic lateness or unexcused absences.
 - e. Committing a criminal act.
 - f. Possession of firearms or illegal weapons on the person of an employee during working hours, or on HREC property, or in vehicles owned or leased by HREC, or in vehicles utilized by an employee in the scope of their employment during working hours will be considered cause for immediate dismissal.
 - g. Reporting to work while under the influence of alcohol or illegal drugs or partaking of such while on the job and/or reporting to work while under the influence of prescription drugs/over the counter medicines or partaking of such while on the job if said drugs alter the behavior of said employee in an adverse way. The first time use of a new medication where behavior is altered in an adverse way does not constitute grounds for dismissal as this section is intended to deal with abuse.

- h. Betrayal of confidential information from Agency records which includes children, families, and employees (amended 6-18-2015).
 - i. Use of corporal punishment, improper isolation, release of a Head Start child to an unauthorized individual, or failure to provide proper supervision of a child/children.
 - j. Intentionally enrolling ineligible families or intentionally falsifying eligibility documents.
 - k. Any other act that would be reasonably considered as gross misconduct.
 - 6. The above is not all inclusive and shall in no way limit HREC from terminating an employee. Your employment relationship with HREC is voluntary, or an employment at will, for no definite period. It is terminable at any time with or without cause.
 - 7. A probationary employee who is being terminated for unsatisfactory performance cannot file a grievance. Approval by the Policy Council to terminate a probationary Head Start employee is not required as the Board of Directors and the Policy Council delegate the authority to terminate to the Executive Director or his/her designee.
- B. Termination Procedures: HREC employees shall be terminated from employment in accordance with the following procedures:
- 1. Substandard Performance: When an employee's job performance does not warrant continued employment:
 - a. The employee's supervisor will recommend to the Executive Director and/or Head Start Director that the employee be terminated.
 - b. If the Executive Director/Head Start Director concur, they shall provide written notice to the employee. This notice shall include the reason for the termination and the effective date of the termination.
 - c. For employees other than Head Start employees, termination shall be effective five (5) days from the date of the written notice or immediately if deemed appropriate by the Executive Director.

- d. Termination of Head Start employees must be approved by the Head Start Policy Council in regular or called session prior to the effective date of termination.
2. Gross Misconduct: In situations of gross misconduct, the following termination procedures shall apply:
- a. The Executive Director/Head Start Director shall notify the employee in writing of their immediate dismissal. Violation of SECTION XII.5.i requires immediate dismissal of Head Start personnel with notification provided to the Policy Council Chair as employee would be in violation of federal/state mandate.
 - b. The notice shall contain the reason for dismissal and the effective date of the dismissal.
 - c. For Head Start personnel:
 - 1) A copy of the termination notice shall be provided to the Head Start Policy Council Personnel Committee.
 - 2) Policy Council vote to approve/disapprove the termination shall occur at a regular or called meeting or at a called meeting of the Policy Council Executive Committee.
- C. Reduction In Force: When it becomes necessary for HREC to reduce the number of employees, either due to a reduction in funding or to reorganization/reclassification of positions, the following rules shall apply:
- 1. The Executive Director shall evaluate and determine which positions will be eliminated. This will be determined by weighing seniority and job performance with each being of equal importance.
 - 2. In determining seniority, an employee shall receive credit for all time served whether continuous or in segments not separated by as much as one year. If a break in service of a full year has occurred, seniority begins at the point of rehiring.
 - 3. An employee whose position has been abolished may move into another position provided he/she is qualified to perform the work and the position is occupied by an employee of lesser seniority.

4. All employees terminated due to a reduction in force shall be placed on a retention roster as available for employment for a period of one (1) year and shall be given every consideration for reemployment in a position for which they are qualified.
5. If an employee refuses to accept a position of similar characteristics and salary (90% of what the employee previously received), their name shall be removed from the retention roster.

SECTION XIII – GRIEVANCE PROCEDURES

A. It is the policy of HREC to allow employees to bring to the attention of their supervisors their grievances about work-related situations.

1. An appropriate grievance is defined as an employee's expressed dissatisfaction concerning conditions of employment or treatment by others.
 - a. Employees who have a work-related grievance should try to resolve the problem in an informal manner by going directly to the source of the problem.
 - b. If the problem continues to the employee's dissatisfaction, then the employee should go to their immediate supervisor for advice in handling the problem.
 - c. If the advice given to the employee by the immediate supervisor fails to resolve the problem to the employee's satisfaction, then the employee may file a formal grievance to their immediate supervisor in writing.
2. The grievance procedure has various steps, but grievances may be resolved at any step in the process. Grievances are to be fully processed until it is resolved, the employee does not file a timely appeal, or until the right of appeal is exhausted. A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.
3. Employees who feel they have an appropriate grievance should proceed as follows:

- a. Step One - Bring the grievance to the attention of the immediate supervisor (in Head Start the appropriate manager) within seven (7) days of being aggrieved. If the grievance involves the immediate supervisor (manager), then it is permissible to go directly to Step Two. The immediate supervisor (manager) is to investigate the grievance, attempt to resolve it, and give a decision to the employee within (7) working days. The immediate supervisor (manager) should prepare a written and dated summary of the grievance and proposed resolution for file purposes.
- b. Step Two - Appeal the decision to the Project Director, if dissatisfied with the immediate supervisor's (manager's) decision/resolution, or if Step One has been bypassed. Such an appeal or initial complaint must be made within seven (7) working days in written form. The immediate supervisor's (manager's) version of the grievance and decision will then be submitted using a similar written form. The Project Director will within seven (7) working days, confer with the employee, the supervisor (manager), and any other members of management considered appropriate. The Project Director will investigate the issues, and communicate a decision in writing to all the parties involved within seven (7) working days following the meeting.
- c. Step Three - Unless a resolution of the grievance is reached within seven (7) working days by the concerned Project Director, the grievance will be referred to the Executive Director. The Executive Director will, within seven (7) working days, confer with the employee, the supervisor (manager), and any other members of management considered appropriate. The Executive Director will investigate the issues and communicate a decision in writing to all the parties involved within seven (7) working days following the meeting.
- d. Step Four - Appeal the Executive Director's decision to the Executive Committee of the HREC Board of Directors. The aggrieved employee must submit his/her grievance in writing within seven (7) working days of the final decision in Step Three to the Chairperson of the Executive Committee of the Board of Directors. Upon receipt of the written grievance, the Chairperson of the Executive Committee shall call for a meeting of the Committee to consider the grievance in compliance with the notification requirements listed in the Board of Director's By-Laws. An employee who has submitted a grievance shall have

the right to present witnesses and legal counsel in his/her behalf at this stage of the grievance procedure.

4. Employees are encouraged to consult with their supervisors, or other members of management, on a less formal basis regarding employee complaints or disputes when appropriate.
5. Final decisions on grievances will not be precedent setting or binding on future grievance unless they are officially stated as HREC policy. When appropriate, the decisions will be retroactive to the date of the employee's original grievance.
6. Information concerning an employee grievance is to be held in confidence. Members of agency management who investigate a grievance are to discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.
7. Time spent by employees in grievance discussions with HREC supervisors (managers) during their normal working hours will be considered hours worked for pay purposes.
8. Employees are not to be penalized for proper use of the grievance procedure. However, it is not considered proper use if an employee raises grievances in bad faith or solely for the purpose of delay or harassment, or repeatedly raises meritless grievances. Implementation of the grievance procedure by an employee does not limit the right of HREC to proceed with any disciplinary action which is not in retaliation for the use of the grievance procedure.
9. Individuals who have been notified of their termination of employment or who have resigned do not have access to the grievance process as they are no longer employees.
10. A full copy of all employee grievance proceedings will be retained by HREC.

SECTION XIV – MAINTENANCE OF A SMOKE-FREE ENVIRONMENT

- A. Purpose: HREC is committed to the establishment and maintenance of a smoke-free workplace for its employees and client due to the adverse effects of tobacco smoke on the health of children and adults.
 - 1. Prohibited Acts: Smoking is prohibited in all HREC buildings, whether rented or owned, outdoor play areas, and agency owned vehicles. HREC personnel will maintain the smoke free policy when in the presence of clients at any location at any time.
 - 2. Violations: Violators of the above are subject to disciplinary action and/or dismissal.
- B. Applicability: All HREC employees are required to abide by this policy as a condition of employment or continued employment.

SECTION XV – ADOPTION, AMENDMENT, AND REPEAL

- A. Adoption: These HREC Personnel Policies will become effective immediately upon adoption by the HREC Board of Directors and will supersede all previous guidance on the subject.
- B. Amendment: Amendment of these policies may be recommended by the Executive Director or any member of the Board of Directors and shall become effective upon approval by the Board.
- C. Repeal: Repeal of these policies shall be by action of the HREC Board of Directors.
- D. Head Start Policy Council: Concurrence of the Head Start Policy Council is required for implementation of these Personnel Policies as relates to Head Start staff.

X

Kenneth Douglas
Board Chairperson

X

Amanda Self
Policy Council Chair

Approved By Board: September 27, 2013

Approved By Policy Council: September 10, 2013

Effective Date: September 30, 2013

Amended: September 14, 2016

Amended: December 15, 2016

Amended: March 16, 2017