

# Highland Rim Economic Corporation

## Personnel Policies

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# ***INTRODUCTION***

## **010 Welcome to Highland Rim Economic Corporation**

On behalf of your colleagues, we welcome you to Highland Rim Economic Corporation (HREC) and hope you will find your employment with HREC a rewarding experience. We look forward to the opportunity of working together to create a more successful Agency. We believe that each employee contributes directly to HREC's growth and success, and we hope you will take pride in being a member of our team.

The HREC Employee Handbook and all subsequent revisions shall constitute the official personnel policies and procedures for the Agency. This Handbook has been prepared to inform you of HREC's mission, employment practices, policies, as well as the benefits provided to you as a valued employee.

The policies in this Handbook are to be considered as guidelines and should not be construed as a contract. Things You Must Understand:

- HREC may change, delete, suspend or discontinue any part or parts of the policies in this book at any time without prior notice as business, employment, legislation and economic conditions dictate. Any such action shall apply to existing, as well as to future employees.
- Employees shall not accrue eligibility for any benefits, rights or privileges beyond the last day worked.
- No one other than the Executive Director, with the Board of Directors approval, may alter or modify any of the policies in this Handbook.
- No statement or promise by an Immediate Supervisor, Staff Member or Director, past or present, may be interpreted as a change in policy, nor will it constitute an agreement with an employee.

Should any provision in this Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Handbook, but only that particular provision.

This Employee Handbook replaces any and all other or previous HREC handbooks. HREC reserves the right to modify this policy at any time with or without prior notice.

No person can make an agreement with an employee or change any of the agency policies except by a written agreement signed by the Executive Director and Board of Director's approval.

This Employee Handbook may provide answers to most of the questions you may have regarding HREC's benefit programs as well as Agency policies and procedures. You are responsible for reading and understanding this Handbook. If anything is unclear, please discuss the matter with your Immediate Supervisor or Human Resources.

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 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.

Nothing contained in these Policies is meant nor should be construed as abolishing any federal or state mandated statute.

We extend our personal best wishes for success and happiness here at HREC and hope your experience here will be challenging and rewarding.

## **020 Mission**

*The mission of Highland Rim Economic Corporation is to empower eligible families toward self-sufficiency by providing a wide range of services through collaboration with local, state and federal resources.*

## **030 Community Action Promise**

*Community Action changes people's lives, embodies the spirit of hope, improves communities, and makes America a better place to live. We care about the entire community and we are dedicated to helping people help themselves and each other.*

## **040 Agency Purpose**

Community Action Agencies were established as a result of President Lyndon B. Johnson's "War on Poverty" in 1964. The federal government currently funds these agencies through the Community Services Block Grant (CSBG) in order to provide the support needed for administering the program service grants.

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.

This Agency has a long history of successfully operating programs that assist low-income children and families, the elderly and disabled population. HREC administers a broad scope of services and a variety of programs all aimed at helping those who are in need of assistance. The reputation of this organization was built on a framework of grass-root efforts to support and advocate for the poor, disabled and the disadvantaged. Funding is made available on an annual basis and can be terminated without notice.

All Agency job positions are contingent upon availability of funds.

## **050 Chain of Command**

The HREC Board of Directors is responsible for setting policies and long-range goals for the organization. The Board employs the Executive Director to whom it delegates responsibility for the day-to-day operations of the organization and for the management of all employees, interns, and volunteers. Guided by the policies set forth in this manual, which have been approved by the Board of Directors, the Executive Director is responsible for the management of all personnel.

HREC employees are directly accountable to their immediate supervisor, followed by their Program Manager. Program Managers are accountable their Program Director. Program Directors are accountable to the Executive Director. A report of improper or illegal conduct by an immediate supervisor can constitute a bypass in the immediate chain of command and be reported to the next level up to the Executive Director. All communication to the Board is channeled through the Executive Director except when otherwise determined by the Executive Director or the Board of Directors.

## **060 Team Process**

HREC endorses a participatory style of management. A team management system is used to identify, solve, and communicate operational problems and to suggest and implement new and/or continuing

projects.

## **070 Employee Handbook**

This Employee handbook and all subsequent revisions shall constitute the official Personnel Policies and Procedures of HREC, hereinafter referred to as “the Agency.” Policies in this handbook and all subsequent revisions will be approved by the Board of Directors and the Head Start Program Policy Council and reviewed by an attorney at least every five years. The Board of Directors is the corporate authority and is responsible for the approval and the implementation of the Personnel Policies.

The information contained in this Handbook will only be used for guidance and should not be construed as a contract. The information contained in the Employee Handbook shall apply equally to all Agency employees.

### Applicability

The policies in this Handbook set forth the major employment practices and procedures of the Agency and they supersede all past policies and procedures. The Agency’s Board of Directors, Head Start Program Policy Council and management reserve the right to approve or disapprove all recommended policies, or to change or deviate, depending upon circumstances, from these policies and procedures at any time without prior notice. These policies and procedures are not intended to be a contract nor to guarantee employment for any particular period. If a conflict should exist between any policy described in this manual and the law, the requirement of the law will supersede the written policy. The Agency retains the exclusive right to manage its business including (but not limited to) the right to determine the methods and means by which its operations are to be carried on, to assign and direct the workforce and to conduct its operation in a safe and effective manner.

This organization expects staff members to serve the public in the best manner possible and to execute the responsibility and duties of their position in conformance with the standards established by these policies.

### 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 shall have the authority to answer that question based upon their interpretation of these Policies as well as their knowledge and experience.

**The policies and procedures described herein apply to all employees of the Agency. Violations to HREC policies and procedures can lead to disciplinary action up to and including termination. All employees will be provided training and a copy of these policies and procedures during New Staff Orientation and annually thereafter.**

## **CHAPTER 1 - EMPLOYMENT AND RECRUITMENT**

### **101 Employment “At Will”**

All employment with the Agency is “At Will” employment. Under “At Will” employment, employment with the Agency can and may be terminated voluntarily by the employee and/or the Agency with or without cause at any time for any reason or for no reason at all. This policy supersedes any statement regarding employment, whether written or oral, expressed or implied, which may conflict in any way with the “at will” employment policy of the Agency.

This Handbook is provided to inform employees of current policies and procedures, but it does not constitute a legal guarantee that the Agency will continue the practices described herein.

## **102 Open Door Policy**

HREC seeks to provide a work environment that encourages direct and open communication between employees and management. HREC encourages open communication, feedback and discussion about any matter of importance to an employee.

## **103 Equal Employment Opportunity**

HREC complies with all applicable state and federal laws, rules and regulations providing for Equal Employment Opportunity. In order to provide equal employment and advancement opportunities to all individuals, employment and personnel decisions will be based on occupational qualifications and job-related factors such as skill, knowledge, education, experience and ability. HREC does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, political affiliation and genetic information or any other factor protected by state, federal or local law. HREC does not discriminate on any of the above listed basis in regards to employment opportunities, employment practices, compensation benefits, or any other aspect of the employment relationship.

HREC will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship. This policy governs all aspects of employment, including recruitment, selection, placement, compensation, promotion, transfer, layoff, training, termination, other sponsored activity, benefits, and all other conditions and privileges or employment in accordance with applicable federal, state, and local laws. An applicant or an employee needing reasonable accommodation with the application process or during employment should contact the Human Resource Coordinator to request such accommodation.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of the Human Resource Coordinator.

The Agency shall not discriminate, retaliate, or harass any employee and any other agent(s) who reports a violation of the terms of contracts or grants to any of the Agency's funding sources or to any appropriate law enforcement Agency if the report is made in good faith. Employees and other agents can raise concerns and make reports without fear of reprisal. Anyone found to engage in any type of unlawful discrimination or retaliation will be subject to disciplinary action, up to and including termination of employment.

## **104 Hiring, Evaluation, Compensation and Termination**

The Board of Directors of Highland Rim Economic Corporation (HREC) and the Head Start Policy Council shall approve all policies and procedures regarding the hiring, evaluation, compensation, and termination of employees.

All employees and job applicants are guaranteed equality of employment opportunity under state and federal law. Essentially, this means that HREC will not illegally discriminate against any worker or applicant on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, political affiliation and genetic information or any other factor protected by state, federal or local law. All recruitment, selection, placement, training and layoff decisions will be made without any illegal discrimination.

Current and former Head Start parents shall receive preference for employment vacancies for which they are qualified.

The Executive Director shall approve all decisions to hire any employee or to terminate the employment of any employee.

#### Executive Director

The Board shall be authorized to hire, retain the Executive Director.

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 for at least five (5) working days to determine if there are qualified applicants for the position.

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.

The Personnel Committee will interview all intra-agency applicants and review their personnel files to determine job qualifications and past work performance.

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.

In the latter case, the Personnel Committee will advertise the position and secure sufficient applications to insure that a qualified applicant is available.

The Personnel Committee will review the applications and establish an order of priority.

Reference checks will be made on at least the top three candidates and personal interviews will be conducted if necessary.

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.

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.

Applicants interviewed and not selected will be notified in writing by the Board Chairperson.

#### Head Start Director

The Head Start Director will be hired by the Board of Directors with the approval of the Head Start Policy Council and input from the Executive Director in accordance with the following procedures:

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 (at least five (5) working days) and outside the Agency to obtain sufficient applications to insure that a fully qualified applicant is available.

The Personnel Committees will review the application of each candidate and establish an order of priority.

Reference checks will be made if necessary on at least the top six (6) candidates. Personal interviews will be conducted.

After consideration of the candidates by the Personnel Committees and Executive Director, the most qualified will be selected to present to the Policy Council and the Board of Directors or the Executive Committee of each.

The individual selected as Head Start Director will be notified immediately, however, hiring is subject to Regional Office approval. Those not selected will be notified in writing by the Executive Director.

#### Other Personnel

Part-Time and Full-Time Employees: Part-time and full-time employee will be in accordance with the following procedures:

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.

Vacant positions will be emailed to staff, 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 with instructions and deadlines for applying.

In-house applicants will receive emailed instructions and deadlines for applying for vacant positions.

Each candidate will complete an application and provide any information that tends to verify their qualifications for the position.

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.

Interviews will be conducted by management, Human Resource Coordinator and others as designated with members of the Policy Council Personnel Committee (Head Start staff) invited to attend. Results will be documented in writing and placed in the applicant's file.

The hiring of potential employees is contingent upon their obtaining and passing the following as directed by Federal, State and Local requirements:

- A medical examination at their own expense.
- 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 Workforce Essentials (WFE).
- A criminal history background check.
- A driving records check.

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.

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

All current and prospective Head Start employees must sign a declaration prior to employment that lists:

- All pending and prior criminal arrests and charges related to child sexual abuse and their disposition.
- Convictions related to other forms of child abuse and neglect.
- All convictions of felonies.

## **105 Promotions, Demotions, Transfers, Reassignments, Reduction in Workforce and Reorganization**

The Executive Director has the authority to promote, demote, transfer, reassign, and terminate employees. The reasons may include, but are not limited to, job performance, reduction in funding, fluctuations in work load, more efficient utilization of personnel, for the safety or benefit of agency clients and increased career opportunities.

Staff that are reassigned will be given at least a 48-hour notice, unless the situation requires immediate action be taken because the safety of Agency employees is at risk.

### 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:

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.

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.

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.

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.

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.

## **106 Workplace Harassment**

HREC strives to provide a work environment that is free from harassment. HREC will not tolerate harassment based on age, race, gender, color, religion, national origin, disability, marital status, covered veteran status, sexual orientation, status with respect to public assistance, and other characteristics protected under state, federal or local law. Such conduct is prohibited in any form at the workplace, at work-related functions, or outside of work if it affects the workplace. This policy applies to all HREC employees, volunteers, clients, guests and vendors doing business with HREC.

Sexual harassment, one type of prohibited harassment, warrants special mention. Sexual harassment, a

form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, has been defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition, either explicitly or implicitly, of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as a factor in decisions affecting that individual's employment; or
- Such conduct has the purpose or effect of interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Examples of conduct prohibited by this policy include, but are not limited to:

- Unwelcome sexual flirtation, advances or propositions;
- Verbal comments related to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation;
- Explicit or degrading verbal comments about another individual or his/her appearance;
- The display of sexually suggestive pictures or objects in any workplace location including transmission or display via computer;
- Any sexually offensive or abusive physical conduct and/or language;
- The taking of or the refusal to take any personnel action based on an employee's submission to or rejection of sexual overtures;
- Displaying cartoons or telling jokes which relate to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation;
- Isolating the person by no longer talking to him or her, denying or ignoring his or her presence, distancing him or her from others;
- Wearing clothing that could be offensive to a particular ethnic group;
- Two employees engaging in a conversation that another employee finds offensive:

HREC strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to the Agency's policies or who have concerns about such matters should promptly report their concern to the Executive Director.

The Agency will keep all complaints confidential to the extent it is reasonably practical. Appropriate actions will be taken by HREC to stop and remedy any and all such conduct; including interim measures during a period of investigation. The Agency will not tolerate retaliation of any kind or discrimination against any individual who brings a good-faith concern or who participates in the investigation of a complaint.

## **107 Sexual Harassment**

HREC pledges to preserve a working environment free from sexual harassment. Harassment is against the law and is a form of gender discrimination. The aim of this policy is to prevent harassment of any kind by anyone employed by or associated with the agency.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors or unwanted sexual attention by anyone associated with the company, whether male or female. Harassment may include references to employment status or conditions or may serve to create a hostile, intimidating or uncomfortable work environment. Harassment includes, but is not limited to, obscene jokes, lewd

comments, sexual depictions, and repeated requests for dates, touching, staring or other sexual conduct committed either on or off company premises.

All HREC employees are responsible for helping ensure the workplace is kept free of sexual harassment. If an HREC employee feels they are a victim of sexual harassment, they are encouraged to report the behavior to the Executive Director or Board Chairperson. If an HREC employee witnesses sexual harassment, they are urged to report the incident so that prompt action may be taken.

All complaints will be treated seriously, kept as confidential as possible and investigated fully. HREC expressly forbids any retaliation against employees for reporting sexual harassment. If, however, the company finds that false charges have been filed, disciplinary action may be taken against anyone who provides false information.

If an investigation confirms that sexual harassment has occurred, immediate action will be taken to stop the harassment. HREC will take appropriate corrective actions against anyone found to be in violation of this policy, including possible termination of employment.

## **108 Diversity**

All employment decisions, including hiring, training, compensation, evaluations, discipline and promotions are made without regard to race, ethnicity, color, religion, sex, gender, age, national origin, disability, orientation, or any other basis unrelated to performance or job requirements. HREC believes that providing equal opportunities for all employees is both a moral responsibility and a good business practice.

All employees are expected to abide with the following principles at work or at work-related activities.

- Respect individual, social, and cultural differences such as race, gender, ethnicity, age, national origin, religion, sexual orientation, language, physical capability, or organizational role.
- Treat all individuals with dignity and respect.
- Serve as a positive leader for change by eliminating stereotypical, derogatory, and unprofessional comments and behavior from the workplace and create an atmosphere of zero tolerance for any person or organization that seeks to discriminate against others.

If an employee feels that these principles are not being followed, he/she should contact the Human Resource Coordinator.

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.

## **109 Genetic Information Nondiscrimination Act (GINA) of 2008**

HREC prohibits discrimination on the basis of genetic information with respect to health insurance and employment decisions such as hiring, firing, compensation, terms, conditions, or privileges of employment.

Genetic information is defined broadly to include such data as any information about an individual's genetic tests, the genetic tests of family members, and the manifestation of a disease or disorder in family

members. GINA prohibits employers from using genetic information to discriminate in employment, and makes it unlawful for an employer to request, require, or purchase genetic information about an employee, applicant, or their family members (with limited exceptions.)

Any genetic information that is maintained must be treated as a confidential medical record and stored in a separate file. Group health plans may not use genetic information to deny health coverage or to raise premiums.

## **110 Americans with Disabilities**

HREC complies with applicable laws ensuring Equal Employment Opportunities to all qualified individuals with disabilities as stated in the Americans with Disabilities Act of 1990 (ADA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). HREC will make every effort to provide reasonable accommodations where feasible for known physical or mental limitations, unless undue hardship to the Agency would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of his/her job should communicate such request to Human Resources. All requests for accommodations under ADA from current employees must be made in writing. Accommodation requests will be reviewed with Human Resources to determine the reasonableness of the request. Human Resources will provide a written Job Description to which a health care provider must provide written medical certification, within a specified length of time, of the employee's inability to perform specific essential and non-essential job functions without accommodation. The Agency reserves the right to implement what it deems to be the most feasible and reasonable accommodation. Supervisors will inform the HR Coordinator of all reasonable accommodation requests.

## **111 Whistleblower Protection**

HREC is committed to high standards of ethical, moral and legal business conduct. In line with this commitment, and HREC's commitment to open communication, HREC aims to provide an avenue for employees to raise concerns and reassurance that they will be protected from reprisals or victimization for Whistle blowing.

Whistleblower Protection is intended to cover protections for employees who raise concerns in good faith, regarding such concerns as incorrect financial reporting; unlawful activity; activities that are not in line with HREC's policies; and activities which otherwise amount to serious improper conduct.

Harassment or victimization for reporting concerns under this protection will not be tolerated. Every effort will be made to treat the complaint's identity with appropriate regard for confidentiality. Allegations in bad faith may result in disciplinary action up to and including termination.

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.

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 HR Coordinator immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

HREC strongly urges the reporting of all incidents relating to financial reporting, unethical or illegal conduct. To report this concern, contact the Human Resource Coordinator and/or the Executive Director.

## 112 Employee Classification

Employees are classified as either Exempt or Non-exempt for pay administration purposes, as determined by the Federal Fair Labor Standards Act (FLSA).

The definitions of the worker classification categories can be summarized as follows:

- **Exempt:** Management, supervisory, professional, sales or administrative employees whose positions meet FLSA standards are exempt from overtime pay requirements. Exempt employees are paid on a salary basis. Exempt employees are required to work a minimum of forty hours per week. Exempt employees working less than forty hours per week may be made to use paid leave.
- **Non-exempt:** Employees whose positions do not meet the FLSA exemptions standards are paid hourly and are subject to overtime pay. Employees classified as non-exempt generally work in non-supervisory, non-professional or non-administrative capacities. **Overtime work, however, is prohibited without specific supervisory authorization.**

In addition, each employee's status is defined as one of the following:

- **Full-time:** An employee who is hired to work a minimum of 30 hours per week on a regular basis. Such full-time employees are eligible for benefits after applicable requirements for length of service have been met.
  - Full-time/Full Year: Employees who are employed for a full 12 months of a program year.
  - Full-time/Part Year: Employees who are employed for less than 12 months of a program year.

HREC supplements its regular workforce with temporary or part-time employees to help compensate for workload, employee absences or other situations. The Executive Director will determine which positions are regular part-time and which are considered temporary.

- **Part-time:** An employee who works less than 30 hours per week on a regular basis.
- **Temporary:** Temporary employees are those engaged to work either part-time or full-time on HREC's payroll, but have been hired with the understanding that their employment will be terminated upon their completion of a specific assignment. Temporary employees who work more than thirty hours per week cannot be on temporary status for more than sixty days.
- **Independent Contractors:** Consultants, freelancers or independent contractors are not employees of HREC and are not eligible to participate in the benefit programs.
- **Inactive Employees:** Employees who are on approved leave of absence without pay. Sick leave and annual leave do not accrue during this period of time. Employees on inactive status are

responsible for the payment of all their benefits. Failure to submit payments as required for all applicable employee related premium costs could result in the termination of those benefits.

Substitutes: An employee who works less than 30 hours per week. Substitutes will be considered voluntarily resigned after three unsuccessful attempts to assign hours or failure to work in a 60-day period.

Employees who voluntarily leave the Agency and then return to full-time employment shall be considered as new employees with introductory period status).

A full-time employee who goes to part-time/substitute status and then within one year returns to full-time status will retain their seniority but will be subject to a introductory period in their new job assignment.

### **113 Personal Appearance**

HREC promotes a professional and positive personal appearance. Staff represents the Agency when interacting with clients, parents, children, visitors and the community. Employees are expected to dress in professional and appropriate attire according to the Agency requirements and the nature of their job responsibilities.

Employees who appear for work inappropriately dressed will be sent home by appropriate management. Under such circumstances, non-exempt employees will not be compensated for the time away from work. Employees should consult their Immediate Supervisor if they have questions as to what constitutes appropriate appearance. The supervisor is responsible for monitoring this policy.

All employees, including Head Start employees when applicable, must comply with the following Personal Appearance Standards.

Employees may dress casually, such as wearing denim attire, unless attending a business function. Appearance standards are not intended to interfere with employee's religious beliefs. Employees who desire accommodation to the appearance standards for religious beliefs may contact the Human Resource Coordinator.

If employee duties require them to work outside their normal work area and job function, they should dress appropriately for the location and/or the work to be done.

Clothes should be clean, neat and in good repair. Clothing that contains offensive graphics or messages are not permitted in the workplace or outside the workplace while conducting business.

Visible body piercings, other than pierced ears, are not acceptable in the workplace.

Offensive tattoos with vulgar language or suggestive art work are not acceptable in the workplace. Scented substances should be used conservatively and employees should take necessary steps to prevent offensive odors.

Employees are expected to wear appropriate attire for the job function. Unacceptable attire or appearance includes:

- Overly revealing clothing
- Shorts above the knee

- Shoes with heels over three inches
- Torn, worn, or revealing clothing, such as, tank tops, tube or halter tops
- Athletic clothing or Spandex
- Clothing that displays offensive comments, inappropriate pictures, items, drugs, alcohol or tobacco
- Visible facial jewelry, such as eyebrow rings, nose ring or studs, lip ring or stud, tongue stud, cheek stud or any visual body piercing

For safety reasons the following must be adhered to:

Classroom Staff:

As a safety precaution, no open-toe shoes are allowed. Shoes must have a back strap and shoe heels must not exceed 2 ½ inches high. Flip flops are strictly prohibited, but tennis shoes are appropriate. This requirement must be adhered to at all times during the school year when children are being cared for. Only small studded earrings or small hoop earrings are allowed to be worn. Scrubs, jeans, blouses, Agency t-shirts and capris may be worn.

Kitchen Staff:

Wear long pants, jeans or scrubs. Wear closed toe shoes. Flip flops are strictly prohibited, but tennis shoes are appropriate. Food Handler’s guidelines must be followed regarding nails, jewelry and hair.

Maintenance Staff:

Wear long pants or jeans. Wear lifting belt, goggles and ear plugs when appropriate. Flip flops are strictly prohibited, but tennis shoes are appropriate.

Drivers:

Wear closed toed rubber sole shoes. Wear scrubs, long pants, jeans or long walking shorts.

Office staff:

Wear closed toed rubber sole shoes when appropriate such as when moving files, boxes, etc. for cleaning office areas.

Failure to abide by this Personal Appearance policy may result in disciplinary action up to and including termination.

## **114 Introductory Period**

An employee’s first 1040 hours of employment will be referred to as the employee’s Introductory Period of employment. The Introductory Period gives the new employee an opportunity to discover whether he/she enjoys working for the Agency. It also gives the Agency’s management the opportunity to evaluate the employee’s interest in the job and his/her ability to carry out its requirements. At the end of the Introductory Period an Employee Introductory Period Performance Review will be conducted and reviewed with the employee. Management may choose to extend the initial Introductory Period for up to an additional 90 days due to extraordinary circumstances and approved by Executive Director. Employees are not entitled to any guaranteed period of employment under the Employment at Will Policy.

The Introductory Period of 1040 hours should not be considered as an employment contract for the respective periods. Termination is possible during the Introductory Period.

Employees who have been promoted, reclassified or transferred to another position unless it is a lateral move will also have a 1040-hour Probationary Period. During this time period the employee must

demonstrate the ability to satisfactorily perform the duties required. Failure to perform satisfactorily during this Introductory Period may result in termination, reassignment or a demotion.

Introductory Period employees are entitled to accrue annual and sick leave hours during the first 1040 hours of employment; however, annual leave cannot be taken during the Introductory Period (does not apply to PTO).

**\*\* Introductory employees will have three occasions that they are allowed to be absent during their 60-day Benefit Eligibility Period before HREC separates employment for excessive absenteeism. Exceptions may be considered when FMLA/ADA circumstances apply or at the Executive Director's discretions for extraordinary circumstances.\*\***

## **115 I-9 Immigration Reform**

HREC complies with the Immigration Reform and Control Act of 1986 by employing only United States citizens and non-citizens who are authorized to work in the United States. All employees are asked on their first day of employment to provide original documents verifying the right to work in the United States and to sign a verification form required by federal law (INS Form I-9). If an individual cannot verify his/her right to work within three days of hire, HREC must terminate his/her employment.

## **116 Lobbying Prohibited**

HREC does not permit the use of funds provided under any federal, state, or local contracts for influencing the outcome of any election, or the passage or defeat of any legislative measure. Employees witnessing this type of activity are to report any violations of this provision without fear of any form of retaliation.

## **117 Prevention of Fraud and Abuse**

It is the intent of HREC to create a working environment in which employees or outside parties understand dishonest acts will be detected and promptly addressed. Every supervisor is responsible for the detection and prevention of fraud, misappropriations and other irregularities that might occur within their area of responsibility. Any investigative activity required will be uniformly conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to HREC.

HREC maintains and utilizes established internal control systems and procedures sufficient to prevent, detect, and correct incidents of waste, fraud, and abuse. HREC provides proper and effective management of agency wide programs and fiscal activities. In addition, internal control systems and all transactions and other significant events are clearly documented and the documentation is made readily available for review.

HREC cooperates with efforts to detect, investigate and prevent waste, fraud and abuse. HREC will immediately notify the funding source of any identified instances of waste, fraud or abuse.

There will be no discrimination or retaliation against any employee or other person who reports a violation of the terms of any of its contracts or of any law or regulation to any appropriate law enforcement authority if the report is made in good faith.

## 118 Smoke Free Environment

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.

Smoking or the use of tobacco products to include vaping 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.

Violations of this policy are subject to disciplinary action up to termination.

## 119 Violence-Free Workplace

It is HREC's policy to provide a workplace that is safe and free from all threatening and intimidating conduct. Therefore, HREC will not tolerate violence or threats of violence of any form in the workplace, at work-related functions, or outside of work if it affects the workplace. This policy applies to HREC employees, clients, customers, guests, vendors and persons doing business with HREC.

It will be a violation of this policy for any individual to engage in any conduct, verbal or physical, which intimidates, endangers or creates the perception of intent to harm persons or property. Examples include but are not limited to:

- Physical assaults or threats of physical assaults, whether made in person or by other means (i.e., in writing, by phone, fax, social media or e-mail.)
- Verbal conduct that is intimidating and has the purpose or effect of threatening the health or safety of a co-worker.
- Any other conduct or acts which management believes represent an imminent or potential danger to workplace safety/security.

~~It is HREC's policy to prohibit handguns on its premises (including employees, customers and all third parties); however, employees who hold a concealed weapon permit may store lawfully possessed firearms in a locked privately owned vehicle in a parking lot with the exception to vehicles parked in lots owned or controlled by schools. (ECKLC – July 16, 2018)~~

Anyone with questions or complaints about workplace behaviors which fall under this policy may discuss concerns with their Immediate Supervisor or Human Resource Coordinator. The Agency will promptly and thoroughly investigate any reported occurrences or threat of violence. Violations of this policy will result in disciplinary action, up to and including immediate termination of employees. Where such actions involve non-employees, HREC will take action appropriate for the circumstances. Where appropriate and/or necessary, HREC will also take whatever legal actions are available and necessary to stop the conduct and protect Agency employees and property.

## 120 Drug-Free Workplace

### Applicability

It is the policy of HREC to provide a drug-free workplace. As a condition of employment each employee shall abide by the terms of this policy respecting a drug-free workplace. Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, whenever conducting business or representing the organization.

### Covered Workers

Any individual who conducts business for the organization, is applying for a position or is conducting business on the organization's property is covered by our drug-free workplace policy.

### Prohibited Behavior

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.

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.

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.

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.

### Drug Testing

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. Testing for the presence of alcohol may be conducted by analysis of breath, saliva and/or blood. Testing for the presence of the metabolites of drugs may be conducted by the analysis of urine, blood and/or hair.

PRE-EMPLOYMENT: New hire candidates will be subject to drug and/or alcohol testing.

RANDOM TESTING: Employees may be selected at random for drug and/or alcohol testing at any interval determined by the Agency.

REASONABLE SUSPICION: The Agency may ask employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.

POST-ACCIDENT TESTING: Any employee involved in an on-the-job accident or injury may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the

one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

### Consequences

Any employee who tests positive will be subject to disciplinary action up to and including termination.

An employee will be subject to termination if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

The legal use of controlled substances prescribed by a licensed medical physician is permitted and will not be considered a violation of this policy so long as it does not impair the employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger self or others. HREC encourages employees to volunteer this information to the supervisor to ensure that all health and safety precautions are taken for all persons involved. Abuse of prescription drugs will not be tolerated.

### Notification

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.

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.

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.

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.

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.

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.

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.

### Searches

Entering the organization's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time by supervisors.

### Confidentiality

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies. All drug-testing information will be maintained in separate confidential records.

### Communication

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program the policy and this procedure will be reviewed in orientation sessions with new employees. HREC will, to the extent feasible, provide continuing awareness programs for the work force about the harmful effects of drug and alcohol abuse.

## **121 Outside Employment**

Employees will not engage themselves in other employment during the employee's regular or assigned working hours that will create a conflict of interest, impair the employee's job performance or interfere with their duties and responsibilities. HREC resources cannot be used for outside employment.

## **122 Nepotism**

Employees may not occupy a position where they will be working directly for or supervising a member of their immediate family or someone with whom they are having a relationship.

For this purpose, the term "immediate family member" means: a spouse (or significant other), parents and grandparents, children and grandchildren, brothers and sisters, mother-in-law and father-in-law, brothers-in-law and sisters-in-law, daughters-in-law and sons-in-law, adopted and step family members.

HREC allows the hiring of family members as long as they are not:

- Supervised by a family member at any time,
- Related to the Executive Director or Head Start Director
- Or related to anyone serving on the Board of Directors

Administrators and managers should exercise caution in hiring or transferring employees to ensure that a new or transferred employee is not placed in a direct reporting relationship as defined by agency policy.

In other cases where a conflict or the potential for conflict arises because of a special relationship between employees, changes in the work place may be necessary. Even if there is no line of authority or reporting

involved, the employees may be separated by reassignment or terminated from employment. No individual preference or discrimination will be made in these decisions. It may be up to the individuals to determine who will maintain their position with the agency.

Employees in a relationship should refrain from public workplace displays of affection, excessive personal conversations or interactions.

## **123 Confidentiality of Information**

An employee who gains knowledge of information, within the scope of employment, may not take advantage of such information for personal gains, nor may such information be disclosed to anyone, except as required by the employee's position. Information gained about clients and volunteers through virtue of employment with the Agency is considered confidential and will not be disclosed to third parties without client consent and the Executive Director's approval.

No confidential information regarding income, health or other circumstances is to be shared for any reason other than program-related purposes and only with those employees who have a "need-to-know." Employees unsure of the confidentiality of information are responsible for checking with their Immediate Supervisor, prior to sharing information, to determine whether or not the information is confidential.

All inquiries, by individuals not associated with the Agency, for information about the Agency's financial matters, operations, volunteers, or other sensitive type information must be directed to the Executive Director. No employee is authorized to disclose Agency information without the Executive Director's approval.

A break of confidentiality may cause an employee or client serious stress or other difficulties. It is every employee's duty to rigorously respect all employees' and clients' right to privacy. Therefore, any breach of confidentiality may result in disciplinary action up to and including termination.

HREC personnel are responsible for maintaining the confidentiality of and protecting the privacy of personally identifiable information about children, families, and employees.

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.

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. Further, such violation will result in disciplinary action, including possible termination of employment.

## **124 Personnel Records**

HREC maintains a personnel file on each employee. Personnel records are kept highly confidential and are not available to anyone outside the Agency unless the employee has authorized release or release is to an authorized governmental Agency, or is required by law. The personnel files include such information

as the employee's job application, resume, records of training, documentation of performance appraisals, salary increases, and other employment records.

Personnel files are the property of HREC and access to the information they contain is restricted. Only immediate supervisors, HREC management personnel and funding sources/program monitors who have legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact Human Resources with reasonable advance notice; employees may review their own personnel files in the Human Resources office and in the presence of Human Resources staff.

Personnel Medical Records and Personnel Payroll Records are each maintained separately and are available on a "need-to-know" basis.

## **125 Employment Verification**

Human Resources shall provide, in response to requests, dates of employment, the last position held and salary/wage information if requested in writing. If the request comes from a third party, the employee must sign an authorization for release of information. Human Resources shall have seven business days to respond to the request.

## **126 Personal Data Changes**

It is the responsibility of each employee to promptly notify Human Resources of any changes in personal data. Personal mailing address, telephone number, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment and other such status reports should be accurate and current at all times. If any personal data has changed, notify Human Resources.

## **127 Conflict of Interest**

The purpose of this policy is to ensure continued conformity by Agency employees with the high ethical standards expected of them in carrying out their job-related responsibilities. Actions that result in circumstances in which conflicts of interest would clearly exist are therefore prohibited. The policy will be interpreted and applied in a uniform, objective and reasonable manner that will achieve its obvious purpose to avoid apparent or actual conflicts between personal and public services interest by individuals who are employed with the Agency.

All Agency employees are expected to avoid conflict between the Agency's interests and their personal interests. A conflict of interest will exist if an employee:

Uses or makes available for anyone's benefit or advantage, except in conformity with Agency policy, the property, records, services, names, emblem or endorsement of the Agency's affiliation with the employee.

Publicly utilizes the employee's affiliation with the Agency or with any Agency employee in connection with personal association with partisan politics, denominationally religious matters or positions on issues that are not in conformity with Agency policy.

Employees should report to Human Resources any situation or position (including outside employment by the employee or any member of the employee's immediate household) which may create a conflict of interest with HREC.

## **Accepting Gifts, Gratuities or Favors**

No employee, officer, or agent shall participate in the selection, award or administration of a contract if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of HREC shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to sub-agreements. Officers, employees, or agents found to have engaged in any of the above transactions shall have their employment or services terminated. However, if the financial interest is less than \$50 or the gift is an unsolicited item of less than \$50, the officers, employees, or agents will not violate the Code of Conduct.

## **129 Use of Agency Owned Property**

Any time Agency property is used in conjunction with employment extra care should be exercised to minimize damage to the equipment or waste of supplies such as, but not limited to, office machines, maintenance equipment, tools, automobiles, mobile phones and computers. These items should be properly cared for and, if applicable, safely stored when not in use. Agency employees who intentionally or negligently damage Agency property or equipment will be held monetarily responsible for the full replacement cost of the item damaged. Damage expenses will be recouped on a basis so not to violate the Fair Labor Standards Act causing the employee not to meet the minimum wage requirement. Employees who refuse to reimburse the Agency will face disciplinary action up to and including termination.

All facilities, vehicles and supplies belonging to the Agency shall not be used for any purpose other than conducting Agency business.

## **130 Public Statements**

All media inquiries and phone calls are to be immediately directed to the Executive Director. An employee may act in an official capacity if in fact they are authorized by the Executive Director to officially and legally represent the Agency in that capacity, or if they are authorized by law.

Failure to abide by these requirements may result in disciplinary action up to and including termination.

## **131 Electronic Media Use**

While computer equipment and network, peripherals, e-mail and the Internet are intended for job-related activities, incidental and occasional personal use is permitted within reasonable limits. Abuse of this privilege may result in revocation of such privilege or possible disciplinary action. However use for personal commercial ventures, or religious or political causes is prohibited.

HREC prohibits the use of computers, e-mail and the Internet, in ways that are disruptive, offensive to others or harmful to morale. At no time should any subject matter of a sexual or violent nature be intentionally prepared, sent or viewed.

There is no personal privacy in any matter created, received or sent from the Internet or e-mail system. HREC, in its discretion, reserves the right to monitor and access any matter created in, received through, or sent from the Agency Internet or e-mail system.

Messages sent or forwarded during business hours should be sent only with good business reason for doing so. All e-mail, Internet information, and other data and documents that are composed, transmitted, or received via HREC's electronic communications systems are considered to be part of the official records of HREC and, as such, subject to disclosure to HREC, law enforcement or other parties.

Each employee is responsible for the messages that are sent from his or her computer and e-mail accounts.

Employees should maintain security of their passwords. Passwords should be changed every 90 days.

All e-mail messages must follow HREC policy banning solicitation and distribution. Chain letters, pyramid schemes and other solicitations are prohibited.

Data composed, transmitted or accessed via e-mail and/or the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. No e-mail that constitutes intimidating, hostile or offensive material on the basis of race, color, religion, sex, national origin, age, disability (physical or mental), veteran status, pregnancy, marital status, medical condition, sexual orientation, political affiliation or any other status protected by federal, state or local law or regulation may be created or sent at any time. HREC's policy against harassment applies fully to the Internet and e-mail system.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

To prevent the infection of viruses and other potentially damaging programs, no employee may download files and/or software from e-mail or the Internet without prior authorization. For authorization, employees should contact the IT Coordinator. Any and all software that is downloaded from the Internet must be registered to HREC. Additionally, extreme caution must be observed at all times when opening e-mail messages and attachments.

HREC purchases and licenses the use of computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, neither HREC nor any of its employees may reproduce such software for use on more than one computer. Copyrighted and trademarked material that does not belong to HREC may not be transmitted by employees on the company's e-mail or Internet system without permission from the holder of the copyright or trademark. Every employee who obtains access to other companies' or individuals' materials must respect all copyrights and trademarks and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy for reference only.

Employees should not attempt to defeat security restrictions on HREC systems and/or applications.

Employees who are entrusted with computers and/or other electronic equipment taken off site are personally responsible for the safety and security of such. Employees that utilize lap top computers, tablets, etc. should carefully safeguard HREC information as well as any business related information stored on the computer.

Employees who become aware of misuse of any electronic media as outlined in this procedure should promptly contact the supervisor.

Employees who violate these procedures may be subject to disciplinary action, up to and including termination.

### **132 Workplace Monitoring**

Workplace monitoring may be conducted by HREC to ensure quality control, employee safety, security, and customer satisfaction.

Computers furnished to employees are the property of HREC. As such, computer usage and files may be monitored or accessed. Monitoring may include all files created or saved on Agency computers, external hard drives, flash drives, etc.

HREC may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct and discourage or prevent acts of harassment and workplace violence.

Audio surveillance may be used in accordance with applicable laws for the purpose of employee grievance investigations. Each person under any audio recording must be made aware of the audio surveillance and must give permission to such recording.

Because HREC is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

### **133 Employee ID Security Cards**

Agency employees provided with an employee identification badge must wear their Employee ID, **AT ALL TIMES**, while working in accordance with program requirements.

### **134 Physical Examinations**

All Head Start employees are required upon hire to obtain a physical examination which should be documented on the *State of Tennessee Child Care Provider Medical Report*. As required by the State, The *State of Tennessee Child Care Provider Medical Report* will be completed again every three years or sooner if required by Child Care Licensing Regulations. The costs of these examinations are the responsibility of the employee.

The physical examination results must be submitted to Human Resources immediately or as requested. Failure to submit the examination results is subject to disciplinary action, up to and including termination.

### **135 Performance Review**

The Agency utilizes a system of formal Performance Reviews as a necessary management tool to aide in decisions regarding promotions, training, and disciplinary action. It is designed to focus on examining the employee's past performance and establishing mutually agreed to future goals and objectives. Both the Supervisor and the employee are responsible for the attainment of these goals and objectives.

All employees, at hire, will be provided a copy of their job description by Human Resources. The Immediate Supervisor (or designee) is responsible for training and assisting the employee in learning their job duties and responsibilities. The Board of Directors is tasked with ensuring the Executive Director receives the necessary training to perform the duties of the job.

Employees will have an annual performance reviews as required by funding agencies. Reviews will be completed by the employee's Immediate Supervisor. Employees will receive a copy of the Review. Employee's Development Objectives are required when an Overall Performance rating below satisfactory is received.

Performance reviews may not be conducted annually for positions not subject to funding regulation requirements. In this case an employee may request a performance review.

#### Recordkeeping

The Supervisor conducting the Performance Review is required to submit the original document to Human Resources.

Original Performance Reviews, responses, and related documentation are filed by Human Resources in the employee's personnel file and a copy will be given to the employee by his/her Immediate Supervisor.

#### Introductory Period Performance Reviews

Individuals becoming employed or re-employed with the Agency must serve 1040 hour Introductory Period. The Introductory Period is a period of time that gives the new employee an opportunity to discover whether he/she enjoys working for the Agency. It gives the Agency the opportunity to evaluate the employee's interest in the job and his/her abilities to carry out their assigned job duties. The Introductory Period evaluation does not apply to Temporary Employees.

If the Supervisor determines that the employee is not performing satisfactorily within the first 60 days of employment, an Employee Introductory Period Review may be conducted. The supervisor will review with the employee the training objectives, job responsibilities and give individual guidance.

It is understood that the employee may be separated from employment "At Will" any time prior to the completion of such Introductory Period. An employee may be dismissed at any time during the Introductory Period.

The Introductory Period should not be considered as an employment contract for the respective periods.

#### Annual Performance Evaluation

Employees will receive an Annual Performance Review each year to review progress and discuss standards of performance and job responsibilities. If an employee has had his/her Introductory Period Performance Review within the last quarter of the previous year, the Annual Review will be conducted on the next year.

Evaluations are to be completed by the employee's Immediate Supervisor. Any employee who is dissatisfied with his/her evaluation may appeal it to the level of Executive Director.

Temporary employees will not receive an Annual Performance Review.

The Executive Committee of the Board of Directors shall conduct a Performance Evaluation of the Executive Director on an annual basis. Evaluation forms are made available to board members who complete the form prior to the meeting of the Board in June and presented to the Board at the June meeting.

## **136 Job Posting**

The Executive Director is engaged by the Board of Directors and is authorized to hire and terminate all

Agency personnel.

No member of the Agency's Board of Directors or Head Start Policy Council may be employed by the Agency during his/her active service.

No person less than eighteen (18) years of age shall be eligible for regular or temporary employment with the Agency.

Agency positions may require certified supportive documentation verifying credentials from high school, college, universities and CDA. Positions requiring special training or licensing requirements must provide satisfactory evidence of completion.

HREC provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. Job postings are a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring Supervisor. In general, notices of all job openings are posted, although HREC reserves its discretionary right to not post a particular opening.

Job openings are posted on bulletin boards, the Agency website at [www.highlandrim.org](http://www.highlandrim.org), jobs4tn.gov, Indeed, Facebook, local colleges and businesses that request our job listing and when needed, advertising in a variety of media.

To be eligible to apply for a posted job, employees must have performed satisfactorily in their current positions. Employees who are on suspension are not eligible to apply for posted jobs. To apply for an open position, employees should submit an In-House Application *Form* prior to the closing date and time specified in the posting to be considered.

### **137 Arrests, Indictments, Convictions and Other Adjudications**

An employee shall notify his or her Immediate Supervisor, right away but no later than 24 hours of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, misdemeanor, any offense involving moral turpitude, and any of the other offenses as indicated below:

- Crimes involving HREC property or funds;
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any Certificate or permit that would entitle any person to hold or obtain a position as an Educator;
- Crimes that occur wholly or in part on HREC property or at an HREC-sponsored Event or activity;  
or
- Crimes involving moral turpitude which include dishonesty, fraud, deceit, theft, and misrepresentation;
- Deliberate violence;
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
- Felony possession transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute a controlled substance;
- Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct or
- Acts constituting abuse

Depending on the employee's position and the nature of the offense, disciplinary action may result in suspension without pay while the criminal matter is cleared or until conviction. Convictions of certain crimes could result in termination.

### **138 Background Checks and Fingerprinting**

HREC will require background checks and fingerprinting prior to hiring for employees within the Head Start program or other direct Federal or State funded programs as required by law.

Background checks are conducted prior to hire for Head Start employees and every five years thereafter. Applicants will be required to provide written consent prior to any background check.

In accordance with Head Start Program Performance Standards the program must conduct an interview, verify references, conduct a sex offender registry check and obtain one of the following:

- State or tribal criminal history records, including fingerprint checks; or,
- Federal Bureau of Investigation criminal history records, including fingerprint checks.

A program has 90 days after an employee is hired to complete the background check process by obtaining:

- Whichever check listed in paragraph (b)(1) of this section was not obtained prior to the date of hire; and,
- Child abuse and neglect state registry check, if available.

### **139 Motor Vehicle Requirements**

All employees approved to drive Agency vehicles are required to possess and to maintain a clean and current valid Driver's License. The employee assumes responsibility for any traffic or parking violations that are issued while using an Agency vehicle.

Additionally, employees are to maintain current documentation of auto Liability Insurance.

#### **Reporting**

All drivers are required to report **immediately** to their Supervisor, and/or Program Manager and Human Resources any motor vehicle accidents or infractions that impact their driving status. Drivers failing to follow this policy may be restricted from driving an Agency vehicle or restricted from driving for Agency purposes. Employees violating this policy may result in disciplinary action up to and including termination.

### **140 Rehire Policy**

Former employees who are seeking reemployment must indicate his/her prior employment with the HREC on the job application. Failure to do so will result in ineligibility for reemployment regardless of the reason for separation. All applications will be subject to a Human Resources search of HREC employment records to determine previous employment status, reason for termination of employment, and eligibility for rehire.

Employees terminated for serious policy violations (e.g. theft, assault, dishonesty, fighting, intentional falsification of official records, possession or using prohibited narcotics or consumption of alcohol during duty hours, gross negligence or gross insubordination -- -this is not an all-inclusive list) shall be marked as not eligible for rehire to any type of employment with HREC.

**Deviation from this policy may occur with approval from the Executive Director.**

## **CHAPTER 2 - COMPENSATION, HOURS AND PAY**

### **201 Compensation**

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.

Salary and wage schedules will be reviewed for comparability with similar positions in public and/or private agencies.

The Executive Director shall recommend all salary levels and adjustments to the Governing Board for their approval. In cooperation with the Executive Director the Head Start Director shall recommend all Head Start salary levels and adjustments to the Policy Council for their approval.

No employee shall be paid at a rate lower than federal minimum wage.

No employee shall be paid at a rate exceeding 95% of the Executive Director's salary.

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).

Employees shall be paid Bi-Weekly. When the pay date 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.

HREC is required by law to withhold Federal Income Tax, Social Security, and Medicare from all employee wages.

No employee shall be paid in excess of the employee compensation limit established by federal regulations for Level II of the Executive Schedule.

### **202 Recording Time**

Charges to awards for salaries and wages, whether treated as direct or allocated costs, will be based on documented payrolls approved by the designated manager or supervisor.

Recording time worked is the responsibility of every employee. Federal and state laws require HREC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. All employees shall complete a time sheet.

Altering, falsifying, tampering with time records, or recording time for another employee may result in disciplinary action, up to and including termination.

It is the employee's responsibility to ensure his/her time sheet is complete and accurate. The Immediate Supervisor or designee will review and approve all-time records before payroll processing. When an employee submits their time sheet they are confirming that the information is true and correct. When the supervisor approves the time sheet they are confirming that the information is true and correct. Time sheet errors or mistakes must be corrected by submitting a corrected timesheet and will be paid no later

than the following pay cycle. Failure to comply may result in disciplinary action.

### Work Week

For payroll purposes, the standard work week consists of seven (7) days, Sunday through the following Saturday.

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 unless approved by Executive Director. 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.

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 unless otherwise advised by the Head Start director and approved by Executive Director. Managers may flex their work day hours to cover Head Start Center staff.

Head Start Center Staff: 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.

### Compensatory Time

No Agency employee may earn compensatory time.

### Flex Time

Supervisors may approve flex time off for non-exempt employees who have participated in work or work-related activities after normal work hours during a work week.

### 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.

Full-time/Part-year staff will be paid the first four inclement weather school closures of the program year. After the four paid days for Full-time/Part-year staff, no leave may be taken during unplanned school closings as these days are made up during the program year.

### Non-Exempt Employees

Non-exempt employees should accurately record the time they begin and end their work in fifteen (15) minute increments. Employees should take into account any departure from the work place for personal reasons when recording time worked. Timesheets should reflect the actual hours worked, holidays, vacation, sick, PTO or other leave used during the pay period.

### Exempt Employees

Exempt employees are expected to work the standard work week Monday through Friday at a minimum forty hours per week. Time worked over forty hours is not subject to overtime pay, but may be flexed if possible within the work week. Flex time may not be taken as a full day off unless there are extenuating circumstances such as traveling to a meeting on a weekend. Employees should get approval from their supervisor prior to such occasions. Employees may never accumulate flex time to be taken beyond the current work week. Employees should always keep their supervisor informed of their schedule.

Exempt employees are required to accurately document allocation of time to correct fund code and to record leave time.

Exempt employees normally must receive their full salary for any week in which they perform any work, without regard to the number of days or hours worked. However, exempt employees need not be paid for any workweek in which they perform *no* work at all for the organization with the exception of HREC's bona fide leave plans.

Exempt employees may be required to use paid leave for partial days worked.

Deductions from pay cannot be made as a result of absences due to the circumstances listed below. Such improper pay deductions are therefore specifically prohibited regardless of the circumstances. Managers or supervisors violating this policy will be subject to investigation of their pay practices and appropriate corrective action in accordance with normal procedures.

- Jury duty.
- Attendance as a witness.
- Temporary military leave.
- Absences caused by the employer.
- Absences caused by the operating requirements of the business.

## **203 Payroll**

Employees will be paid on a bi-weekly basis.

If the employee desires to change the amount withheld for taxes, he/she must submit a revised IRS Form W-4 to the HR Department at least ten (10) business days prior to the affected payroll.

HREC will not compensate employees with severance pay.

W-2's will be issued to employees by the end of January of each year.

### Payroll Deduction

Payroll deductions are made according to applicable laws and to pay for elected benefits and voluntary contributions. Employees must complete and sign a deduction authorization form for elected benefits and voluntary contributions prior to the deductions being withdrawn.

The amount of deductions from an employee's paycheck will depend on earnings and on the information furnished on the W-4 Form. Every employee is required to complete a W-4 Form.

Payroll benefit deductions include but not limited to:

- Health insurance (Employee share and dependent coverage)
- Dental coverage (Employee and dependent)
- Vision (Employee and dependent)
- Retirement program (Employee share)
- Additional voluntary benefits

***Note: Deductions for benefits go into effect after the 60-day benefit eligibility period***

Mandatory deductions and wage garnishments that are required by law will automatically be made from the employee's paycheck. These deductions may change as they are affected by changes in the amount earned, by legislation, and by the number of dependents declared.

Additional deductions HREC is authorized to make, or which is required by law (e.g., garnishments, child support) are automatically deducted and will not be stopped until proper documentation has been received from the issuer who authorized the deduction or garnishment or benefit enrollment entity. Employees will not be terminated for having a garnishment served against them or for filing a petition for bankruptcy.

Court orders, wage deduction summonses, tax levies and other similar orders should be forwarded to the HR Department immediately. The HR Department will notify the employee of the legal action being taken against him or her; provide the employee with a copy of the official court order or tax levy; and inform the employee of the dates the garnishment will be deducted from his/her paycheck.

### Head Start

Full-time/Part Year employees will have adjustments to their normal deductions for benefits in order to cover the employee's portion of premiums for coverage during the summer break. When an employee is not hired early enough in the year to sufficiently meet these deduction adjustments, employees will be required to submit their portion of premium payments no later than the end of the month during which they are on temporary lay-off. If payments are not received by the thirtieth (30<sup>th</sup>) of the month coverage will be cancelled.

Employee's having questions concerning deductions should contact Human Resources.

Employees who believe their pay has been improperly reduced should contact the Human Resources immediately to request an investigation.

***HREC advises employees to check their electronic pay stubs to ensure that it reflects the proper number of withholdings, pay information and deductions.***

## **204 Direct Deposit**

HREC requires direct deposit of paychecks. Employees are responsible for notifying the HR Department of any change in accounts to ensure the proper direct deposit of payroll to their account. The notice should be submitted in writing a minimum of one week prior to the end of the given pay period.

## **205 Pay Check Corrections**

HREC takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

Employee's having questions concerning errors in their pay should promptly bring the discrepancy to the attention of Human Resources.

## **206 Overtime**

In all instances, the definitions, practices, and procedures in regard to payment of overtime for Agency employees are in accordance with the provisions of the Fair Labor Standards Act of 1936 as amended.

Only non-exempt employees shall be entitled to overtime pay. Overtime pay rate shall be one and one half (1 1/2) times the straight time rate and shall be applicable only after an employee actually works more than 40 hours in one week. Employees will be paid for all required training time and HREC meeting time and may receive overtime pay if eligible for it. Employees will not be paid for time voluntarily spent at any HREC party, for the social portion of any meeting or any social occasion at which their presence is not required. If a non-exempt employee is required to work on an authorized HREC holiday, he/she may receive normal pay for hours worked plus holiday pay. Employees shall not work on a holiday without prior approval.

No non-exempt employee is to work more than forty (40) hours in one work week **without first obtaining approval**. Failure to obtain proper authorization may be grounds for disciplinary action up to and including termination.

Hours for which a nonexempt employee receives sick leave pay, holiday pay, or annual leave pay are not included in the calculation of overtime pay.

***Immediate Supervisors who knowingly permit employees to work off the clock or overtime hours without the Executive Director's prior approval are subject to disciplinary action up to and including termination.***

Exempt employees are not eligible for overtime pay and will not receive any overtime pay for extra work above 40 hours per week that might be necessary to accomplish their assigned tasks.

## **207 Employee Travel and Expenses**

Highland Rim Economic Corporation will reimburse employees for allowable expenses when engaged in authorized travel necessary to conduct Agency business. Employees in travel status shall be entitled to mileage reimbursement or other transportation costs, hotel accommodations and other services which are reasonable and meet adequate quality standards for convenience, safety and comfort. Travelers shall, whenever possible, use the most economical accommodations which meet reasonable requirements.

This policy applies to anyone receiving reimbursement for travel out of Agency funds, including employees, parents of Head Start children, volunteers, community representatives, consultants, and members of the Governing Board. Procedures and forms used may vary for non-employee individuals.

Travel expenses that are not permitted under the terms of grants, contracts or agreements with other agencies will not be charged to those grants, contracts or agreements.

***All travel must be approved by the Executive Director.***

### *Mileage Reimbursement*

When a privately owned vehicle is used for Agency related travel, the mileage reimbursement will be at the current mileage rate.

Agency vehicles are to be utilized for work related travel whenever possible. In the event an agency vehicle is not available, personal vehicles may be used with prior approval.

If an employee chooses to use their personal vehicle when an agency vehicle is available, mileage will not be reimbursed.

Employees are expected to travel the shortest distance between points of departure and destination for all travel.

Travel between the employee's home and his/her designated office is not eligible for reimbursement.

Employees will not be reimbursed for costs incurred due to mechanical and/or other automobile malfunction.

Personal vehicles used for Agency business must be covered by liability insurance. No advance is allowed for mileage reimbursement.

The "Mileage Sheet" must document the date of the trip, beginning and ending odometer reading (or miles traveled based on an on-line mapping service such as MapQuest), destination, purpose of the trip and total miles traveled.

#### Lodging and Meals

Employees will be reimbursed for lodging on an actual basis not to exceed the maximum Federal lodging allowance applicable to the area traveled. Exception to this rule will be made when the hotel rate where a conference is held exceeds the allowable Federal rate or a safe hotel is not available with Federal rates with prior approval of Executive Director.

In an effort to reduce travel costs, two individuals may be assigned to room together. In this case the cost of the room will be split equally between employees for the purpose of reimbursement.

Employees will be reimbursed for Meals and Incidental Expenses (M&IE) based on the allowable Federal M&IE rate applicable to the area traveled (or highest M&IE rate applicable when multiple locations are involved). Reimbursement for meals is based on a per diem allowance of 75% of allowable M&IE for the days of departure and return and 100% for all days in between. The total percentage for the trip will be multiplied by the allowable M&IE for the area traveled to calculate the allowed reimbursement. Receipts are not required for meal reimbursement.

Miscellaneous expenses include hotel taxes, parking, taxi/shuttle/car rental or other ground transportation and any other miscellaneous expense incurred while conducting Agency business. Miscellaneous expenses must be documented. Receipts must be attached to the form.

Regardless of whether a cash advance has been made or a request submitted for reimbursement of expenses after the trip, all travel expenses are subject to requirements of documentation and reasonableness and will be reimbursed in conformity with adopted procedures.

**Employees must attach agendas and hotel confirmations to include group hotel conference rates (if applicable) to the travel request when attending a conference or meeting.**

Employees will not receive future travel advances until the proper documentation has been completed and returned to the Accounting Department and Agency funds (if any) have been returned. If the employee does not refund the Agency any outstanding advances within thirty (30) days, he/she will be billed for the amount due.

If employees do not receive a cash advance, they must submit an Out of Town Travel Expense Statement documenting expenses incurred with back-up documentation in order to be reimbursed. Attach receipts for all miscellaneous expenses and hotel. Receipts are not required for meal reimbursement. Training evaluations are to be completed and attached to the Out of Town Travel Expense Statement.

Costs of personal entertainment, non-employee (such as a spouse) expenses, room upgrades, amusements, social activities, alcoholic beverages, traffic citations, personal phone calls or illegal activities are not allowable for reimbursement.

## **CHAPTER 3 – EMPLOYMENT BENEFITS**

### **301 Benefit Eligibility Period**

Agency sponsored benefits will be provided to eligible employees as outlined in this Employee Handbook.

In order to be eligible for Benefits, employees must actively work 60 days. An exception to this policy will be made in regard to Head Start Full-time/Part Year employees who are hired preceding the summer break. Days worked prior to the break will be used in the calculation of the 60 days' eligibility criteria. Accumulation of days worked will resume after the employee has returned from the summer break.

To satisfy Insurance Benefits eligibility, employees must be employed at full time status (30 or more hours per week) for 60 days. Coverage will begin the first of the month following 60 days of employment.

Temporary employees are not entitled to any benefits. HREC reserves the right to change any or all benefits at any time without notice.

### **302 Holidays**

Holidays are recognized as non-work days for employees and the offices will be closed. HREC provides only regular full-time employees the benefit of paid holidays.

HREC observes thirteen (13) paid holidays per year which are typically:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas (3 days)

To receive holiday pay, an eligible employee must work their full scheduled shift or be on pay status, on the last scheduled work day immediately preceding and the first scheduled work day immediately following the day on which the holiday is observed. If a holiday falls during a lay-off status, it will not be paid.

If an employee is absent on one or both of these days because of an illness or injury (paid leave), HREC reserves the right to verify the reason by requiring a doctor's certificate for the absence before approving holiday pay.

A recognized holiday that falls on Saturday will be observed on the preceding Friday. A recognized holiday that falls on Sunday will be observed on the following Monday.

All full time employees will receive Holiday pay upon completion of the 60-day Benefit Eligibility Period. Temporary and part time employees do not receive Holiday pay.

Holidays occurring during authorized paid leave will not be charged against leave.

If an employee works on a Holiday, he/she will receive regular pay; however, they may take the Holiday on another day during the work week. This must be approved by the employee's supervisor.

Holidays will not be counted as hours worked for the purposes of determining overtime.

### **303 Annual Leave**

HREC believes that rest and relaxation is important for each employee's mental and physical health. In support of its employee's well-being, HREC provides annual leave for all regular employees. Annual leave begins to accrue at the time of employment; however, employees may not take annual leave until after they have completed the Introductory Period. Temporary and part time employees will not accrue annual leave. Accrued annual leave hours are based on paid hours.

Regular full-time/full-year employees working thirty (30) to forty (40) hours per week will accrue annual leave according to their years of service based on the chart below.

<u>YEARS OF SERVICE</u>	<u>ACCRUAL ANNUAL PER PAY PERIOD</u>	<u>ACCRUAL PTO YEARS OF SERVICE</u>
1 <sup>st</sup> thru 5 <sup>th</sup> year	4 hours	40 Hours
6 <sup>th</sup> thru 10 <sup>th</sup> year	6 hours	56 Hours
11 <sup>th</sup> thru 15 <sup>th</sup> year	7 hours	72 Hours
16 <sup>th</sup> thru 20 <sup>th</sup> year	8 hours	88 Hours
20 <sup>th</sup> + years	9 hours	96 Hours

Upon separation of employment, except during the Benefits Eligibility Period or upon involuntary termination, regular status employees will be paid for unused annual leave upon availability of funds.

Full-time/full-year employees may carryover a maximum of 104 hours of annual leave per year. Unused annual leave in excess of maximum accrual allowed at the end of each year will be designated as sick leave.

Annual leave may not be taken in advance of accrual.

Annual leave may not be taken during a disciplinary period or the Introductory Period.

Annual leave may not be used to extend the employee's termination date. Once a resignation letter has been submitted, leave time cannot be used.

Employees must receive prior approval for planned leave/PTO.

### **304 Sick Leave**

Sick leave is a courtesy extended by HREC and is not a right or privilege to be abused. Any such abuse will lead to disciplinary action. Employees may not request to use sick time in lieu of annual leave for any

reason. Sick leave begins to accrue at the time of employment; however, employees may not take annual days until after they have completed the Introductory Period. Temporary and part-time employees will not accrue sick leave.

Sick leave provides time off with pay for periods of incapacity due to illness or injury. This leave may also be used for health care appointments that must be scheduled during the workday. Head Start employees may not be paid for sick leave during the month(s) in which they do not normally work.

Sick leave cannot be used once an employee has given notice of resignation or for final days worked. Employees will not receive payment for unused sick leave upon termination of employment.

Supervisors may request that an employee obtain documentation from his/her physician regarding questionable absences.

Sick leave may be requested for the illness of the employee or a member of the employee's immediate family.

A member of an employee's immediate family includes any of the following persons: spouse or significant other, children, sibling, parents, step parents, grandparents, grandchildren, or a relative by marriage of a comparable degree.

Regular full-time/full-year employees working forty (40) hours per week will accrue four (4) hours of sick leave per pay period.

Sick leave accrual is based on paid hours.

Sick leave may not be taken in advance of accrual. Such leave that is taken beyond earned sick leave will be charged against annual leave unless annual leave is not available at which point the time off will be documented as leave without pay.

Holidays occurring during sick leave will not be charged against sick leave.

Employees are responsible for notifying their supervisor that they intend to be off work on sick leave as early as possible, but not later than sixty (60) minutes prior to their expected arrival time to work. With the exception of pre-scheduled sick leave, employees must notify their supervisor each day they will be out on sick leave.

If employees are absent due to illness for three (3) consecutive days or more they may be requested to provide a physician's note prior to returning to work. A note may also be requested when the use of sick leave is excessive or questionable.

If employees are absent for injury or illness beyond five (5) days they must contact the Human Resources to discuss the possible need for FMLA.

### **305 PAID TIME OFF (PTO)**

Full-time/Part Year employees will receive 40 hours of Paid Time Off (PTO) upon hire or 16 hours of PTO if hire date is later than January 1 of the program period. This amount will renew at the beginning of each program year.

In addition, Full-time/Part Year employees will receive a paid Christmas Break which falls during the time between the Christmas and New Year holidays. Christmas Break will be provided to all Full-time/Part Year employees, including those who are within their Benefits Eligibility Period.

### **306 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 HR Coordinator 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 a 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.

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 under- going 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 dis-honorable 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 leave taken for a qualifying exigency, the employee will be required to use an 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 HR Coordinator.

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.

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.

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 HR Coordinator. 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.

### **307 Extended Leave**

Employees who have exhausted their FMLA could be eligible for Extended Leave in accordance with the Americans with Disabilities Act. If the employee has exhausted all leave time available, Extended Leave will be on the basis of Leave Without Pay. If this type of Extended Leave plan is not an undue hardship on the agency, employees may be returned to their original or to a comparable position.

Employees who have not been with the agency long enough to meet the Family Medical Leave Act eligibility, may be eligible to take Extended Leave with or without pay for no more than six weeks depending upon the duties and the situation which will be evaluated on a case by case basis. Only the Executive Director may authorize Extended.

Employees who wish to continue insurance coverage during a leave of absence must bear the full cost of that coverage.

Employees may not be guaranteed their current position or a similar position when they return from extended leave. If a comparable position is not available at the time the employee returns to work, they may be offered a lesser position. If no acceptable position is available at the time the extended leave expires, employment with HREC may be terminated.

When possible, employees should notify their Program Manager at least thirty (30) days before the date of the anticipated extended leave. In an emergency situation, notice must be given as soon as possible, but no later than seventy-two (72) hours after the occurrence of the reason for extended leave. Failure to make timely notification of the need for extended leave may result in the delaying of leave until proper notification is received.

Such extended leave is without pay. However, paid sick and/or annual leave must be used until exhausted. Extended Leave can only be taken one time within a twelve-month period.

Upon return to work, the employees will resume accrual of annual and sick leave according to their original date of hire.

### **308 Military Leave**

#### Definition and Eligibility

To comply with all applicable statutes that require reservists and National Guard personnel to be given leave of absence for active duty and training exercises under the Uniformed Services Employment and Reemployment Rights Act (USERRA), a regular employee will be granted time off from work without pay on such days in which he/she is ordered to military duty or training. In lieu of leave without pay, an employee may opt to use accrued vacation leave.

Military service means uniformed service in the Armed Forces, the Coast Guard, the Army National Guard or Air National Guard when engaged in active duty, training, full-time National Guard duty, or time away for a physical examination to determine fitness for duty. Also included are the commission corps of the Public Health Service and any other category of persons designated by the President in time of war or emergency.

Military Leave is applicable to all staff that is enrolled in a U.S. military reserve program or the National Guard reserves that perform weekend drills, summer encampment, or similar types of training duty, as well as those who volunteer or are drafted for service.

### **309 Leave Without Pay**

When an employee has exhausted all leave balances, or an employee has not been with the agency long enough to meet eligibility requirements for leave plans, leave without pay may be granted. All leave will be considered in accordance with FMLA and ADA requirements. Employees needing to take leave without pay must submit a written request prior to the leave being taken when possible. Employees will not be paid for time off for unexcused absences or when absent from work without accrued annual or sick leave. Employees with excessive leave without pay will be subject to disciplinary action up to and including termination from employment depending upon the duties and the situation. Leave without pay in excess of five calendar days per year will be considered excessive. Leave without pay **must** be reported on time sheets with the exception of lay-off status.

#### Benefits during Leave Without Pay

Head Start employees who work less than 12 months of the year due to summer break will have adjustments to their normal deductions for benefits in order to cover the employee's portion of premiums for coverage during the summer break. When an employee is not hired early enough in the year to sufficiently meet these deduction adjustments, employees will be required to submit their portion of

premium payments no later than the 30<sup>th</sup> of the month during which they are on temporary lay-off. If payments are not received by the thirtieth (30<sup>th</sup>) of the month coverage will be cancelled.

Employees are responsible to pay for their portion of the cost of the health insurance premium while they are out on any type of Leave Without Pay. In addition, if employees purchase other benefit services, the employee is responsible for the payment of these services or products, in accordance with the same terms that were in place prior to them going on leave. **All insurance premium payments and other payments should be remitted to Human Resources by the first day of each month or by each pay period.** Failure to make timely payments will result in the cancellation of health coverage and other product services or benefits unless prior arrangements are made in advance with Human Resources.

Employees on any type of extended Leave of Absence will not accrue Annual Leave or Sick Leave starting the first day of their Leave Without Pay.

Upon returning from an approved Leave of Absence, employees may be restored to their original or equivalent position with equivalent pay and benefits if it is not an undue hardship to the Agency.

#### Jury Duty or Legal Subpoena

Employees are eligible for jury duty leave with pay. Additional required days off will be granted without pay. In lieu of leave without pay, an employee may opt to use accrued vacation leave until exhausted. Compensation received for jury duty service shall be forwarded to HREC Central Office for deposit. When employees receive a summons for jury duty, they must immediately present a copy of the summons to their supervisor.

Jury duty should be recorded on the employee timesheet as “other leave” with a notation of jury duty in the notes field of the timesheet.

Jury duty leave is calculated based on employee rate of pay at the time of the absence and the number of hours the employee would have been scheduled to work. If an employee was not scheduled to work, they will not be paid. Jury duty leave is not used in the calculation of overtime.

### **310 Bereavement Leave**

Employees will be paid their regular wages for their regular work schedule up to eight (8) hours per day **for three (3) business days** due to the death of an immediate family member as defined in this policy. The bereavement leave may be taken to make funeral arrangements, attend a funeral and/or to take care of personal affairs normally associated with a death.

Immediate family is defined as spouse or significant other, children, step-children, siblings, parents, parent in-law, grandparents, grandchildren, or a relative by marriage of a comparable degree or other relatives by blood or marriage if they are living with the employee.

Employees should notify their supervisor as soon as possible if they have a death of an immediate family member as defined on this Handbook in order to request bereavement leave.

Bereavement leave must be taken within ten calendar days of the occurrence.

Documentation to support Bereavement Leave is required.

Employees’ supervisors may allow them to use any available paid leave for additional time as necessary.

Employees will continue to accrue annual and sick leave during the bereavement leave period.

Bereavement pay is calculated based on the employee's rate of pay at the time of the absence and the number of hours they would have been scheduled to work. Bereavement leave will not be paid for any non-scheduled work day.

Bereavement leave is not used in the calculation of overtime. Bereavement leave will be provided to full-time employees. Temporary and part-time employees will not be paid for bereavement leave.

Bereavement leave should be reported on time sheets.

### **311 Agency Closure**

At times, emergencies can disrupt company operations. In extreme cases, these circumstances may require the closing of HREC.

When approved, emergency time off from scheduled work will be paid as agency closed unless a previously approved leave request has been received.

In cases where an emergency closing is not deemed necessary, Full-time/Full Year may request Annual Leave. An employee who fails to report for work or request Leave will not be paid for the time off and could be subject to disciplinary action, up to and including termination.

### **312 Benefit Plans**

Benefits are subject to the availability of funds and at the discretion of the Board of Directors. HREC reserves the right to change any or all benefits at any time without notice.

Employees will be required to elect or decline their benefits at the beginning of employment. Open enrollment for elected benefits will be take place in order to be effective by October 1<sup>st</sup> each year.

### **313 Health Insurance**

#### Eligibility

Health insurance will be provided for Regular Full-Time employees (working 30-40 hours per week) upon completion of the 60-day Insurance Benefit Eligibility Period.

Supplemental dependent coverage is also available for employee dependents at the full expense of the employee. Dependents include the employee's lawful spouse, children, and stepchildren up to twenty- six (26) years of age.

Dependents may be added or taken off the plan due to qualifying events as defined by the plan sponsor.

Procedures are subject to change without notice in accordance with the Affordable Care Act.

#### Effective Date

There is a minimum 60-day waiting period for all new employees who are eligible to sign up for health insurance coverage. New employees must enroll in the Agency's health insurance plan within the first 30 days of hire. Once enrolled, the employee's coverage takes effect on the first day of the month immediately following the employee's 60th day of employment.

### Costs

Health insurance premium costs are paid by the Agency contingent on availability of funds. If the employee is required to pay any portion of the premium the employee's portion will be handled through payroll deductions whenever possible.

If the employee is not receiving a payroll check due to extended leave or leave without pay, he/she must pay his/her portion of cost no later than the first day of each month. Failure to do so may result in the cancellation of the employee's health coverage by the insurance provider.

Employees not meeting requirements of chosen plan, resulting in premium increase, will be at the employee's expense.

### **314 Life Insurance**

Life insurance will be provided for Regular Full-Time employees (working 30-40 hours per week) upon completion of the 60 day Benefits Eligibility Period. Group Term Life and Accidental Death and Dismemberment insurance is provided at no cost to the employee. Life insurance coverage ceases upon leaving the Agency.

### **315 Dental and Vision**

HREC has dental and vision insurance available to eligible employees as a payroll deduction upon the completion of the 60 day Eligibility Period.

IF INSURANCE COVERAGE IS NOT ACCEPTED UPON EMPLOYMENT, THE EMPLOYEE MUST WAIT UNTIL THE NEXT OPEN ENROLLMENT PERIOD EXCEPT IN THE CASE OF A QUALIFYING EVENT AS DEFINED BY THE PLAN SPONSER.

### **316 Retirement Plan**

HREC provides a Retirement Plan to eligible employees. Employees must work 12 months before becoming eligible for the Retirement Plan. After the employee has worked twelve months they can be enrolled in the plan.

As determined by the Board of Directors, HREC will contribute to the employee's compensation monthly to his/her retirement account. Employees will be given the opportunity to voluntarily contribute an additional amount. The amount of the contribution of any individual is limited by Internal Revenue Service regulations.

Contributions will be invested in funds selected by the employee at the time of enrollment. Employees may change these investment funds at any time. HREC is not responsible for any transactions associated with this option other than the transaction related to payroll deductions, processing applications and forwarding payments to the plan carrier(s) or administrator.

### **317 Consolidated Omnibus Reconciliation Act (COBRA)**

When employees separate from employment at HREC, eligibility for continued health insurance is possible in many cases. The Federal Government under the Consolidated Omnibus Reconciliation Act of 1985 (COBRA) allows certain individuals the option of continuing their group health benefits under specified conditions. Separated employees must contact their provider regarding COBRA benefits.

### **318 Workers' Compensation**

Medical and hospitalization expenses and loss of salary benefits are provided under the Tennessee Workers' Compensation Act to employees injured while on the job. Workers' Compensation benefits are paid to a worker or his/her beneficiaries in case of death, for lost wages and reasonable medical expenses following a compensable on-the-job injury.

Employees must inform their supervisor of the injury, illness or accident as soon as possible, but no later than twenty-four hours following the event of injury or illness.

Employees are responsible for completing the EMPLOYER'S FIRST REPORT OF WORK INJURY OR ILLNESS and submitting to Human Resources.

***Highland Rim Economic Corporation requires that on-the-job injuries be reported to Human Resources within 24 hours of the incident.***

Employees on Workers' Compensation must seek approved providers. Benefits available to employees injured on the job consist of the following provisions:

- Medical expenses including doctor's visitation, treatment, surgery, medication and hospitalization.
- Temporary income benefits when applicable.

#### Return to Work

Employees are expected to return to work as soon as written authorization is received from a physician. Management prefers for employees to obtain a full *Medical Release* to return to duty without any limitations or restrictions. However, if an employee is given certain limitations, Human Resources will determine if the employee can be allowed to return to work. HREC will make every effort to accommodate when possible in accordance with the Americans Disability Act. An employee may be transferred to another position and/or location to accommodate modified duty restrictions. If an employee does not accept a modified duty position, temporary income benefits may be terminated by the insurance carrier.

### **319 Other Benefits**

#### Social Security

All employees of HREC are covered by Social Security. HREC contributes to the Social Security system for each employee.

#### Unemployment Insurance

All Regular employees of HREC are covered under the TN Unemployment Compensation Insurance program, and HREC pays for this benefit. This program provides payments for unemployed workers in certain circumstances.

### **320 Professional Development**

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

Upon the approval of the Executive Director, each full-time employee may be permitted to attend conferences as the annual budget permits, including registration and reimbursement for lodging, meals, and travel. All professional employees who are required by state regulations to achieve a specific number of Continuing Education Credits to maintain their license are expected to involve themselves in whatever continuing education is necessary.

All HREC employees are encouraged to continue both their academic and professional education.

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 or professional development plan. The governing board will be tasked with determining the training needs of the Executive Director and other key staff.

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.

Eligible employees who are seeking to obtain a degree related to the mission or needs of the agency may be eligible for assistance which could include limited reimbursement for the cost of tuition for classes directly related to the employee's job function. The employee will be responsible for the initial cost and will be reimbursed by the Agency if the class is completed with at least a "C" grade in the course. All tuition reimbursement is contingent on the availability of funds.

#### Educational Leave

Educational leave may be granted for training or education that will clearly enhance the employee's job performance.

Educational leave may not exceed seven (7) hours per week.

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. Educational Leave will not be available to employees who have not completed their Benefits Eligibility Period.

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.

#### 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:

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.

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.

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 activities or other items as deemed necessary. Designated staff will attend Parent Committee Meetings.

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 as determined by the Executive Director.

The Executive Director, 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.

### **321 Religious Observances**

Federal and State Equal Opportunity laws generally require employers to accommodate the religious beliefs of employees, but do not require them to provide paid leave. HREC respects employees' religious beliefs and will accommodate if possible based on business need. Immediate Supervisors will authorize schedule changes and/or additional use of Leave, only where the requested arrangement does not unfairly burden other employees. Employees who need time off for religious observances should request leave from their Immediate Supervisor in advance to be reviewed and approved by the Human Resource Coordinator. Time off is granted only with prior approval, but will not be unreasonably withheld.

### **322 Right to Change**

The Agency reserves the right to alter or rescind any or all the above-mentioned benefits in accordance with budgetary constraints provided that the benefits are within the law.

## **CHAPTER 4 - EMPLOYEE CONDUCT AND DISCIPLINARY ACTION**

### **401 Attendance Standards**

Employees are expected to report to work on time each day to ensure the attainment of the Agency's goals and objectives and to minimize disruption in the workplace. Prior to an event taking place, each employee should discuss all circumstances that may affect their attendance with his/her Immediate Supervisor. All employees are required to accurately self-report their time and attendance on their time sheets. Employees may not alter their normal work schedule without prior approval.

**\*\* Introductory employees will have three occasions that they are allowed to be absent during their 60-day Benefit Eligibility Period before HREC separates employment for excessive absenteeism. Exceptions may be considered when FMLA/ADA circumstances apply or at the Executive Director's discretions for extraordinary circumstances.\*\***

### Reporting Standards

Non-exempt employees who expect to arrive to work late (tardy by more than 15 minutes) are required to notify their Immediate Supervisor, and if he/she is not available, the Program Manager. Notification should take place no later than by the employee's scheduled work time unless they have a valid reason such as being involved in an accident, being hospitalized or another reason acceptable to their Immediate Supervisor. All tardiness in which the notification requirements were not followed or lacks adequate supporting documentation shall constitute an unexcused tardy.

**Excessive tardiness and the pattern of tardiness are subject to disciplinary action up to and including termination.**

### Absenteeism Reporting Requirements

For purposes of this subsection the following terms and definitions shall apply.

An **unexcused absence** shall occur when an employee **misses one or more days of work and does not provide proper notification to his/her Immediate Supervisor or does not provide adequate supporting documentation to justify the reason for their absence.** Employees are not permitted to use accrued Leave/PTO, if applicable, for unexcused absences.

An **excused absence** is when an employee **misses one or more days of work and provides his/her Immediate Supervisor with proper and adequate notification to justify the reason for their absence.** Employees are permitted to use accrued leave/PTO, if applicable, for excused absences. If no leave is available, the time not worked will be Leave without Pay.

### Reporting Standards

All employees who do not plan to report to work are expected to notify his/her Immediate Supervisor no later than **60 minutes** prior to his/her scheduled work time. Employees should report to their supervisor every day they do not plan to attend work except when on preapproved leave.

All absences in which the notification requirements were not followed or lacks adequate supporting documentation shall constitute an unexcused absence.

**Excessive absenteeism is subject to disciplinary action up to and including termination.**

**Adequate supporting documentation** shall consist of the following: a medical excuse from a medical provider's office or hospital, a Jury Duty notice and Court documentation with dates of service, a court subpoena, military orders, obituary or any other documentation determined to be acceptable by the employee's Immediate Supervisor.

### Extended Absences Reporting Requirements

If an employee is absent from work **due to an illness or injury or any** other reason for more than five consecutive work days they must provide their Immediate Supervisor a medical release or statement, permitting them to return to work. Failure to provide the proper documentation may result in one or more of the following actions:

- Employee will not be allowed to return to work until release is obtained
- Employee may be denied the use of Sick Leave or Annual Leave or PTO for time missed from work.
- Employee may be subject to disciplinary action up to and including termination.

**Any employee who misses work for any reason and has failed to contact their supervisor will be considered voluntarily resigned** unless the employee can provide adequate documentation supporting

the existence of extraordinary circumstances which prevented him/her from calling his/her Immediate Supervisor. If such documentation is acceptable to the Program Manager, the employee will be reinstated to his/her former job position if the employee is incapacitated by reason of medical condition.

**Immediate Supervisors are required to notify their Program Manager and Human Resources immediately if any employee fails to call in.**

If employees are absent for injury or illness beyond five (5) days they must contact the Human Resources to discuss the possible need for FMLA.

#### Leaving Work Early

If non-exempt employees must leave work early for any reason; they must notify their Immediate Supervisor and obtain their approval. Upon obtaining approval from their Immediate Supervisor or Program Manager, the employee may leave the workplace and will be allowed to use accrued Leave/PTO in lieu of hours they miss from work in accordance with other chapters found in the personnel policies.

*Failure to obtain proper approval will result in leave without pay for the time missed and disciplinary action up to and including termination.*

## **402 Workplace Standards**

All staff, consultants, volunteers and contractors must abide by these Workplace Standards:

- Agency employees, consultants, volunteers and contractors must respect and promote the unique identity of each child and family and refrain from stereotyping on the basis of gender, race, ethnicity, religion or disability;
- Agency employees, consultants, volunteers and contractors must follow program confidentiality policies concerning information about children, families and other staff members;
- Agency employees, consultants, volunteers and contractors must ensure that no child will be left alone or unsupervised while under their care; and
- Agency employees, consultants, volunteers and contractors must use positive methods of child guidance and must not engage in corporal punishment, emotional or physical abuse, or humiliation. In addition, they must not employ methods of discipline that involve isolation, the use of food as punishment or reward, or the denial of basic needs.

Any violation of this policy may result in disciplinary action up to and including termination.

## **403 Code of Conduct**

To ensure orderly operations and provide the best possible work environment, HREC expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization. Because rapid changes in the industry and regulatory environment constantly pose new ethical and legal considerations, no set of guidelines should be considered absolute under all circumstances

Under HREC's ethical standards, managers, supervisors, and employees share certain responsibilities. It is the responsibility of each employee to:

- (i) become familiar with, and conduct HREC business in compliance with, applicable laws, rules and regulations, and this Employee Handbook;
- (ii) treat everyone in an honest and fair manner; and
- (iii) avoid situations where personal interests are, or appear to be, in conflict with HREC interests.

HREC expects all staff, including managers and supervisors, to give a full day's work for a full day's pay. All staff must learn their duties and perform them in a responsible manner. It is required that all staff members conduct themselves at all times in a manner that promotes public confidence in their integrity and impartiality.

Each and every staff must not only follow laws and ethical standards but also avoid actions that create the appearance of violating laws or ethical standards. Fraudulent activities including: fraudulent financial reporting, misuse or misappropriation of HREC assets, theft, unauthorized or improper receipts and expenditures and improper use of paid leave benefits will not be tolerated.

When an employee learns of a potential or suspected violation of the policy, the employee has an obligation to promptly report the violation to their supervisor and/or the Executive Director. The employee may do so orally or in writing and, if preferred, anonymously to the Executive Director. HREC prohibits any employee from retaliating or taking adverse action against anyone for raising suspected conduct violations or helping to resolve a conduct concern. Any individual who has been found to have engaged in retaliation against an employee for raising, in good faith, a conduct concern or for participating in the investigation of such a concern may be subject to discipline, up to and including termination.

Misconduct is defined as mismanagement of a position of employment by action or inaction, neglect that jeopardizes the life or property of another, intentional wrongdoing or malfeasance, intentional violation of a law, or violation of a policy or rule adopted to ensure the orderly work and the safety of employees, but does not include an act in response to an unconscionable act of an employer or superior.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment which includes but is not limited to:

Any conduct contrary to the Equal Employment Opportunity Policy, including verbal or physical conduct constituting sexual or any other unlawful form of unwelcome harassment.

- Dishonest or fraudulent conduct, including but not limited to fraud, theft, embezzlement, misappropriation of, or unauthorized removal of Agency or fellow employee funds or property.
- Any unauthorized action that exposes the Agency or fellow employees to unnecessary civil or criminal liabilities.
- Any violation or attempt to violate any federal or state mandated law applicable to this Agency.
- Falsification of an application for employment, credentials, licenses, or certificates, or documents submitted in connection with the application and hiring process.
- Violation of any Electronic Time Keeping System policy and/or procedure, to include, clocking in or out of another employee's time on the Time Keeping System.
- Falsifying reason for leaves of absence.
- Falsification of the Agency's business records and reports, including but not limited to employee time records, expense reports, travel expense reports, requests for reimbursement and any internal or external financial report.
- Physical violence, bullying or verbal threats of violence, or insulting, intimidating, coercive, whether excused or unexcused, abusive, or obscene language or gestures towards any Agency employee, Board member, Head Start Policy Council member, service providers, client, or Head Start parent.
- Violation of Agency policies regarding confidential information, including but not limited to unauthorized disclosure of confidential information, and conflicts of interest, or any conduct that is in conflict with the Agency's standards of appropriate business and professional ethics.
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs, pornography or associated paraphernalia in the workplace, while on duty, or while operating employee-owned or Agency owned vehicles or equipment.

- Damaging the Agency's reputation; including but not limited to slanderous comments and/or rumor spreading, behavior that damages partnerships or collaboration with other entities.
- Indecent or illegal conduct.
- Retaliating or interfering against anyone who reports a violation or cooperates during a review, audit inspection, investigation, hearing or other related activity.
- Knowingly providing false or misleading information during an investigation, learning of or other related activity.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, or other weapons, in the workplace.
- Deliberate public or work-related activity which discredits the Agency or any of its Board of Directors.
- Deliberate public or work-related activity that conflicts with the Agency's policy, as determined by the Executive Committee of the Board of Directors
- Violation of Standards of Conduct
- Unaccountable or insufficient quality of work.
- Excessive errors.
- Unacceptable appearance or personal hygiene.
- Excessive absenteeism, tardiness, or violation of the Agency's Attendance policy.
- Gambling on Agency property.
- Abuse of any Leave policy.
- Willful or careless damage to any Agency property or to another employee's property
- Loss of agency property due to negligence
- Removal of any HREC property, including documents, from the premises without prior permission from the supervisor.
- Unauthorized use of HREC equipment or property for personal reasons.
- Using HREC equipment for profit.
- Leaving department, job or office premises during working hours without proper authorization.
- Use of abusive, profanity or obscene language.
- Any violation of accepting gifts, gratuities, or favors that violate HREC's Conflict of Interest policy.
- Failure to observe health and safety rules.
- Insubordination, the refusal to comply with instructions, or the failure or refusal to perform assigned duties.
- Unsatisfactory job performance.
- Sleeping on the job.
- The inability or unwillingness to cooperate with other employees when performing assigned tasks, or any interference with the performance of job duties of a fellow employee.
- Any violation of the Hatch Act as discussed in this policy.
- Failure to follow the rules of daily operational procedures and conduct established by the Agency, including but not limited to those practices and procedures set forth in this manual and any other written employment policies.
- Working without management authorization.
- Stopping work early or starting work early without management authorization.
- Disparaging comments about the agency, its clients or employees, Board of Directors, or Policy Council members on social media
- Unauthorized use of telephone, cell phones, fax, copiers, mail system, computer system or

other employer-owned equipment. Excessive personal calls, texting, or e-mail during regular business hours, etc.

- Head Start staff having cell phones in their possession while supervising children. (Minimum Standards)
- Disorderly conduct, such as, “horseplay” or practical jokes which may endanger the Agency’s operations or safety of any employee, visitor, or volunteer or which may create a hostile or unwelcomed situation.
- Any other practice, whether or not mentioned in this manual, that may be inconsistent with the ordinary and reasonable rules of conduct necessary to the welfare of the Agency, its employees, volunteers, and clients.

Employees should contact their Program Manager or Human Resources with any questions concerning any standard of conduct or the unacceptable activities listed.

HREC is committed to compliance with all laws, rules, and regulations. Violation may result in disciplinary action, up to and including termination.

Employees will be required to sign an *Employee Code of Conduct* Form upon employment, annually and upon revision of the Code of Conduct.

#### **404 Employee Corrective Action**

HREC reserves the right to terminate an employee at any time for any lawful reason with or without prior disciplinary guidance or notice. Nothing in these policies or any other HREC document is intended to:

- modify this “At-Will” employment,
- promise progressive discipline or counseling,
- promise notice in circumstances where HREC considers immediate termination or discipline to be appropriate.

Progressive discipline is for improvement of an employee’s performance and not to be punitive in nature. Disciplinary actions may entail verbal or written guidance, suspension, pre-termination suspension, or termination. All of these actions may not be followed in some instances or in the same order. HREC reserves the right to exercise discretion in discipline. All disciplinary actions will be placed in employees’ personnel files.

Depending on the nature of the violation and other circumstances, including but not limited to the employee’s past conduct, one or more “steps” may be repeated or skipped.

HREC reserves the right to take any disciplinary action it considers appropriate, including termination, at any time.

Depending on the circumstances involved, discipline issued may be:

- Verbal guidance and counseling
- Performance Improvement Plan (PIP)
- Suspension without pay due to a pending investigation. Length will be determined by the Program Director and approved by Executive Director
- Leave will not accrue
- Accrued leave cannot be used in lieu of suspension without pay
- Termination

### Progressive Disciplinary Action

- Verbal Guidance and Counseling

Employee's violation of an Agency policy, rule or regulation or failure to meet behavior or performance standards may result in documented verbal guidance being issued. Verbal Counseling may be put in writing for documentation purposes.

- Performance Improvement Plan Guidance and Counseling

Employee's violation of an Agency policy, rule or regulation or failure to meet behavior or performance standards and depending on severity, number of occurrences will result in written Performance Improvement Plan or disciplinary action up to and including termination.

- Suspension

Employees who are suspended will be on a Regular Suspension, suspension pending an investigation or a Pre-Termination Suspension depending on the situation.

Regular Suspension will be known as only Suspension

- Suspension is violating consequence for anyone who violates Agency operational or personnel policies but does not necessitate termination.
- Non-exempt and Exempt employees may be suspended with or without pay depending on severity and situation.
- All suspensions are approved by the Executive Director.

An employee's suspension period will not exceed fifteen (15) workdays per each occurrence unless there are extenuating circumstances.

Upon approval of employees' termination, the employee will be notified in accordance with the agency's termination policy.

### Suspension Evaluation

At the end of the suspension period, the employee's Program Manager will inform the employee in writing, of:

- Expected performance that needs immediate improvement and that the employee will be monitored; and
- If the expected performance does not improve, consequences may include further disciplinary action up to and including termination.

### Suspension Pending Investigation

If there is an investigation by any State or Federal licensing Agency, the employee involved in the investigation may be suspended with or without pay pending the final report of the investigating authority.

Non-exempt and Exempt employees may be suspended pending investigation with or without pay depending on severity and situation.

All suspensions pending investigation are approved by the Executive Director. Depending on the findings

of the investigation, further disciplinary action up to and including termination may result.

Employees suspended without pay who are cleared of all allegations may be re-instated to his or her former position or a comparable position with full benefits.

## **405 Termination of Employment**

Termination of employment with the Agency will fall within one of the following categories with indicated policies applicable to each: Voluntary Resignation, Abandonment, Unsatisfactory Performance, Misconduct or Reduction-in-Force. Just as employees have the right to terminate their employment "At Will," the Agency reserves the right to sever the relationship "At Will." All terminations are approved by the Executive Director.

### Voluntary Resignation

Employees who freely and voluntarily resign are expected to give at least a two week notice unless extenuating circumstances prevent it.

Once an employee gives his/her notice of resignation, the resignation will not be retracted unless approved by the Executive Director.

A retiring employee will be paid wages and unused accrued Annual Leave.

### Termination by Employer

The termination and discharge procedures set forth in this section are only guidelines. The Agency reserves the right to implement its policies and procedures as it sees fit and to terminate employment of any employee for any reason. The grounds for termination specified are not all-inclusive and should not be construed to be the only basis for termination by the Agency.

### Abandonment

**An employee who is absent without approval and notification to the Agency is considered to have abandoned his/her employment.** This applies to an employee during the normal course of employment, as well as the scheduled return from Leave, PTO or other types of Leaves of Absence.

Employees who are absent without approval, but who make reasonable attempts to notify the Agency of their interest in retaining employment will not be terminated under the employment abandonment provisions. Rather, if the additional time off is not approved, the employee's absences will be considered as unexcused absences, leave without pay, and may be the basis for disciplinary action, up to and including termination.

### Unsatisfactory Performance

Unsatisfactory Performance, such as failure of an employee to meet performance standards, complete tasks in a timely manner, or maintain an adequate attendance record, can result in termination. An employee terminated for Unsatisfactory Performance will be paid earned wages, but will not be paid for unused accrued Annual Leave/PTO.

### Misconduct

Misconduct is defined as mismanagement of a position of employment by action or inaction, neglect that jeopardizes the life or property of another, intentional wrongdoing or malfeasance, intentional violation of a law, or violation of a policy or rule adopted to ensure the orderly work and the safety of employees,

but does not include an act in response to an unconscionable act of an employer or superior.

Misconduct involving misbehavior, refusal to work a reasonably expected amount, wrongful use or taking of Agency property, failure to pass an Agency requested drug test, or conviction of a felony, betrayal of confidential information from Agency records which includes children, families, and employees, 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, Intentionally enrolling ineligible families or intentionally falsifying eligibility documents to name a few, are examples of grounds for termination.

**An employee terminated for misconduct will be paid earned wages but will not be paid for unused Annual Leave/PTO.**

#### Reduction-in-Force

Reduction-in-Force resulting from funding cuts, financial considerations and/or reorganization will be paid wages and unused accrued Annual Leave up to the maximum annual under Annual Leave policy. If the need to lay-off or reduce the staff is caused by an emergency or by factors that could not be reasonably anticipated and planned for, the Agency will not be bound to give notice or provide additional pay in lieu of notice.

#### Death

In the event of an employee's death, HREC will pay to the estate of the deceased, wages and unused accrued Annual Leave. The Agency will assist the family of the deceased, executor, or designated beneficiary to expedite the processing of Agency provided Life Insurance and Benefits.

#### Exit

An Exit Interview form will be mailed to the employee by Human Resources. Employees must return all keys, agency credit card and other Agency property, submit final time sheet and verify address and final administration and transmittal arrangements of the employee's final paycheck.

#### Payment of Wages

All voluntary resignations and involuntary terminated employees will receive their final wages through direct deposit on the next regularly scheduled payday.

#### Balance of Annual and Sick Leave Hours

When an employee leaves HREC, all accrued annual leave is paid contingent on availability of funding. Any paid leave time including Holidays will not be counted as a final work day. Additionally, all items belonging to the Agency must be returned. If the employee has been terminated involuntarily, accrued Annual leave will not be paid.

Mitigating circumstances will be taken on a case by case basis.

Accrued Sick Leave will not be paid to any employee upon termination.

## **406 Grievance Procedures**

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

An appropriate grievance is defined as an employee's expressed dissatisfaction concerning conditions of employment or treatment by others.

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.

If the problem continues to the employee's dissatisfaction, then the employee should go to their immediate supervisor for advice in handling the problem.

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.

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.

Employees who feel they have an appropriate grievance should proceed as follows:

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.

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.

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.

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.

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.

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.

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.

Time spent by employees in grievance discussions with HREC supervisors (managers) during their normal working hours will be considered hours worked for pay purposes.

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.

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.

A full copy of all employee grievance proceedings will be retained by HREC.

## CHAPTER 5 - SAFETY

### 501 Safety

It is the policy of HREC to provide a safe and healthy place of employment for every employee and to abide by accident prevention regulations set forth by the federal, state, and local governments.

Specifically, the Agency aims:

- To provide rules and regulations for the safety of employees and to warn them under certain conditions, as to the hazards of their position or employment.
- To provide employees with employment and a place of employment free from recognized hazards, which cause or are likely to cause death or serious physical harm.

All staff should be constantly alert and knowledgeable about health and safety rules, policies and procedures to situations/conditions in the workplace, and his/her obligation to OBSERVE, REPORT, AND FOLLOW-UP on his or her observations.

Employees must be aware that their actions, mental state, physical condition and attitude affect their personal safety as well as that of their fellow employees and the clients they serve. Employees therefore are required to notify the Human Resource Coordinator when under the care of prescription drugs that could potentially alter judgment or affect the ability of safely performing the job.

An employee's choice to abuse or disregard Agency Rules or Policy Procedures is a violation and will be treated accordingly through Disciplinary Action. Consequences may result in disciplinary action up to and including termination.

Employees are urged to cooperate fully. Remember, efforts in preventing accidents benefit employees and their fellow employees. **All employees must strive for a record of zero accidents.**

Safety trainings will be provided to agency staff on a schedule appropriate for the department and jobs performed. Topics will relate to the job duties and responsibilities. Job safety will be reviewed during new

hire orientation. Employee will be required to review the safety rules.

### Safety Rules

The maintenance of a safe and healthy working environment is of the utmost importance for the successful operation of the Agency. Each employee must be constantly alert and is their personal obligation to observe safe operating procedures.

All employees must adhere to the following safety rules:

- All staff, volunteers, and visitors must sign in and out when entering or exiting Head Start centers.
- Report the use of judgment altering prescriptions to Human Resources.
- Report **all** accidents within twenty-four hours of the incident to Immediate Supervisor, and/or Program Director or Coordinator, and Human Resources.
- Head Start must ALWAYS wear ID Badge while on work time. Staff must attend emergency and safety training provided by the agency.
- Report unsafe conditions, practices, or defective equipment immediately to Immediate Supervisor.
- Clean up spills immediately and display the Caution Wet Floor Signs
- Ensure that walkways, work areas are free of tripping hazards
- Pick up toys and other classroom materials immediately after use and as needed to prevent slips, trips and falls.
- Keep fire exits clear and accessible at all times.
- Wear seat belts at all times in a motor vehicle.
- Distractions such as cell phone use (talking, texting, web browsing), reading, eating, and applying makeup or hairstyling while driving is unacceptable, dangerous and strictly prohibited. Play it safe and refrain from these activities while driving on Agency business.
- Maintain good housekeeping and storage practices.
- Use electrical equipment that is in good working condition.
- Use ladders or stepstools when reaching for objects.
- Use ladders properly-never lean when using them; never use the top two steps.
- Use proper safety procedures when moving furniture or heavy objects
- Use caution when lifting heavy loads. Lift with legs instead of the back.
- Report suspicious or threatening situations that may involve criminal activity or violence in the workplace.
- Ensure breaker panels are not obstructed (3 feet clearance is required all around).
- Use personal protection equipment (goggles, gloves, clothing, shoes, mask, smocks, etc.) as required.
- Wear protective gloves when administering First Aid.
- Obey ALL warning signs.

**Caution should be exercised when walking or working on wet or slick surfaces.**

**Remember:**

- **Horseplay is not permitted.**
- **Alcohol and/or drugs are not permitted. This applies to Prescription drugs that alter judgment.**
- **Smoking, vaping or the use of tobacco products is not permitted at any time in HREC buildings or Agency vehicles.**

## **502 Employee's Children at Work**

Due to safety and the liability involved, employees are not allowed to bring their child(ren) to their place of work or training location. Alternate arrangements must be made for childcare.

Adult children of employees are allowed if they are volunteering for the program and kept busy in assigned tasks.

**Under extenuating circumstances and when safety and program guidelines are not compromised, a supervisor may waive this policy. This waiver shall never be allowed on a continuing basis.**

## **503 Reporting Child Abuse or Neglect**

Employees of HREC who become aware of child abuse or neglect in the course of their job, must report to the appropriate authority according to Federal, State and Local regulations. Employees who report will not be retaliated against. Failure to report and type of suspected child abuse could result in disciplinary action.

## **504 Child Discipline Policy**

This policy forbids the use of corporal punishment and isolation as disciplinary measures in the Head Start Program. Physical punishment and total isolation are not consistent with Head Start Performance Standards, Child Care Licensing Standards, or the HREC Code of Conduct.

The following behaviors/actions by any HREC employee, substitute or volunteer are prohibited. Employees not adhering to these policies are subject to personnel disciplinary procedures, up to and including termination.

- Corporal punishment, including any means of inflicting physical pain or causing bodily harm to the child. Corporal punishment includes, but is not limited to, spanking, striking, shaking or any use of physical force to discipline a child.
- Verbal abuse, such as yelling, shouting, name calling, shaming, making derogatory remarks about a child or the child's family, or using language that threatens, humiliates, or frightens a child.
- Holding, grabbing or moving a child in an aggressive manner to cause them to comply.
- The use of physical restraint methods injurious to the child.
- Isolation of a child. 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.
- Using or withholding food or liquids as punishment or reward.

Each staff member will read this policy upon hire and annually during pre-service training. During annual trainings employees are required to sign a statement that the policy has been read and understood. This statement will be maintained in a file located at the Head Start Central Office.

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

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.

Failure of teaching staff to adhere to this policy will result in counseling, written reprimand, suspension, and/or termination of employment.

## **505 Impasse Procedure**

The following procedure will allow Highland Rim Economic Corporation and the Head Start Policy Council to resolve differences in an orderly manner.

Highland Rim Economic Corporation desires that all matters which are presented to the Board of Directors and the Policy Council be resented in a fashion that allows all parties ample time to ask questions concerning the issue and to make comments as to their concerns. When the Board of Directors and the Policy Council do not agree, the following procedures will be followed to allow for a timely solution to the differences.

If issues have arisen upon which the Board of Directors and the Policy Council cannot agree, the parties must attempt to resolve them by means of additional meetings. After such meetings, if the Board of Directors believes the Policy Council will not approve its decision, they shall notify the Policy Council in writing. The notice shall contain a statement of the factors supporting their proposed decision or action.

A. Within 10 days after receipt of the notice, the Policy Council shall hold a special meeting to consider the Board's proposed decision or action. Immediately after the special meeting, the Policy Council shall notify the Board in writing of its approval or disapproval of the proposed decision or action. If the notice is of disapproval, it shall contain a statement of the reasons.

1. In the event of a disapproval and if the Board desires further consideration of the matter, it shall initiate a meeting between itself and the Policy Council for the purpose of attempting to resolve their differences.

2. If after these efforts, the Board and the Policy Council are unable to reach an agreement, the proposed decision or action shall not be taken.

B. A mediator (neutral third party who does not decide the dispute) may be brought in to assist both the Board and the Policy Council to focus their interests and goals in order to come to an agreement that meets their individual and mutual objectives. Mediators are prohibited from discussing the case with anyone outside the mediation process and only one person from each side is allowed to present the facts for consideration. A mediator's fee is an allowable cost to the program grant, however, approval is required from a federal official.

C. When an impasse occurs and the conflict involves hiring or firing of the Head Start Director, a grant request for refunding, or major changes in budget and work programs while the program is in operation, the Board must require that it be submitted to binding arbitration. The arbitration shall be conducted by a panel of three (3) arbiters, one to be designated by the Board of Directors, one to be designated by the Policy Council, and the third who will be designated by the other two members and who will serve as chair-person of the arbitration panel. The arbiters shall be persons of good reputation and standing in the community and shall not be associated with the Head Start Program. If the two arbiters first designated are unable to agree upon a third arbiter within seven (7) days after the designation of the second of them, they will request the State or local bar association or the American Arbitration Association to name one of its members who would be willing to serve as chairman. None of the arbiters shall be relatives of any of the parties and they shall serve without compensation.

D. When the Board decides to submit the impasse to arbitration, it shall notify the Policy Council in writing that the impasse is to be resolved by binding arbitration. The Notice shall include:

1. A statement of the issue on which the Board and the Policy Council are at impasse;
2. The name and address of the person the Board has designated as a member of the arbitration panel;
3. A request that the Policy Council designate a member of the arbitration panel within seven (7) days of the receipt of the Notice and instruct him/her to communicate immediately with the person designated by the Board for the purpose of selecting the third member of the panel; and
4. The Board shall send a copy of the Notice to the Head Start Regional Office.

E. Failure by the Policy Council to designate an arbiter within seven (7) days of receipt of the Notice of Arbitration shall be a default and shall be considered to be approval of the Board's proposed action.

F. The Arbitration Panel shall schedule the arbitration hearing within a reasonable time but not more than twenty (20) days after the designation of the third arbiter. The hearing shall be held in the locality of Highland Rim Economic Corporation, but not in their offices, at a place fixed by the Arbitration Panel with consideration of the convenience of the parties.

G. The Board and the Policy Council are the parties to the arbitration hearing. Highland Rim Economic Corporation shall assume any expenses entailed by the arbitration and shall provide clerical and other support as needed.

H. The duty of the Arbitration Panel is to resolve the issues in dispute as expeditiously and fairly as possible at the minimum expense to the parties involved. The proceedings of the Arbitration Panel shall consist of:

1. Oral presentation of the Policy Council position, including minority views if there are any;
2. Oral presentation of the Board's position;
3. Response by both parties to such questions as the panel wishes to ask;
4. Informal cross examination of each party by the other, within the limits allowed by the Panel;
5. Such additional presentation of oral or written materials as the Panel deems necessary to fully apprise it of relevant facts for an informed decision. The parties may suggest to the Panel additional relevant witnesses or materials that would be helpful to the Panel;
6. If the Panel needs additional material such as budget statements, Head Start regulations or other materials of that nature, the Board has the duty to provide the panel with such documents.

I. Both parties are obligated to act in good faith before and during the proceedings. Neither party may communicate with the arbitrators once the Panel has been selected except at formal meetings attended by all parties. Any attempt to intimidate an arbitrator shall be reported to the Regional Office and shall result in a default judgement against the party guilty of it. Refusal to comply with directions, continued use of delaying tactics by any person at the hearing, or other obstructive tactics shall hearing by the chairperson.

J. The arbitration procedures do not preclude the parties from compromising their differences and reaching a settlement so long as no final decision has been issued by the Panel.

K. Both the Board and the Policy Council shall designate one and only one of its members to represent them at the proceedings.

L. The Arbitration Panel shall issue its decision in writing fifteen (15) days after the Panel meeting. Copies shall be sent promptly to Highland Rim Economic Corporation, the Policy Council, and the Regional Office.

M. The final decision shall be binding on both parties and there shall be no appeal. Failure to abide by the final decision by Highland Rim Economic Corporation is grounds for denial of the application for refunding, for suspension and termination of financial assistance, or for denial of the application for amendment to the budget or work program.

**ADOPTION, AMENDMENT, AND REPEAL**

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.

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.

Repeal of these policies shall be by action of the HREC Board of Directors.

Concurrence of the Head Start Policy Council is required for implementation of these Personnel Policies as relates to Head Start staff.

X

\_\_\_\_\_

Board Chairperson

X

\_\_\_\_\_

Policy Council Chair

X

\_\_\_\_\_

Reviewed by Attorney

Date

Approved By Board:

**HREC EMPLOYEE  
ACKNOWLEDGEMENT AND RECEIPT FORM  
FOR EMPLOYEE HANDBOOK**

Effective date: June 21, 2018

My signature below certifies and acknowledges that I have read and agree to abide by all Personnel Policies and Procedures of Highland Rim Economic Corporation (HREC) as provided in the Employee Handbook.

I understand that:

1. Nothing in this Handbook is intended to imply or mean that this Handbook is a contract or that I have any contractual rights to any benefits provided herein;
2. The rules and policies noted in this document or otherwise set forth may be waived or changed by HREC without notice;
3. The benefits provided by HREC may be changed without notice; and
4. HREC may terminate my employment at any time, with or without notice or cause, just as I have the right to terminate my employment at any time.

\_\_\_\_\_  
Employee (print name)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date