

COMMUNITY ACTION PARTNERSHIP OF MID-NEBRASKA

PERSONNEL POLICIES

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SECTION I

GENERAL

- A. This manual is presented as a matter of information only and is not intended to create, nor is to be construed to constitute, a contract of employment or any part of a contract of employment. The employment relationship between Community Action Partnership of Mid-Nebraska (hereafter referred to as “Mid” or sometimes referred to as “the agency”) and an employee of the agency is one of “employment-at-will,” regardless of any oral representations made to the contrary.

- B. The purpose of this manual is to insure that qualified personnel be recruited, selected and employed by Mid under policies the aim of which is fairness and impartiality.
 - 1. These policies shall be applied in accordance with this purpose.
 - 2. These policies are based upon principles designed to secure efficient and effective administration.
 - 3. The policies herein contained shall serve as the official position of the agency on personnel matters. Mid employees are responsible for familiarizing themselves with this manual and for conducting themselves accordingly.
 - 4. All Mid employees work in support of the agency’s Community Action Brand Promise, and are responsible for familiarizing themselves with the Community Action Brand Promise. While primary work responsibilities will usually lie within specific programs, each employee may be called upon to perform other duties at the discretion of the CEO.
 - 5. Each Mid employee and every member of the Board of Directors of Mid, (hereinafter referred to as “the Board”) shall be provided with a copy of this manual and a copy of the Community Action Brand Promise of Mid.

- C. The Board is responsible for the establishment of the agency’s personnel policies.
 - 1. Amendments to these policies may be made by the Board upon recommendation of the Executive Committee.
 - 2. The authority for administering the personnel policies of the agency has been delegated by the Board to the CEO. This administrative authority may be re-delegated by the CEO, in whole or in part, through the various supervisory positions of the agency. The personnel program of the agency is based upon the principle that every supervisor has personnel management responsibilities.

- D. The agency is an equal opportunity, affirmative action employer. Discrimination against any person on the basis of race, sex, religion, age, color, national origin, ancestry, disability, marital status or political affiliation is expressly prohibited, except where physical fitness, physical capabilities, sex or age is a bona fide occupational qualification.

SECTION II

CLASSIFICATION OF EMPLOYEES

- A. The classification of employees at Mid includes regular employees, substitute employees, temporary employees and subsidized employees.
 - 1. **Regular employees:** All employees, except those hired under substitute, temporary, emergency, or subsidized status. Regular employees may be full-time or part-time, (part-time employment being based upon a percentage of full-time employment). Head Start partial-year employees are considered regular employees. See Appendix A for information specific to partial-year employees.
 - 2. **Substitute employees:** Employees hired for substitute purposes. These employees relieve regular employees during times of absence or augment the existing staff during heavy workloads.
 - 3. **Temporary employees:** Employees hired for a specified period of time in a full-time or part-time capacity.
 - 4. **Subsidized employees:** Regular employees hired through a job training or similar program in a full-time or part-time capacity.

SECTION III

RECRUITMENT AND SELECTION

A. **GENERAL**

- 1. a. No person shall be employed by Community Action Partnership of Mid-Nebraska while a member of his/her immediate family, or a member of the same household, serves as a member of the Board. Immediate family is defined as:

Spouse	Parent
Significant Other (member of household)	Grandchild
Sibling	Grandparent
Child (including step, foster or legal ward)	In-law children
Stepparent	Stepbrother/Stepsister
In-law parent	In-law Grandparent

- b. No person shall hold a position over which a member of his/her immediate family or member of the same household exercises supervisory authority.
2. Members of organizations whose objectives include the overthrow of the United States Government by force or violence will not be employed by the agency.
3. Employment in the agency will not be offered as reward for the support or defeat of any political party, contending faction, group or candidate for public or party office.

B. EMPLOYEE QUALIFICATIONS

Qualifications set forth in job descriptions shall be used as guidelines in the employee recruitment and selection process. Minimum education and experience qualifications, if any, will be outlined in individual job descriptions.

C. RECRUITMENT

1. All regular employees will be considered for internal recruitment.
2. A written employment application and/or resume will be required from all applicants for employment.
3. All recruitment efforts will reflect that the agency is an equal opportunity employer.
4. Mid encourages low-income participants to apply for employment with the agency.
5. As a condition of employment, employees and potential employees of Mid will be subject to background and reference checks. Background checks include the following: National Sex Offender Registry check, National Criminal check, National Terrorist Registry check, State MVR check, and a County of Residence Criminal Check. In addition, certain program employees will be checked against the Adult Protective Services Central Registry and the Nebraska Child Abuse Neglect Central Registry, in accordance with program guidelines.

D. SELECTION

1. The CEO approves the hiring of all employees.
2. A permanent personnel record will be maintained for each employee of the agency. Personnel records may be made available to the public as they

relate to position only. Upon authorization by the employee, additional information from his/her personnel records will be released. Employees may view their personnel records by contacting the Human Resources Director.

3. No interview or moving expenses will be paid by the agency.

SECTION IV

CONDITIONS OF EMPLOYMENT

A. WORKDAY

1. The normal workday shall consist of eight hours of work, beginning at 8:00 a.m. and ending at 5:00 p.m., with a one-hour lunch break. A normal workweek shall be Friday at 5:01 p.m. through the following Friday at 5:00 p.m. Some employees' work schedules may deviate from the normal schedule to meet needs of the agency. All employee work schedules, whether normal or irregular, must be approved by the employee's Program Director and deviation of hours from a normal workday must be given to the CEO.
2. Employees may be entitled to a 15-minute rest break each morning and each afternoon. Breaks and lunch periods will be scheduled by the employee's immediate supervisor.
3. It is preferred that employees anticipating late arrival or who will be utilizing PTO for illness notify their immediate supervisor or the administrative office of the agency no later than 1 hour prior to the time they are to be at work, except for emergencies or unless prior arrangements have been made with the employee's Program Director.
4. Work hours must be completed at the employee's designated work site unless prior approval is given by the Program Director.
5. Employees working or present at their or any other work site associated with performing agency functions during evening or weekend hours must have prior approval by the Program Director.
6. Mid does not tolerate off the clock work.

B. BONDED EMPLOYEES

The agency will maintain a fidelity bond or suitable insurance upon those employees and members of the Board who occupy positions of trust. Employees selected for such positions must meet the requirement of the bond or insurance provider.

C. ORIENTATION AND EXIT INTERVIEWS

1. An agency orientation shall be conducted for all new employees by the CEO or his/her designee.
2. Upon termination of employment and prior to leaving the agency, the CEO or his/her designee will conduct an exit interview with the employee, and will complete and file appropriate agency forms. A final payroll check will not be issued until the required forms have been filed with the agency.

D. PERFORMANCE EVALUATIONS

1. Evaluations will be used to measure employee performance in terms of job description, and shall become a part of each employee's permanent personnel file.
2. Evaluations shall be used as part of the determination for employment classification, disciplinary action, promotions/demotions, salary increases and reduction of work force.
3.
 - a. Employees may be evaluated by their immediate supervisors through quarterly progress review conferences.
 - b. Under normal circumstances, a written evaluation may be completed annually by each employee's immediate supervisor and as documentation for change of employee status (other than a change in percentage of full time employment).
 - c. Immediate supervisors may evaluate an employee at any other time deemed appropriate.
4. Employees must review and sign all written performance evaluations and may submit written self-evaluations.
5. Evaluations conducted by mid-level supervisors shall be reviewed and approved by their immediate supervisors if required by the CEO.
6. All employee evaluations will be reviewed and signed by the CEO.

E. EMPLOYEE DRESS

Employees of Mid are expected to maintain a professional and high standard of dress. Professional appearance also means that the agency expects you to maintain good hygiene and grooming while working. Facial hair is permitted as long as it is neat and well trimmed. Earrings are acceptable; however, rings through the nose, eyebrow, tongue, or body parts (other than the ear lobe that are visible) are only acceptable if small in size and deemed appropriate for the nature of the employees job duties as determined by the employee's Program Director and the Human Resources Director and/or CEO. All tattoos must be small in size or covered at all times and may not be offensive in nature. Clothing worn on the job should be in good taste and reflect the job requirements and working conditions. Wearing shorts, of any length, including Bermuda, walking shorts, etc., are not considered appropriate dress except in conjunction with an authorized uniform, or as authorized by the CEO. Capri and similar style pants are appropriate if at least calf-length and do not rise above the knee while seated. Skirts and dresses should fall at the knee or below. Jeans are not considered appropriate dress for most positions in the agency. Exceptions may occur in certain programs and on certain occasions. For clarification, employees should check with their Program Director. In addition, clothing which bears advertising for alcohol and/or tobacco, or language or insignia that is generally considered offensive in the community or to any member of any group protected by federal or state law is not to be worn.

F. TOBACCO USE

The use of tobacco products including, but not limited to cigarettes, cigars, pipes, and smokeless tobacco, is prohibited inside any of Mid's facilities or vehicles.

G. CHILDREN AT THE WORKSITE

No employee shall have his/her children at the worksite without the consent of his/her Program Director.

H. ALCOHOL-FREE AND DRUG-FREE WORK POLICY

It is the right and intent of Mid to maintain a safe, healthful and efficient working environment for all employees, and to protect the agency's property, equipment and operations from risks associated with drug use and alcohol use.

The agency recognizes that its own well-being and future are dependent upon the physical and psychological well-being of its employees. The agency's stance against alcohol and drug use is not a "moral" issue; rather, it is an issue that affects the health, safety and family of each employee of the agency and the agency's funding. To help achieve this goal, employees are prohibited from the following while performing agency business, while in or at any agency office or work site, or while operating any agency motor vehicle:

- Possessing, distributing, selling, manufacturing, or being under the influence of any illegal drug;

- Possessing, distributing, selling, manufacturing, or being under the influence of alcohol; and
- Abusing prescription drugs or possessing prescriptions drugs that have not been prescribed for the employee by a physician.

With respect to the use of alcohol, this policy is not intended to apply to agency-related functions such as conventions, banquets and the like, where alcohol may be served; however, under no circumstances shall any agency employee operate any agency motor vehicle within eight (8) hours after intake of any alcohol. Agency employees must notify the CEO within five (5) days of any criminal conviction of an agency employee relating to alcohol or a controlled substance, if the conviction was based on events connected in any way with agency business, any agency work or work site, or the operation of any agency motor vehicle.

An employee who violates this policy is subject to corrective action up to, and including, termination of employment. Use of some drugs is detectable for several days. Detection of such drugs or the presence of alcohol will be considered being “under the influence.”

If a supervisor suspects that an individual is at work and under the influence of alcohol and/or drugs, the supervisor should notify the Human Resources Director and the Business Manager to seek authorization to test the employee. The supervisor will be granted permission to test the employee from either the Human Resources Director or the Business Manager if sufficient objective symptoms exist to indicate the employee may be under the influence of drugs and/or alcohol.

All information relating to drug and/or alcohol screens is to be kept strictly confidential. Under no circumstances should the results of a drug and/or alcohol screen be discussed with individuals that do not have a work-related need to know. For more specific information please refer to Mid’s Drug Free Workplace Policy.

I. USE OF AGENCY EQUIPMENT

Personal use of any Mid owned vehicle is strictly prohibited. It is the responsibility of the employee to see that his/her assigned vehicle is used only for agency business. Only agency employees, or other persons with the employee’s Program Director’s approval, shall be transported in a Mid vehicle.

Any agency employee who drives an agency-owned vehicle must have a valid Nebraska driver’s license, which must be on or accompanying the person when driving such a vehicle. Employees who drive on agency business must meet the underwriting criteria of Mid’s auto insurance carrier. The driver and all passengers in an agency vehicle are required to wear safety belts.

Use of agency equipment, communications equipment, and agency supplies must be restricted to Mid staff and to functions of the agency. Damage caused by unauthorized use or misuse of above referenced items by a staff member may result in personal liability for

equipment replacement. Employees misusing agency equipment and supplies as defined above may face disciplinary action up to and including termination.

J. TRAVEL

Employees in positions within the agency which require out of town and/or overnight travel will be reimbursed as outlined in the Mid manual of accounting policies in effect at the time the expenses are incurred. Rooms reserved for employees traveling on agency business are to be occupied by agency staff only unless prior approval has been granted by the Program Director and CEO.

K. ACCIDENTS

All on the job injuries or occupationally incurred illness, no matter how small or insignificant, must be reported by the employee immediately to his/her immediate supervisor and to the Human Resources Director.

SECTION V

JOB DESCRIPTIONS AND COMPENSATION

A. JOB DESCRIPTIONS

1. Written descriptions shall be developed for each regular position in the agency. Each job description shall reflect the authority, responsibilities, major duties and qualifications required for the position. Those employees not receiving a written job description when hired should request one from the agency's Human Resources Director.
2. As referenced in all agency job descriptions, employees will adhere to the agency's mission, vision, values, code of ethics, and policies to work to achieve priorities as identified in program goals and the agency's strategic plan. See Section VIII, Part B for more information regarding employee code of conduct.

B. COMPENSATION

1. All employees shall be paid at a rate no lower than the federal minimum wage. Compensation for a new employee will be provided as indicated on the Mid salary scale in effect at the time of hiring, for the position to which he/she is hired.
2. Pay Period/Pay Day: Employees shall be paid every 4 weeks. Employees who are considered laborers or mechanics and are required by their funding contracts to comply with the Davis Bacon Act will be paid weekly based on

the prevailing wage rate. Pay will not be advanced to any employee except as stated in Section VII under Personal Time Off.

3. Time and Attendance Records: Payment will be made according to each employee's completed and approved time and attendance record.
4. Mid is required by law to make deductions from employee paychecks for federal income tax, state income tax, garnishments, child support orders, social security tax, and Medicare tax. In addition, employees may authorize other deductions.
5. It is Mid's policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). Therefore, Mid prohibits any program managers from making improper deductions from the salaries of exempt employees. If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Fiscal Director, or to the Human Resources Director.
6. Income eligible staff are welcome to utilize any of the agency's services.

C. PAY INCREASES

1. Pay Ranges: Regular employees may advance within the compensation range of their respective positions, at the discretion of the CEO and at the rate(s) set by the Board, until the maximum of such range is met. Raises are determined by such factors as board approval, available program revenues and individual performance.
2. Promotion/Transfer Increases: When an employee is promoted or transferred to a different position within the agency, the employee's salary is then generally at the minimum of the new position salary range. In the event that the new position's rate of compensation is less than the previous salary of the employee, the CEO may, in his/her discretion, make suitable adjustments if warranted.

SECTION VI

OVERTIME COMPENSATION

A. ELIGIBILITY OF EMPLOYEES

1. As used in this SECTION VI, "eligible employees" are those employees whose employment is subject to the Fair Labor Standards Act (FLSA) of 1938, as amended, and who are not exempted from the overtime compensation provisions of the FLSA.

B. OVERTIME COMPENSATION

1. The agency discourages overtime work in most circumstances.
2. Overtime work requires prior written authorization by the employee's Program Director.
3. Eligible employees working beyond 40 hours during a normal work week will be compensated as required by law.

SECTION VII

EMPLOYEE BENEFITS

A. ELIGIBLE EMPLOYEES

1. Regular full-time employees (80 - 100% FTE) are eligible to receive and/or participate in agency employee benefits upon their date of hire. Employees must enroll in benefits that require enrollment by their 30th day of employment. Benefits for full-time employees are contingent upon program funding availability. Partial-Year employees refer to Appendix A.
2. Regular part-time employees (60 - 79% FTE) are eligible to receive and/or participate in agency employee benefits upon their date of hire. Employees must enroll in benefits that require enrollment by their 30th day of employment. Benefits are based upon the employee's percentage of part-time employment, and are contingent upon program funding availability. Partial-Year employees refer to Appendix A.
3. Regular part-time employees at less than 60% FTE substitute and temporary employees are not eligible to receive or participate in any agency employee benefits.

B. BENEFITS (Policy effective July 1, 2004)

1. Benefit Dollars

Eligible employees, as defined above, will earn "benefit dollars" for use in benefit options offered by the agency (e.g. 403 b retirement plan, group health insurance, group dental insurance and/or term life insurance plans.) Partial-Year employees refer to Appendix A.

- a. The amount of benefit dollars earned by each employee will be based on % FTE:

80 - 100% FTE	\$300.00/month
60 - 79% FTE	\$150.00/month

- b. Benefit dollars may be applied after required enrollment forms and applications, if applicable, are completed and turned into the Fiscal Department by the required deadline. Employees may contact the agency's Fiscal benefit staff, or Human Resources Director for more information. After this date employees will forfeit accumulated benefit dollars and future allocations until the next available enrollment period.

2. Section 125C

Employees are eligible for enrollment in the agency's Section 125C program upon their date of hire. Employees will be enrolled when the required form is completed and turned into the Fiscal Department no later than 30 days from their date of hire. After this date, employees will not be able to enroll until the next available enrollment period. Partial-Year employees refer to Appendix A.

3. Personal Time Off

- a. Personal time off (PTO) is earned upon date of hire. PTO may be utilized for vacation, personal time, illness, or time off to care for dependents. PTO is computed on the basis of an employee's FTE ratio as indicated by normal workday definition (Section IV A1). For example, an employee at 100% FTE, or 40 hours per week, will receive an 8 hour PTO day (8 hours x 100% = 8 hours); an employee at 60% FTE will receive a 4.75 hour PTO day (8 hours x 60% = 4.75 hours). Partial-Year employees refer to Appendix A.
- b. PTO is accrued on a per pay period basis.
- c. Eligible full-time (80 – 100% FTE) employees will receive PTO at the following rates and accruals, respectively:

Length of Employment	PTO Earned (Days per year)	Maximum Accrual (Total days which may be accrued)
Date of hire through 5 years	16	22
6 through 10 years	18	24
11 plus years	22	28

- c. Eligible **part-time** employees will receive PTO at the following rates and accruals, respectively:

Percent of FTE	PTO Earned (Days per year)	Maximum Accrual (Total days which may be accrued)
60% - 79%	8	12

- d. PTO is subject to the approval of the employee’s Program Director or their authorized designee.
- e. It is preferred that an employee utilizing PTO for illness verbally notify their immediate supervisor or the agency’s administrative office not later than one hour prior to the time they are to be at work unless prior arrangements have been made with the employee’s Program Director.
- f. When medical appointments are made in advance, the employee shall notify his/her immediate supervisor of the anticipated absence and request PTO.
- g. Requests for PTO of 5 consecutive days or more must be made at least 15 days prior to the beginning of the requested leave period.
- h. PTO must be taken at the rate of pay in effect at the time the PTO was taken.
- i. Exempt staff may accrue a negative PTO balance in order to utilize their remaining PTO balance if less than a full day is available. If the employee’s PTO balance is negative or zero, then additional absences will be treated as leave without pay. Upon employment termination, any negative PTO balance will be deducted from the employee’s final paycheck.
- j. An employee cannot accrue PTO days beyond the maximum accrual. Once the maximum accrual for an employee is earned, the employee must use any additional PTO days earned or will lose those days.
- k. Upon employment termination, employees who have earned PTO will receive compensation at their then current salary level equal to their accrued PTO days.
- l. PTO will be charged based on an employee’s scheduled weekly hours, or their FTE. Hourly employees (full-time or part-time) who are not working a scheduled day, or who are working a partial day may take PTO at a lesser rate provided they have or

will achieve their weekly scheduled hours. Please refer to Section IV, Part A for additional information regarding workweek deviation. Partial-Year employees refer to Appendix A.

- m. If exempt employees are not working on a specific regularly scheduled day, PTO will be charged at their normal rate.

4. Administrative Leave

Administrative leave is granted (not chargeable to PTO; paid leave) or mandated (considered Leave without Pay and chargeable to PTO) to an employee by the CEO. Partial-Year employees refer to Appendix A. Administrative leave may be granted to the employees affected by the following:

- a. The authorized closing of a Mid office due to foul and dangerous weather; Partial-Year employees refer to Appendix A.
- b. To appear before legislative committee or any governmental officer, board or body authorized by law to conduct any hearings or inquiry; or a summons for jury duty, not to exceed 15 days; or appointment to precinct or district inspector or a judge or clerk of election. Time off with compensation under these provisions shall not be required to be made up, nor shall such time off be charged to PTO. A copy of the jury summons must be turned in by the employee to his/her supervisor in order to receive pay while on jury duty. However, if time off with compensation is granted, any compensation received from the legal system, as a result of any of the activities outlined in this paragraph (e.g. compensation paid for jury duty), must be returned to the agency.
- c. Funeral Leave: The following represents the amount of Administrative Leave time that may be requested. If additional time is required, the staff member may request Personal Time Off (PTO). In the event that PTO is not available, the staff member may request Leave Without Pay.

Up to Three Days:

- | | |
|---|------------------|
| Spouse | Grandchild |
| Significant Other (member of household) | Great-Grandchild |
| Parent | Sibling |
| Child | |

Up to Two Days:

- | | |
|-------------------|------------------------|
| Grandparent | In-law children |
| Great-Grandparent | Stepparent |
| In-law parent | Stepbrother/Stepsister |

One day:

In-law Grandparent	In-law Aunt/Uncle
In-law Stepparent	Niece/Nephew
In-law Stepbrother/Stepsister	In-law Niece/Nephew
Aunt/Uncle	Brother In-law/Sister In-law

- d. Administrative Suspension: Employees placed on Administrative Suspension will be placed on Administrative Leave. This leave may or may not be considered leave without pay (see section VII #7, b.) at the CEO's discretion.
- e. Any other reason deemed appropriate by the CEO.

5. Military Leave

The CEO will abide by all the provisions of the Uniformed Services Employment and Re-Employment Act (USERRA) as well as applicable Nebraska law in granting military leave to all eligible full-time and part-time employees. Military leave may be granted to full-time and part-time eligible employees for a period of four (4) years plus a one-year voluntary extension of active duty (5 years total), if this is at the request and for the convenience of the United States Government.

Paid leave of absence is limited to 15 days per calendar year. An employee's salary will not continue beyond this time period unless required by law. However, employees may request to use any PTO accrued during military leave.

Upon return from military leave, employees will be reinstated with the same seniority, pay, status, and benefit rights that they would have had if they had worked continuously. Employees must apply for employment within ninety (90) days of discharge from the military. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment. Partial-Year employees refer to Appendix A.

7. Holidays

- a. Recognized holidays as established by the Board are the following:

New Year's Day	Independence Day
Memorial Day	Labor Day
Thanksgiving Day	Christmas
Day after Thanksgiving Day	Veteran's Day
President's Day	

Partial-Year employees refer to Appendix A.
- b. The agency will adhere to federally-established holiday dates when they are different from traditional dates. If any holiday falls on a

Saturday, the Friday before the holiday will be observed as the holiday. If any holiday falls on Sunday, the Monday following will be observed as the holiday. Each employee will receive holiday pay based on his/her percentage of FTE.

7. Leave Without Pay

The CEO may, in his/her sole discretion, grant a leave of absence without pay to an employee for a specified time not to exceed six months. A leave of absence without pay shall not be granted for any employee to work for another employer, or for self-employment. Partial-Year employees refer to Appendix A. Leave without pay shall be subject to the following provisions:

- a. For leave of one week or more, a written request stating the reason for the request, shall be submitted to the CEO at least 15 days prior to the date the leave requested would begin. Leave of one week or more, when granted, shall be confirmed in writing by the CEO
- b. Leave without pay shall not commence until the employee's accrued PTO has been utilized
- c. At the expiration of leave without pay, the employee shall return to the employment position held prior to the leave
- d. PTO shall not be accrued during leave without pay
- e. Annual evaluation and compensation adjustment dates may be changed for extended leave of absence(s).
- f. Failure of the employee to report for work at the expiration of the leave of absence shall be considered a resignation by the employee
- g. Benefit dollars shall not accrue during the period of leave without pay. If an employee is on FMLA leave and LWOP concurrently, they may be eligible to accrue benefit dollars.
- h. Employees on leave without pay are not eligible for holiday pay or administrative leave pay

All leave must be requested on the appropriate agency form and be authorized accordingly by the appropriate supervisor(s), in writing.

8. Family and Medical Leave

Pursuant to the Family Medical Leave Act of 1993 (FMLA) (updated in January of 2008 to include family military leave), family and medical leave may be granted by

the CEO. FMLA leave is available to employees with at least 12 months of service and who have worked at least 1,250 hours within the preceding 12 month period. Employees eligible for FMLA may qualify to accrue benefit dollars for up to 26 weeks from the start date of their leave. Partial-Year employees refer to Appendix A. If eligible, an employee may be able to take up to 26 weeks of unpaid leave during the calendar year (based on a 12-month rolling calendar) for the following reasons:

- a. The birth of a child or to care for a child within the first 12 months after birth (up to 12 weeks leave);
- b. The placement of a child with the employee for adoption or foster care within the first 12 months of placement (up to 12 weeks leave);
- c. To care for an immediate family member who has a serious health condition (up to 12 weeks leave); or
- d. For a serious medical health condition, not covered under Worker's Compensation that makes the employee unable to perform the functions of his/her position (up to 12 weeks leave);
- e. For the spouse, son, daughter or parent of a person on or about to be on active military duty for any "*qualifying exigency*" (up to 12 weeks leave);
- f. For the spouse, son, daughter, parent or *next of kin*—defined as the nearest blood relative—of a covered service member to care for a wounded service member (up to 26 weeks leave).

Employees must use any accumulated PTO to the extent available during the leave period. Absences in excess of these accumulated days will be treated as leave without pay. If an employee fails to return at the end of FMLA leave, the employee will be considered to have voluntarily resigned his/her position with the agency. During FMLA leave, once an employee's PTO is exhausted, the employee is on leave without pay status and does not accrue PTO, nor are they eligible to receive holiday pay or administrative leave pay.

When requesting leave, the employee must provide the agency with at least 30 days of advance notice whenever possible. Medical certification may be required if the leave request is for the employee's own serious health condition, to care for a family member's serious health condition, or to care for a wounded service member. Failure to provide the requested medical certification in a timely manner may result in denial of the leave until it is provided. Because the agency wishes to ensure the well-being of all employees, any employees returning from FMLA leave for his/her own serious health condition will need to provide a Fitness for Duty Statement signed by his/her treating physician.

Forms needed for FMLA leave requests and documentation may be obtained from the Human Resources Director.

9. **Short-Term Disability**

Short-term disability will pay up to 60% of an eligible employee's wages for a maximum period of 13 weeks as determined by the insurance provider. Short-term disability is available for non-work related accidents or illness (worker's compensation covers work related incidents). Disability payments commence the first day following an accident and on the eighth day following an illness. Pregnancy is covered under this policy. Please notify the Human Resources Director for more information or implementation. Employees will be enrolled following the next open enrollment period available after their date of hire. Partial-Year employees refer to Appendix A.

10. **Employee Assistance Program**

The EAP program services are designed to help employees and their immediate family find solutions to issues including, but not limited to: Stress management, Drug and alcohol abuse, Communication and conflict issues, Marital and family difficulties, Depression or anxiety, Loss and grief, Legal and financial challenges (not related to work), Change, and more.

11. **Employee Wellness/Morale Program**

The agency promotes staff wellness through an agency wellness program, staff immunizations, Employee Assistance program, educational presentations, agency safety committee, as well as other activities that contribute to the general health and well being of staff. The agency promotes staff morale through agency sponsored activities such as potlucks, All Staff Day, staff tenure awards, staff recognition, and other activities that contribute to the morale of staff.

12. **Financial Wellness Program**

The agency has partnered with Waddell and Reed Financial to implement a Financial Wellness Program for agency staff. The agency will provide a one time benefit in the amount of \$300 per staff member to support enrollment, participation, and completion of the program. Please refer to the Benefits section of the agency Employee Handbook for more information.

SECTION VIII

RESTRICTIONS ON EMPLOYEE ACTIVITIES

A. Restrictions on Political Activities

1. An employee may not:
 - a. Use his/her official position, authority or influence with the agency for the purpose of interfering with or affecting the result of an election or a nomination for a party or public office;
 - b. Directly or indirectly coerce, attempt to coerce, command or require another employee or any other person who is subject to these restrictions to pay, lend or contribute anything of value, or to contribute personal services to a party, committee, organization, agency or person for political reasons;
 - c. Use agency or agency program funds for any political purpose or to influence the outcome of any election for public or party office;
 - d. Permit the use of equipment or premises purchased or leased with agency or agency program funds for any political purpose or to influence the outcome of any election for public or party office. This restriction applies to facilities when under the control of the grantee or delegate agency. For example, if any agency leases a facility during certain hours only, the landlord may use the facility as he/she wishes during others hours;
 - e. Discriminate, or threaten or promise discrimination, against or in favor of any employee or beneficiary of any agency program or any potential employee or beneficiary in order to force disclosure of his/her political affiliation(s);
 - f. Offer any person employment, promotion or benefits under an agency program as a reward for the support or defeat of any political party or candidate for public or party office, or threaten or create disadvantage in employment or deprivation of benefits as penalty for such support;
 - g. Engage in voter registration activities or transporting voters or prospective voters to the polls while engaged in work for the agency, except when allowed by individual program funding contracts. All persons may participate in voter services during their time off duty hours, so long as such activities avoid identification with the agency; or

- h. Have political contributions deducted from paychecks.
- 2. Mid abides by the Hatch Act and requires that anyone running for political office to immediately notify the CEO and Human Resources Director.

B. CODE OF CONDUCT

- 1. No employee may participate in the selection, award or administration of a contract in which any of the following would have an interest: The employee, the employee's immediate family or a member of the same household, any partner of the employee, or a member of the employee's partner's immediate family or a member of the same household, or any organization or association in which the employee, his/her immediate family or member of the same household, or a partner of the employee, or a member of such partner's immediate family or member of the same household, has an interest. This restriction also applies to any negotiations or arrangements concerning prospective contracts or contractual arrangements.
- 2. No member of the Board of Directors may participate in the selection, award or administration of a contract in which any of the following would have an interest: The board member, the board member's immediate family or a member of the same household, any partner of the board member, or a member of the board member's partner's immediate family or a member of the same household, or any organization or association in which the board member, his/her immediate family or member of the same household, or a partner of the board member, or a member of such partner's immediate family or member of the same household, has an interest. This restriction also applies to any negotiations or arrangements concerning prospective contracts or contractual arrangements.
- 3. All employees of the agency, members of employees' immediate family and members of any policy-making body of the agency, are prohibited from accepting gifts, money or gratuities from:
 - a. any person receiving benefits or services under any program of the agency;
 - b. any person or entity performing services for the agency under contract; or
 - c. any person who is otherwise in a position to benefit from the action(s) of any employee or member of a policy making body of the agency.

4. All employees of the agency, Board of Director members, and members of any policy making/advisory body will protect the confidentiality of agency programs and services and of individuals served by programs of the agency.
5. All employees, Board of Director members, and members of any policy making/advisory body will abide by the Community Action Code of Ethics.

SECTION IX

EMPLOYEE DISCIPLINE

It is the agency's policy to treat employees fairly, with dignity and respect. Employees who are not performing their jobs up to expectations, who break rules, fail to follow agency policies and procedures, or exhibit improper behavior may be subject to discipline or termination at the discretion of their immediate supervisor(s) and the CEO.

The following are examples of what the agency considers improper behavior:

- a. Incompetence or inefficiency
- b. Offensive conduct or conduct unbecoming an employee of the agency while on the job or which is detrimental to the welfare or good name of the agency
- c. Inability to get along with fellow employees
- d. Physical or mental ailments which incapacitates an employee for proper performances of duty
- e. Insubordination or violation of any official order or regulation
- f. Acceptance of bribes in the course of ones work
- g. Habitual tardiness
- h. Misappropriation or theft of agency funds and/or agency property
- i. Incurring unauthorized personal debt to the agency
- j. Conviction of a felony
- k. Negligent or willful damage, waste or theft of public or private property
- l. Unexcused absence without being granted leave
- m. Any violation under Section B, Code of Conduct.

This is not a complete list and the agency reserves the right to investigate, make judgments, and take appropriate disciplinary action as the agency, in its discretion, believes are necessary as to each individual incident. The level of severity of any punishment for any infraction is solely at the discretion of the CEO.

SECTION X

TERMINATION OF EMPLOYMENT

All employees have the right to terminate employment with the agency for any reason or for no reason and the agency retains the same right to terminate an employee's employment for any reason or no reason.

An employee at the level of supervisor (G-4) and above, or whose job descriptions require it, are required to give notice at least 20 working days in advance of his/her effective termination date. All other employees are required to give notice at least 10 working days in advance of his/her effective termination date. Working days do NOT include paid holidays, and last day worked cannot fall on an agency scheduled paid holiday.

SECTION XI

DISCRIMINATION COMPLAINTS

- A. Discrimination on the basis of race, color, sex, religion, age, national origin, ancestry, disability, marital status, political affiliations or belief is a violation of the agency's personnel policies, except where physical fitness, physical capabilities, sex or age is a bona fide occupational qualification. Any employee or applicant for employment who believes that he or she has encountered unlawful discrimination within the agency may file a written discrimination complaint.
 1. A discrimination complaint may be either **informal** or **formal**.
 - a. An informal complaint is one which is made within the agency, to the CEO or designee.
 - b. A formal complaint is a complaint which is made against the agency to an outside authorized enforcement agency such as federal, state, or local civil rights commissions, the Federal Equal Opportunity Commission, or the U.S. Justice Department.
 2. No retaliation or recrimination of any kind will be allowed against any person filing a discrimination complaint against the agency.

- B. When an informal discrimination complaint has been made:
1. The CEO or designee will notify the appropriate agency program and personnel that a complaint has been filed.
 2. The CEO or designee will attempt to resolve the complaint to the complainant's satisfaction. The CEO or designee will be given access to any information deemed by him/her necessary to conduct an inquiry into the matters raised by the complainant.
 3. Unless a time extension is approved by the CEO or designee in writing and with notification to the appropriate agency program and personnel, the CEO or designee will conduct a final interview with the complainant no later than 15 working days from the date on which the complaint was made to the CEO.
 4. If the complainant is not satisfied with the decision or solution reached by the CEO or designee, the complainant may make a formal complaint.
- C. A formal complaint of discrimination may be made to any authorized enforcement agency.
- D. Sexual harassment does not refer to occasional compliments. It refers to behavior which is not welcome, and which is personally offensive, weakens employee morale and interferes with the work effectiveness of its victims and their co-workers.

Sexual harassment may include such actions as:

1. sex-oriented conversation or jokes;
2. subtle pressure for sexual activity;
3. physical contact such as patting, pinching or constant brushing against another's body; and
4. demands for sexual favors, accompanied by implied or overt promises of preferential treatment or threats concerning an individual's employment status.

It is possible for this to occur at two levels; among peers or co-workers, or at the supervisory level. Individuals who experience sexual harassment from co-workers should **first make it clear that such behavior is offensive to them**, and if the harassment continues, bring the matter to the appropriate supervisor's attention. In fulfilling their obligations to maintain a positive and productive work environment, supervisors are expected to halt any harassment of which they become aware by calling attention to the agency's policy or by more direct disciplinary action, if necessary. Individuals should also notify the agency's CEO, Business Manager or Human Resources Director.

A form of sexual harassment which may be harder for employees to cope with occurs when people use the power of their office or position to control, influence or affect the career, salary, or job of another employee (or prospective employee) in exchange for sexual favors.

Complaints of sexual harassment involving misuse of one's official position may be made orally or in writing to the agency's CEO, Business Manager or Human Resources Director. Individuals who instigate this type of harassment are subject to disciplinary action or dismissal.

Sexual harassment will not be tolerated in the agency.

- E. AIDS (Acquired Immune Deficiency Syndrome) may be a handicap, disability or a disabling condition as outlined in federal or state law. As such, an individual who has been diagnosed with AIDS or an AIDS related condition should be treated similarly to any other individual who is handicapped or disabled.

In general, Mid will not discharge or demote an employee who is physically and mentally capable of satisfactorily performing his/her job in a manner which presents no real threat to the safety of the public or other employees, merely because that individual has AIDS or a related condition. The agency will attempt to reasonably accommodate the workplace limitations of any handicapped individual. The agency may deny employment to any individual who cannot meet the demands of the job due to any physical or mental conditions that cannot be reasonably accommodated or who presents an immediate and real risk to the health or safety of others.

- F. Violence in the Workplace - Community Action Partnership of Mid-Nebraska is fully committed to providing a workplace that is free from violence or threats of violence. The corporation's policy is one of zero tolerance regarding such behavior or language.

Any threatening acts, behavior or language will not be tolerated. This includes acts, language or behavior claimed to be jokes or done in jest.

Complaints regarding such acts should be brought to the immediate attention of your supervisor, the Human Resources Director or the CEO.

Do not engage in such behavior. Anyone engaging in this behavior will be subject to discipline, up to and including immediate termination and may be reported to appropriate law enforcement authorities.

- G. Employee Grievance - In the event a conflict or situation arises that the employee believes is detrimental to himself/herself or the agency the employee is encouraged to discuss the problem with their Program Director. If the employee does not believe a discussion with the Program Director is appropriate, or if the problem is not resolved after discussion with the Program Director, the employee is encouraged to request a meeting with the Human Resources Director, Business Manager or CEO.

SECTION XII

EXCEPTIONS AND AMENDMENTS

- A. The Board may make exceptions to any of the preceding policies for such extenuating reasons as tenure, experience, education, physical circumstances or other causes deemed worthy by the Board. Requests for exception(s) shall be made in writing to the Board, in care of the CEO.
- B. The Board may amend these personnel policies at any time and from time to time, provided that any amendments shall not be retroactively enforced.

SECTION XIII

POLICY AND PROCEDURE MANUAL

Mid maintains additional policies regarding accounting, safety, driving, and information security. These policies, as well as updates to these policies and the personnel manual, are available at an employee's work site, on the agency's website, www.mnca.net, or by contacting Human Resources. It is the responsibility of the employee to review these policies on an ongoing basis.

SECTION XIV

COMMUNITY ACTION PARTNERSHIP OF MID-NEBRASKA COMMUNITY ACTION BRAND 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.”