

**NOWCAP**  
**PERSONNEL POLICIES AND PROCEDURES**  
February, 2013

**AT WILL**  
**EMPLOYMENT**

**All employees are “AT WILL” employees, and may be terminated at any time, with or without cause, with or without advance notice and without right of appeal.**

**This manual does NOT constitute an employment contract.**

**Information contained in this manual is subject to change.**

**NOWCAP**  
**“AT WILL” Statement of Understanding**

I have received and read the “AT WILL” statement and understand the statement. I also understand that the Personnel Policy and Procedures do NOT represent an employment contract.

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Employee Signature

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Print Name

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Date

**NOWCAP**  
**Employee Statement on Policy & Procedure Manual**

I certify that I have received, read and understand the NOWCAP Policy and Procedures Manual dated August, 2001.

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Employee Signature

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Print Name

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Date

# NOWCAP Personnel Policies

## Table of Contents

Policy ID	Subject	Page Number(s)
P000	Personnel Policy Statement & Objectives	1 - 2
P001	Files and Records System - Personnel File	3
P002	Identification and Reporting of Child Abuse and Neglect	4 - 6
P003	Sexual Harassment & Other Unlawful Harassment is Prohibited	7 - 8
P004	Confidentiality	9
P005	Written Policies	10
P006	Attendance and Absenteeism	11 - 12
P007	Staff Positions	13
P008	Staff Recruitment and Selection Procedures	14 - 17
P009	Change of Contact Information	18
P010	Termination of Employment	19 - 21
P011	Equal Opportunity Employer	22
P012	Employee-Management Relations	23 - 24
P013	Discrimination and Complaint Procedure	25 - 27
P014	Compensation Determination	28
P015	Criminal History Information	29 - 30
P016	Conflict of Interest	31
P017	Probationary Period	32
P018	Days and Hours and Location(s) of Work	33 - 34
P019	Dress Code	35
P020	Drug Free Workplace	36 - 37

P021	Emergency Procedures	38 - 39
P022	Credit Cards	40
P023	Employee Benefits	41
P024	Employee Relations	42
P025	Employees as Recipients of Agency Services	43
P026	Employment Status	44 - 45
P027	Expense Reimbursement	46
P028	Gift Acceptance	47
P029	Holidays	48
P030	Illness and Injury at Work	49
P031	Jury Duty	50
P032	Leaves of Absence	51
P033	Nepotism (Employment of Relatives)	52
P034	Outside Employment	53
P035	Pay for Attendance at Meetings	54
P036	Payroll Procedures	55 - 56
P037	Professional Liability Insurance	57
P038	Prohibited Discrimination	58
P039	Promotions and Transfers	59
P040	Public Relations and Release of Information	60
P041	Right to Privacy	61 - 62
P042	Seniority	63
P043	Short Term Contract Employees	64
P044	Smoke Free Workplace	65
P045	Travel	66 - 67
P046	Unemployment Compensation	68
P047	Use of Facilities	69
P048	Use of Materials and Equipment	70

P049	Use of Vehicles	71
P050	Personnel Leave	72
P051	Funeral Leave	73
P052	Educational Leave	74
P053	Administrative Leave	75
P054	Military Leave	76
P055	AIDS and Other Communicable Diseases	77
P056	Disciplinary Procedure	78
P057	Policy on Indemnification	79
P058	Children in the Workplace	80
P059	Reference Guide	81

## PERSONNEL POLICIES

**Policy ID: P000**

**Subject: Personnel Policy Statement**

### **Performance Objective:**

Northwest Community Action Programs of Wyoming, Inc. (NOWCAP), is dedicated to the principle of providing a progressive and sound system of personnel administration. The purpose of this manual is to establish policies by which personnel activities shall be conducted.

### **Operational Procedures:**

1. With the approval of the Board of Directors, the Chief Executive Officer is responsible for establishing personnel policies and procedures which will best implement these policies. This responsibility is accompanied by the authority to employ, promote, assign duties and responsibilities, reprimand, suspend, discharge and reward employees in accordance with the guidelines set forth in the manual.
2. This manual may be amended by the Chief Executive Officer with the approval of the Board of Directors. However, the elected Board of Directors of NOWCAP has and retains the right to revise, modify, amend, delete or cancel these policies without notice at the sole discretion of the Board. The subject matter contained herein reflects the policy of NOWCAP and does not constitute an employment contract.

Date of Approval: April 29, 2000

By Board Chairperson: Original located in Central Administration Office

### **Additional Procedure for Head Start Programs:**

In accordance with Head Start performance standard 1301.31 this policy and procedure manual must be approved by the Head Start Policy Council.

Date of Approval: April 29, 2000

By Policy Chairperson: Original located in Central Administration Office

## **PERSONNEL POLICIES**

**Policy ID: P000**

**Subject: Objectives of the Personnel Policy Manual**

### **Performance Objective:**

To provide all employees with the rationale for the Personnel Policies and Procedures Manual.

### **Operational Procedures:**

1. The objectives of the Manual are to promote efficiency in administrative procedures, to establish standards of fairness and non-partiality, to facilitate communication between supervisors and employees, and to provide controls to insure the productive use of all organizational resources. These policies are not only to clarify everyday and specific personnel situations, but are also to serve the best interest of the employer and the employee. The ultimate objective is the employee's constructive and satisfying experience within the context of the organization's purpose.
2. Neither this manual nor any employee handbook constitute an employment contract. They are merely a gratuitous statement of NOWCAP's current policies.



## PERSONNEL POLICIES

**Policy ID:** P001

**Subject:** Files and Records System - Personnel File

### **Performance Objective:**

To establish, on the date of appointment, an official personnel file, which includes a written description of the position and salary schedule, a statement indicating the employee has read and understand the personnel policies, "At-Will Statement" and, where applicable, a statement of bond.

### **Operational Procedures:**

1. All materials are filed on a timely basis using the system.
2. Personnel files are labeled for easy reference.
3. At a minimum, all personnel files include copies of:
  - I-9 (Employment Eligibility Verification) and supporting documentation
  - Personnel Action Forms, including personal data (Hiring, training, discharge, promotions, etc.)
  - Signed "At Will Statement" & "P & P Statement"
  - Job descriptions
  - Employment applications/resumes
  - W-4 Form
  - Benefits Applications (health, dental, eyeglass, TSA, cafeteria plan, etc)
  - Yearly Driving Records
  - Employee Performance Evaluations, if required by program
  - Physicals and Tuberculosis screening results, if required by a program
  - Fingerprinting, if required by a program
  - Reference Letters and Checks, if required by a program
  - State licensing documents, if required by a program
  - Educational Background Data, if required by a program
  - Professional Certifications, if required by a program
4. Files are kept confidential in file cabinets in a locked room. Files are available only to the Fiscal Officer, Fiscal Assistant, Chief Executive Officer, the employee, the employee's supervisor and NOWCAP's Board of Directors.
5. Employees should immediately report to the central office any changes in name, address or telephone number. Supervisors are responsible for reporting any changes in an employee's status such as demotions and promotions to the central office as soon as possible so changes can be made to the Personnel Action Form and the personnel file updated.

**Related Regulations:** (1301.31); see 1304.51 g

## PERSONNEL POLICIES

**Policy ID:** P002

**Subject:** Identification and Reporting of Child Abuse and Neglect

### Performance Objective:

NOWCAP reports child abuse and neglect in accordance with the provisions of applicable State or local law.

### Operational Procedures:

#### DEFINITIONS:

1. **“A person responsible for a child’s welfare”** include the child’s parent, non-custodial parent, guardian, custodian, stepparent, foster parents or other person, institution or agency having the physical custody or control of the child.
2. **“Abuse”** with respect to a child means inflicting or causing physical or mental injury, harm or imminent danger to the physical or mental health or welfare of a child other than by accidental means, including abandonment, excessive or unreasonable corporal punishment, malnutrition or substantial risk thereof by reason of intentional or unintentional neglect, and the commission or allowing the commission of a sexual offense against a child as defined by law.
3. **“Mental injury”** means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in his ability to function within a normal range of performance and behavior with due regard to his culture.
4. **“Physical injury”** means death or any harm to a child, including but not limited to, disfigurement, impairment of any bodily organ, skin bruising, bleeding, burns, fracture or any bone, subdural hematoma or substantial malnutrition.
5. **“Substantial risk”** means a strong possibility as contrasted with a remote or insignificant possibility.
6. **“Imminent danger”** included threatened harm and means a statement, overt act, condition or status, which represents an immediate and substantial risk of sexual abuse or physical or mental injury.
7. **“Child”** means any person under the age of 18.
8. **“Child protective agency”** means the field or regional offices of the Department of Family Services.

9. **“Court proceedings”** means child protective proceedings which have as their purpose the protection of a child through an adjudication of whether the child is abused or neglected, and the making of an appropriate order of disposition.
10. **“Institutional child abuse and neglect”** means situations of child abuse or neglect where a foster home or other public or private residential home, institution or agency is responsible for the child’s welfare.
11. **“Neglect”** with respect to a child means a failure or refusal by those responsible for the child’s welfare to provide adequate care, maintenance, supervision, education or medical, surgical or any other care necessary for the child’s well being.
12. **“State agency”** means the State Department of Family Services.
13. **“Subject of the report”** means any child reported under these statues, or the child’s agent, guardian or other person responsible for the child’s welfare.
14. **“Unfounded report”** means any report made pursuant to the reporting laws that is not supported by credible evidence.
15. **“Substantiated report”** means any report of child abuse or neglect made pursuant to the reporting laws that is determined upon investigation that credible evidence of the alleged abuse, neglect, exploitation, or abandonment exists.

#### EXCEPTIONS:

Treatment given in good faith by spiritual means alone, through prayer, by a duly accredited practitioner in accordance with the tenets and practices of a recognized church or religious denomination is not child neglect for that reason alone.

#### **Individuals Typically Mandated to Report**

Individuals typically designed as mandatory reporters have frequent contact with children. Such individual include:

- Health Care Workers
- School Personnel
- Day-care Providers
- Social Workers
- Law Enforcement Officers
- Mental Health Professionals

Some states also mandate animal control officers, veterinarians, commercial film or photograph processors, substance abuse counselors, and firefighters to report abuse and neglect. Four States - Alaska, Arkansas, Connecticut, and South Dakota - include domestic violence workers on the list of mandated reports.

Approximately eighteen states require all citizens to report suspected abuse or neglect regardless of profession.

**Standard for Making a Report**

Typically a report must be made when the reporter suspects or has reasons to suspect that a child has been abused or neglected.

**Privileged Communications**

Approximately twenty-six States specify in their reporting laws when a communication is privileged. Privileged communications, which is the statutory recognition of the right to maintain the confidentiality of communications between professionals and their clients or parents, are exempt from mandatory reporting laws. The privileges most widely recognized by the States is that of attorney-client. The privilege pertaining to clergy-penitent also is frequently recognized, but limited to situations in which a clergy person becomes aware of child abuse through confession or in the capacity of spiritual advisor. However, five States, New Hampshire, North Carolina, Rhode Island, Texas, and West Virginia, deny the clergy-penitent privilege. Very few States recognize the physician-patient and mental health professional-patient privileges as exempt from mandatory reporting laws.

## PERSONNEL POLICIES

**Policy ID:** P003

**Subject:** Sexual Harassment and Other Unlawful Harassment is Prohibited *[Required]*

### **Performance Objective:**

NOWCAP is committed to providing a work environment that is free from harassment. In keeping with this commitment, we maintain a strict policy prohibiting unlawful harassment on any basis protected by state or federal law.

### **Operational Procedures:**

1. All employees have the right to work in a discrimination-free environment. This policy applies to all employees, agents or vendors of the program who have contact with the employees during working hours. This policy prohibits harassment in any form, including sexual, verbal, physical and visual harassment.
  
2. *Definition of Harassment* - Sexual harassment as defined by law is any unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when:
  - submission to such conduct is made a term or condition of employment; or
  - submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
  - such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment because of the persistent, severe or pervasive nature of the conduct.

*Sexual Harassment* - The program prohibits sexual harassment in any form. It is a violation of both State and Federal laws. Examples of sexual harassment are:

Written - Suggestive or obscene letters, notes/invitations.

Verbal - Derogatory comments, slurs, jokes, epithets.

Physical - Assault, touching, impeding or blocking movement.

Visual - Leering, gestures, displaying of sexual suggestive objects or pictures, cartoons, or posters.

In addition to the examples outlined above, no supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's **willingness or** refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, or any other condition of employment or career development.

Other sexually harassing conduct in the work place, whether committed by supervisors or other non-supervisory personnel, is also prohibited. This includes making unsolicited written, verbal, physical and or visual contact with sexual overtones.

3. An employee who believes that he/she has been discriminated against or harassed should promptly report the facts of the incident and the names of the individuals involved to their supervisor and/or to central office in Worland, which will investigate all claims and follow-up with the appropriate action. Disciplinary action will be taken swiftly up to and including termination in founded cases of unlawful harassment.
4. **Employees reporting alleged harassment cannot be retaliated against.**

**Related Regulations:** *(1301.31)*

## **PERSONNEL POLICIES**

**Policy ID: P004**

**Subject: Confidentiality**

### **Performance Objective:**

Efforts are made to insure the security and confidentiality of personnel, children's, and family files.

### **Operational Procedures:**

1. Confidentiality is strictly enforced.
2. The confidentiality concerning information about the child, family or other staff members is closely observed.
3. Any employee, volunteer or consultant who violates the "Confidentiality Policy" may be disciplined or removed from their position.
4. We ensure confidentiality by following these confidentiality procedures:
  - Files are kept under lock and key.
  - Only authorized staff members may access files.
  - Staff are trained in how to maintain confidentiality.
5. The sharing of information with community partners is done in accordance with this Confidentiality policy.

**Related Regulations:** (1301.31); 1304.52 h 1 ii; 1304.41 a 1

## **PERSONNEL POLICIES**

**Policy ID:** P005

**Subject:** **Written Policies** [*Written Policies Required*]

### **Performance Objective:**

The program establishes and implements written personnel policies for staff that are approved by the Policy Council or Policy Committee and that are made available to all grantee and delegate agency staff.

### **Operational Procedures:**

1. The program establishes and implements these written personnel policies for staff that are approved by the Policy Council or Policy Committee and that are made available to all grantee and delegate agency staff.
2. The program's personnel policies and subsequent changes to those policies, including standards of conduct, are developed with Policy Council, Policy Committee, key management staff and the governing body working in partnership.
3. See Personnel Policies (PP01-R to PP11-R and P01-d to P63-d) and Human Resources Policies for additional policies and procedures.

**Related Regulations:** 1301.31 a, 1304.50 d 1 ix



## PERSONNEL POLICIES

**Policy ID: P006**

**Subject: Attendance and Absenteeism**

### Performance Objective:

All employees are expected to be at their assigned location for every scheduled work day and to report to work on time. These expectations are based on the realization that program quality requires good attendance and punctuality on the part of every employee, and the compliance with work schedules is vital to the maintenance of program activities on a continuous basis.

### Operational Procedures:

1. *Definitions:*

- **Unscheduled Absences** - Any absence that has not been pre-approved (i.e., a leave of absence is a pre-approved absence, as is a pre-approved vacation.)
- When an employee is unable to work due to illness or other personal problems, she/he must contact his/her supervisor [one and one-half hours] prior to the start of his/her shift.
- **Abuse of unscheduled absenteeism (including, among other issues, absenteeism without good cause, a failure to call-in in a timely manner, a pattern of absences immediately before or after holidays or weekends)** will be cause for disciplinary action.
- Should poor health be the cause of unscheduled absences, the possibility of a medical leave should be considered (see Personnel Policy # P28-d, Leaves of Absence). If personal problems are the cause, the employee should be encouraged to consult with the Employee Assistance Program.
- A full time or part time with benefits employee who calls in sick for a scheduled work day may use **any available** sick time for that day.

2. **Punctuality Standards** - An employee is considered to be excessively tardy when he or she reports to work late three or more times in a thirty day period.

3. **Unauthorized Absences**

- An employee who is absent from work without notification to supervision may be subject to disciplinary action.

- When time off is **taken after having** been specifically denied by supervision, the employee will be subject to disciplinary action.
- An incidence of “no call, no show” may result in immediate termination and will not be subject to the progressive disciplinary action.

In situations that management deems **appropriate**, request for a doctor’s certification of illness and return to work may be requested from the employee for any absence.

**Related Regulations:** see 1301.31 b, 1301.31 c

## PERSONNEL POLICIES

**Policy ID:** P007

**Subject:** Staff Positions *[Written Policy Required]*

### **Performance Objective:**

The program maintains updated job descriptions of each staff position, addressing as appropriate, roles and responsibilities, relevant qualifications and salary ranges.

### **Operational Procedures:**

1. NOWCAP maintains adequate, up-to-date descriptions of each job position.
2. Job descriptions are reviewed by the Program Directors and Chief Executive Officer on an as needed basis.
3. Proposed changes to job descriptions must be submitted to Board of Directors and the Policy Council for approval.

**Related Regulations:** 1301.31 a 1

## PERSONNEL POLICIES

**Policy ID:** P008

**Subject:** Staff Recruitment and Selection Procedures *[Written Policy Required]*

### **Performance Objective:**

NOWCAP fills vacancies with the most qualified candidates while providing equal employment opportunities to all.

### **Operational Procedures:**

#### STAFF RECRUITMENT

1. As positions become vacant, an announcement will be prepared. The announcement will include the title, a description of duties and qualifications, the salary range, and how an applicant should apply. Current NOWCAP employees will be given first consideration for any position vacancy for which they are qualified. Outside circulation of the vacancy may then be made.
2. All applications for employment will be accepted and interviews shall be arranged at the discretion of the supervisor. Resumes will be kept on file for one year for possible future employment.
3. Announcement of job opening is made through any combination of the following methods, as determined by the Chief Executive Officer or Program Director (and as approved by Policy Council):
  - classified advertisement in selected area newspaper(s)
  - flyers posted on site and/or posted in the community
  - announcement in the program newsletter
  - program representation at a job fair
  - public announcement over radio, through local television and/or through an internet web site.
  - **The Policy Council must approve in advance the hiring of all Head Start employees.**
4. Head Start job announcements must run for a minimum of 10 working days.
5. Head Start Programs require that all current and prospective employees 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 violent felonies.

The signed declaration may exclude:

- Traffic fines of \$200.00 or less;
- Any offense, other than any offense related to child abuse and/or child sexual abuse or violent felonies, committed before the prospective employee's 18th birthday which was finally adjudicated in a juvenile court or under a youth offender law
- Any conviction the record of which has been expunged under Federal or State law; and
- Any conviction set aside under the Federal Youth Corrections Act or similar State authority.

## SELECTION PROCEDURES

1. It is the policy of the organization to employ only capable personnel who are responsible and of good character. Every consideration shall be given to providing employment opportunities to low income persons and persons with disabilities. The organization will make certain that its recruiting procedures offer adequate opportunity for the hiring and advancement of persons served by NOWCAP programs.
2. Recent conviction of a serious crime shall be considered strong evidence of unfitness for professional, fiscal and supervisory personnel. Conviction of any violent crime shall prohibit hiring for any position requiring direct client contact.
3. No individual may be employed who has been convicted by federal, state or local court of inciting, promoting or carrying on a riot or any group activity resulting in damage to property or injury to persons. Membership in any organization whose objectives include overthrow of the government of the United States by violence and force is inconsistent with employment in organization programs.
4. No person who serves as a voting member of the governing body may be employed by NOWCAP.
5. No person shall hold any position within the Head Start Program over which any member of the immediate family has authority, either as a member of the governing body or as an employee, to order or recommend personnel actions. A member of the immediate family includes any of the following:

Husband	Wife	Father	Father-in-Law	Step-Father
Mother	Brother	Son	Mother-in-Law	Step-Mother
Sister	Daughter	Step-Son	Brother-in-Law	Step-Brother
Sister-in-Law	Step-Sister	Son-in-Law	Daughter-in-Law	Step-Daughter
6. No person shall be employed as a reward for the support or defeat of any political party or candidate for office, nor may any employee engage in partisan political activity, in his/her official capacity as a NOWCAP employee.

7. NOWCAP reserves the rights to all information relevant to business affairs of the Employer and ownership of any ideas, inventions, improvements or written materials produced during employment with NOWCAP. Employees will agree to such rights at time of employment.
8. Before an employee is hired, a verification of personal and employment references is conducted.
  - Candidates for employment should submit their references with their resume or application.
9. Before Head Start employees are hired, the program conducts a State or national criminal record check, as required by State law or administrative requirement. If it is not feasible to obtain a criminal record check prior to hiring, an employee must not be considered a regular employee until such a check has been completed.
10. All current and prospective Head Start employees are required to 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; and all convictions of violent felonies.
11. In addition, the program ensures that only candidates with the qualifications specified in the regulations (1304.52 and 1306.21) are hired.
12. Current and former Early Head Start and Head Start parents receive preference for employment vacancies for which they are qualified.
13. Head Start programs are subject to and will maintain compliance with Section 504 of the Rehabilitation Act of 1973 in the hiring, promotion, and in general relations with otherwise qualified handicapped candidates and employees.

## STAFF SELECTION

1. The Board of Directors has the responsibility for selecting the Chief Executive Officer. The Chief Executive Officer will select administrative staff, area administrators and program directors. The director of each program has the responsibility for selecting all other professional and non-professional employees.
2. Employee personnel records and applications for employment will be reviewed by the Chief Executive Officer (or a delegate assigned to carry out this function) to identify individuals meeting the qualifications of the vacant positions. All applications and personnel records selected during the screening process will be forwarded to the persons responsible for final selection.
3. If an outside applicant is selected, the applicant's prospective supervisor will verify the applicant's previous employment, and shall gather such other information as is necessary to verify the background of the prospective employee.

4. When an agency employee is selected, the Chief Executive Officer will consult with the employee's supervisor to confirm that the employee's performance has been satisfactory. The Chief Executive Officer (or a delegate will be assigned to carry out this function) will then notify the employee of the selection and determine the date that new responsibilities will be assumed.
5. Unsuccessful candidates will be notified that they were not selected.
6. All applicants receive a written response to their job application from the program.

**Related Regulations:** 1301.31 a 2; 1301.31 b; 1301.31 b 1; 1301.31 b 1 i; 1301.31 b 1 ii; 1301.31 b 1 iii; 1301.31 b 2; 1301.31 b 2 i; 1301.31 b 2 ii; 1301.31 b 2 iii; 1301.31 b 3; 1301.31 c; 1301.31 c 1; 1301.31 c 2; 1301.31 c 3; 1301.31 c 4; **1304.50 d 1 xi**

## **PERSONNEL POLICIES**

**Policy ID: P009**

**Subject: Change of Contact Information**

### **Performance Objective:**

All employees are required to advise the program of any change in name, address or telephone number.

### **Operational Procedures:**

1. Employees must file any name, address or telephone number changes in writing, and forward it to the Fiscal Officer.
2. This information will be filed in the employee's personnel file.

**Related Regulations: (1301.31)**



## PERSONNEL POLICIES

**Policy ID:** P010

**Subject:** Termination of Employment [*Written Policy Required*]

### **Performance Objective:**

This termination policy is designed to be equitable and to ensure consistent practices for all separation procedures.

### **Operational Procedures:**

1. *Termination of Employment* - also known as Separation, comes in the following forms:
  - Resignation - To resign in good standing requires that an employee submit written notice at least 15 calendar days in advance of the resignation. The Chief Executive Officer, Fiscal Officer, Program Directors and comparable graded personnel are expected to give at least 30 days written notice. Employees who resign in good standing are, upon application for reinstatement, eligible for re-employment, provided a position for which they are qualified is available.
  - Layoff Policy - Reduction in force or layoffs shall be made at the discretion of the Chief Executive Officer. Considering both seniority and performance, the Chief Executive Officer will attempt to retain the services of the agency's most valuable personnel. Temporary employees will be laid off before employees with seasonal or regular status.
  - Dismissals - a program initiated separation for unresolved employee problems may result in immediate dismissal. These include but are not limited to:
    - Stealing from the company or from other employees.
    - Possession or use of drugs.
    - Distribution or sale of illegal drugs.
    - Blatant negligence that results in the damage to or loss of machinery or equipment.
    - Falsifying company records.
    - Violation of confidentiality agreements.
    - Misappropriation of company assets.
    - Making threatening remarks to other employees or managers.
    - Engaging in activities that represent a clear case of conflict of interest.
    - Lying about credentials.
    - Injury of a child or client.
  - Special Provision - The NOWCAP Board of Directors reserves the exclusive right to dismiss or release the Chief Executive Officer.

2. *Procedure for voluntary resignation/separation/retirement:*

- As soon as notice of a pending resignation has been received from the employee, the supervisor shall notify the Fiscal Officer so the Personnel Action Form can be processed and filed in the employee file with the resignation letter.
- All program property, keys, uniforms, and identification must be returned to the program on or before the last day worked and before the final paycheck is issued.
- The original Time Sheet, signed by both the employee and the supervisor, must reach the payroll section of the Fiscal office the day before the final day worked in order for the final check to be processed.

NOTE: Any employee who gives 72 hours notice of intention to quit, must be paid at the time of termination (Labor Code Section #202).\*

3. *Procedures for Termination*

- All terminations must be reviewed with the Program Directors to ensure that proper procedures and appropriate disciplinary steps have been followed.
- The employee should have been informed of the problem leading to the termination and have been given an opportunity to improve his/her performance when appropriate. Disciplinary actions must be in writing and on file in the Human Resources office.
- In the case of serious misconduct, in which the Program Director considers the employee a serious hazard to either participants, parents, staff or the program, or other conduct which appears to warrant immediate dismissal or removal from the work site, the employee should be informed that he/she is on suspension without pay pending investigation, effective immediately.
- The appropriate Policy Council Committee members must be given confidential information by the Program Director about any Head Start employee's performance problems which have continued, or other violations of the Standards of Conduct, for a termination decision to be rendered. All Head Start terminations must be approved by the Policy Council in order for the termination to become final.
- All discussions will take place in closed sessions to protect the confidentiality of the individual involved. **NOTHING** about an employees **should** be repeated outside the closed Policy Council session.
- If the Head Start Policy Council disapproves the termination, the arbitration policy will be utilized.

- Once the decision has been made to terminate, the time sheet must be sent with the Supervisor's signature, with final on the last day worked, and forwarded to Payroll.

**NOTE:** When terminating an employee, the final paycheck must be given at time of termination.

**Related Regulations:** 1301.31 a 2; 1304.50 d 1 x; 1304.50 d 1 xi

## **PERSONNEL POLICIES**

**Policy ID:** P011

**Subject:** Equal Opportunity Employer *[Written Policy Required]*

### **Performance Objective:**

NOWCAP is an Equal Opportunity Employer.

### **Operational Procedures:**

It is the policy of NOWCAP of Wyoming, Inc. and its subsidiaries, hence referred to as "NOWCAP", that it will not discriminate against any employee or applicant for employment because of: race, color, religion, sex, pregnancy, disability, age or national origin. Further, NOWCAP will not tolerate retaliation against any individual who has complained about discrimination or has participated in an investigation of any allegation of discrimination.

NOWCAP will act affirmatively to ensure employees are treated fairly without regard to their race, color, religion, sex, pregnancy, disability, age or national origin. This policy applies to all activities including, but not limited to, the following: employment, promotions, demotions or transfers, recruitment including recruitment advertising, layoffs or termination, rates of pay or other forms of compensation, benefits, selections for training and/or on-the-job training, reasonable accommodations for medical conditions or physical limitations, including pregnancy.

Employees who believe that they have been subjected to or have witnessed job related discrimination, are encouraged to report any alleged discrimination to any supervisor or manager, or to the CEO. Within ten (10) calendar days of the complaint, management officials will conduct a full investigation, which will include a thorough interview with the complaining employee, the person or persons accused of discrimination, and any witnesses, as appropriate. Upon the conclusion of the investigation, the investigating managerial official will report back to the complaining employee, and take any appropriate action against the offending party. Employees may also complain by contacting the Equal Employment Opportunity Commission by telephone at (303) 866-1300 or (800) 669-4000, or by mail at 303 East 17<sup>th</sup> Avenue, Suite 510, Denver, Colorado 80203.

NOWCAP respects the right of its employees to work in a environment that is free from discrimination or harassment based on race, color, religion, sex, pregnancy, disability, age, or national origin. In compliance with federal law, no official at NOWCAP, will retaliate against an employee who complains about discrimination or who participates in a discrimination investigation either: 1) through the internal compliant procedure described above; or 2) through any municipal, state, or federal equal employment opportunity agency investigation.

If there are any questions, concerning the Equal Employment Opportunity Policy of NOWCAP of Wyoming, Inc. please contact the CEO with any of your concerns.

**Related Regulations:** 1301.31 a 6

## PERSONNEL POLICIES

**Policy ID:** P012

**Subject:** Employee-Management Relations [*Written Policy Required*]

### **Performance Objective:**

The program implements these employee-management relations procedures, including those for managing employee grievances and adverse actions.

### **Operational Procedures:**

1. All NOWCAP employees are encouraged to continually work at problem solving any issues relating to their individual jobs. NOWCAP provides a process for resolving job conflicts through a formal grievance procedure. All employees may utilize the grievance procedure for resolution of any job issues with the exception of a termination decision.
2. In cases of disagreement in an employee/employer relationship, employees have the right to initiate a grievance procedure within 14 calendar days after the incident. The following steps should be used.
  - *Step 1 - Informal Discussion with Immediate Supervisor*  
Whenever an employee has a complaint or request, it should be discussed with the immediate supervisor who should make every effort to resolve the problem in a fair and equitable manner which is consistent with NOWCAP policies. The process should normally take no longer than three working days.
  - *Step 2 - Formal Presentation to Immediate Supervisor*  
The employee who has been unsuccessful in resolving the grievance in an informal manner shall specify in writing the grievance and the desired remedy to the immediate supervisor. All matters must be lodged as formal grievances, clearly marked as such, within 14 calendar days after the incident occurred. The supervisor must give the employee a written answer within five working days which will be placed in the employee's personnel file.
  - *Step 3 - Hearing by the Director*  
If a satisfactory settlement cannot be reached in Step 2, the employee must submit a written report to the Program Director within five working days of the supervisor's ruling. The Program Director shall affirm, overrule or modify prior decisions within five working days and shall provide the employee with a written response which shall be placed in the personnel file.

- *Step 4 - Hearing by the Chief Executive Officer*  
If a satisfactory settlement cannot be reached in Step 3, the employee must submit a written report to the Chief Executive Officer within three working days of the Program Director's ruling. The Chief Executive Officer shall affirm, overrule or modify prior decisions within five working days and shall provide the employee with a written response which shall be placed in the personnel file.
3. The decision of the Chief Executive Officer is final.
  4. In all four steps of the grievance procedure, the grievant may, at his/her option, represent himself/herself, choose to be represented by another employee or may elect to secure outside legal representation, at the cost of the employee.
  5. Anyone receiving a grievance, who is not the next person in line designated to receive the grievance per the above procedures, should refer the person making the grievance to the next person in the grievance procedure. An employee who chooses to go outside the grievance procedure forfeits the right to proceed through the full NOWCAP grievance procedure.
  6. WIA employees have the right to appeal to the grants officer.

See Program Governance Policy PG19, Internal Dispute Resolution and Policy PG20, Grievance Procedures.

**Related Regulations:** 1301.31 a 7

## PERSONNEL POLICIES

**Policy ID: P013**

**Subject: Discrimination and Complaint Procedure**

### **Performance Objective:**

It is the policy of NOWCAP that no person shall, on the grounds of race, color, national origin, religion, age, sex, disability, political affiliation or belief be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance from funding sources.

### **Operational Procedures:**

1. *Filing of the Complaint*

Any employee who has reason to believe that he/she has been discriminated against on the basis of race, color, national origin, religion, age, sex, disability, political affiliation or belief in any personnel action has the right to file a complaint. This complaint should be filed within 30 days of the alleged discrimination and must be filed within 180 days.

2. *Procedures for Filing an Informal Complaint*

The complaint must be clear and the issues precise. In the initial interview, the Equal Opportunity Officer (EOO) must assist the complainant in clearly defining the complaint and the issues. The complaint must be in writing and must be signed by the complainant and the EOO. The complainant will receive a copy of the complaint. The EOO shall maintain a copy of the complaint in his/her file.

3. *The Inquiry*

The inquiry is the process through which the facts of the complaint and issues are produced. The inquiry should be conducted in such a manner that it is obviously evident that the inquiry attempted to prove that there either was or was not an act of discrimination. The weight of the evidence pro or con will determine whether or not there is probable cause to believe that discrimination has occurred. The process used in the inquiry is: interview, review of documents and compilation and analysis of statistical data. During the inquiry, the EOO will be in constant touch with the complainant, informing the complainant of any new data that the inquiry has produced.

4. *Final Interview Between the EOO and the Complainant*

The EOO and the complainant will attempt to have a final interview within 20 working days after the complaint has been filed. Within this period the EOO shall:

- Complete the inquiry.
- Attempt to resolve the problem.
- Provide the complainant with a copy of all the data related to the complaint produced by the inquiry.

- Have the parties involved sign a conciliation agreement.
- If the allegation is to be dropped, a statement to that effect shall be drawn up, signed by both the complainant and the EOO if such is the case.
- Inform the complainant of the formal process, if attempts to resolve the complaint have failed and the complainant desires to pursue the complaint through the formal process.

After all of the material has been reviewed and it is desirable to attempt conciliation, the EOO will arrange a conciliation meeting between the complainant and the respondent. The purpose of the conciliation meeting is to informally resolve the allegation of discrimination.

5. *Conciliation*

The conciliation is an agreement between the complainant and the respondent where a mutual agreement is reached that will correct the act(s) which caused the allegation of discrimination. It is clearly understood that should the respondent carry out the acts agreed upon, the complainant will drop the allegation of discrimination. However, if the respondent fails to carry out the agreed upon acts, the complaint is re-instituted and the new date is the date that the respondent failed to carry out the act(s) agreed upon. The agreements made in the conciliation must be clear and the issues precise.

6. *EOO Solicits Director's Assistance*

If the respondent is not the director of the agency, the EOO will solicit the assistance of the director in the conciliation. The EOO will present the facts of the case to the director. These facts will be based on the documentation of interviews and statistical data. The names of the persons providing the interview material, and the identity of the persons who contributed data must still be kept confidential at this point.

7. *Conciliation Agreement - EOO*

If the conciliation is successful, the agreements made must be put into writing. If the respondent agrees with the conditions in the conciliation agreement, the complainant agrees not to file a formal complaint. If the respondent fails to adhere to the agreement, the complainant may file a formal complaint. The agreement must be signed by the complainant and the respondent. The respondent must be the agency official who has the authority and power to carry out the conciliation agreement. At no time should the EOO sign for the agency official.

8. *Conciliation Fails - Final Interview*

If a satisfactory conciliation agreement has not been reached at the end of 20 working days, the EOO will conduct a final interview with the complainant. The EOO will assist the complainant in clearly defining the issues of the complaint, making specific charges and identifying acceptable remedies. The complainant shall receive copies of the follow-up forms developed by the EOO, copies of the interviews and documentation review, a copy of the summary of inquiry and any additional data that has been accumulated during the 20 working days that the EOO has been working on the case. The EOO shall prepare and give to the complainant a letter stating that the informal complaint was received, the allegations inquired into and that possible conciliation attempts have failed.



9. *Presentation to the Equal Opportunity Committee or Other Committee as Designated by the Governing Board*

The EOO shall contact the chairperson of the Equal Opportunity Committee (EOC) or other committee designated by the governing board, and present the facts of the failure to resolve the informal complaint. The chairperson shall convene a meeting of the appropriate committee to review the case. The EOO shall remove all personal identifying information from the report and records, including the name of the complainant, the respondent, witnesses, and other data that could be used to identify any of the participants in the case. It is suggested that the EOO use alphabetical or numerical designations when referring to individuals in the case report that is to be presented to the appropriate committee. The appropriate committee shall meet, review the facts in the complaint and make its recommendations to the governing board.

10. *Decision of the Governing Board*

The governing board shall meet and make a final agency decision on the complaint. This decision shall be the official agency position.

11. *Recourse to Other Levels*

At this point the employee may pursue other areas for a resolution of the complaint.

## PERSONNEL POLICIES

**Policy ID: P014**

**Subject: Compensation Determination**

### **Performance Objective:**

To provide information concerning salaries and establish policies regarding merit pay increases and within-grade increases.

### **Operational Procedures:**

1. *Salary Administration* - All employees shall be paid at a rate no lower than the current Federal minimum wage.
2. *Wage Increases* - NOWCAP employees will receive an annual wage increase if it is within the budgetary constraints of the grants they are working under.
3. *Merit Increase Award* - A merit increase may be awarded to employees whose performance or contributions have been outstanding.

### **Additional Procedure for Head Start Programs:**

According to the Head Start Act, as amended, comparability of wages Sec. 653 employees shall not receive compensation at a rate which is (1) in excess of the average rate of compensation paid in the area where the program is carried out to a substantial number of persons providing substantially comparable services, or in excess of the average rate of compensation paid to a substantial number of the persons providing substantially comparable services in the area of the person's immediately preceding employment, whichever is higher; or (2) less than the minimum wage rate prescribed in section 6 (a) (1) of the Fair Labor Standards Act of 1938.

Each year the Administration for Children Youth and Families issues program instructions to grantees on providing Head Start employees with Costs of Living Allowances and Quality Improvement salary increases.

*See also Personnel Policy # P62-d and P63-d on Wage and Salary Administration.*

**Related Regulations: (1301.31)**

## PERSONNEL POLICIES

**Policy ID:** P015

**Subject:** Criminal History Information

### **Performance Objective:**

Certain positions within NOWCAP require a review of criminal history information as a condition of employment.

### **Operational Procedures:**

1. Each NOWCAP program reviews each application for employment individually in order to assess the relevancy of an arrest, a pending criminal charge, or a conviction.
2. The designation will be based on the relationship of criminal convictions to the qualifications, responsibilities, duties, and sensitivity of the job classifications or positions, including applicable statutory requirements.
3. The designations will include a determination as to whether criminal convictions will preclude appointment or whether the candidates with criminal convictions can be certified for appointment, with consideration to:
  - The nature and seriousness of the offense
  - The circumstances under which the offense occurred
  - When the offense took place
  - Age of the person at the time the offense was committed
  - The offense within the context of the total pertinent criminal history record (isolated or repeated violation)
  - Evidence of rehabilitation
4. When a class or position has been designated as requiring a review of criminal history information, any appointment to the class or position shall be contingent on a review by the Program Director of criminal history information not disclosing conviction of crimes which preclude employment.
5. An applicant can be suspended from employment list when the applicant has been charged with a crime in which a conviction would preclude employment, until disposition of the charges.
6. The Program Director obtains and reviews criminal history information concerning incumbents of designated job classifications or positions when:
  - In the opinion of the Program Director, there is reason to believe that such information exists and that it is material to the competence of the employee in question

- Upon re-appointment to service after resignation or separation
  - Upon application for employment to a classification other than that held at the time this regulation is promulgated.
7. The Program Director is authorized to seek and obtain access to state summary criminal history information from the Attorney General respecting all applicants for or incumbents in job classifications or positions designated as requiring a review of criminal history information.
  8. The Program Director is authorized to require that applicants and employees be fingerprinted for the purpose of obtaining criminal history records. The cost of fingerprinting and obtaining criminal history records is borne by NOWCAP.
  9. Criminal history records shall be retained in the employee's file for a period required by State and Federal law. After such time, the criminal history records shall then be destroyed.

**Related Regulations:** *see 1301.31 b, 1301.31 c*

## PERSONNEL POLICIES

**Policy ID: P016**

**Subject: Conflict of Interest**

### **Performance Objective:**

It shall be the policy of NOWCAP not to allow board members or staff to engage in activities which might be construed as involving a conflict of interest.

### **Operational Procedures:**

In general, most business dealings between board members or staff and the agency are precluded. Where such dealings occur they must involve full prior disclosure of interest by the board member or staff person. The board member or staff person should also refrain from all discussion and voting on the issue. A full and open record of the dealing shall be kept and made available for audit and review.

### **Additional Criteria:**

Nothing in this policy shall preclude board or staff persons from receiving services for which they may be eligible on the basis of income or need. Such services shall, however, be provided on a fair and equitable basis. Eligibility documents shall be made available to appropriate officials.

**Related Regulations:** [(1301.31); see OMB Circular A-110 as amended]

## **PERSONNEL POLICIES**

**Policy ID:** P017

**Subject:** Probationary Period [*Written Policy Required*]

**Performance Objective:**

NOWCAP does not recognize a probation period for employees since we are “at will” employer.

**Operational Procedures:**

Each person hired by NOWCAP is employed for no definite term and either NOWCAP or the employee have the right to terminate the employment relationship at any time, with or without cause, and with or without written notice. This status may only be affected by a written contract of employment which is specific as to all material items and is signed by both the employee and the Chief Executive Officer of NOWCAP.

**Related Regulations:** 1301.31 d

## PERSONNEL POLICIES

**Policy ID:** P018

**Subject:** Days and Hours and Location(s) of Work

### **Performance Objective:**

To explain the agency's expected work hours and overtime policy.

### **Operational Procedures:**

1. *Hours of Work* - The normal working day shall consist of eight hours per day, beginning at 8:30 a.m. and ending at 5:00 p.m. with lunch from 12:30 p.m. to 1:00 p.m. A normal work week shall be five days a week, Monday through Friday. One fifteen minute rest period shall be provided each morning and each afternoon. Time sheets must be prepared for each employee. Whenever an employee works less than the established number of hours per day, the hourly rate for the position shall be paid.
2. *Overtime* - Overtime is defined as all hours over 40 hours *actually worked* during a normal work week for non-exempt employees. All non-exempt employees must be paid overtime when hours actually worked exceed 40 hours in one week. Hours worked in excess of the 40 hours will be paid at 1.5 times the regular hourly rate. Incurrence of overtime requires prior written approval by a supervisor.
3. *Holiday Rate* - Employees who work a holiday will be paid at the regular rate of pay.
4. *Changes in Hours or Location of Work* - The supervisor may require an employee to change hours or location of work, by giving the employee notice of such a change. A change in hours will require 24 hours advance notice. A long term change of location will require a 30 day advance notice to the employee in order that arrangements may be made for suitable housing at the new duty station. Should it be necessary for the employee to report to duty immediately, the employee may be given per diem to cover costs of lodging not to exceed 30 days.
5. *Time Outside Regular Working Hours During Travel Status* - Overnight travel that occurs outside regular working hours as a passenger on an airplane, train, bus or car and where the employee is free to relax is non-compensated. In addition, free time outside regular working hours while in travel status is non-compensated. This includes weekend days which are non-compensated unless the employee is required to work on these days.

**Additional Procedure for Head Start Programs:**

According to the performance standard 1306.32 (b) (7) Staff must be employed for sufficient time to allow them to participate in pre-service training, to plan and set up the program at the start of the year, to close the program at the end of the year, and to perform other activities.

**Related Regulations:** *(1301.31)*



**POLICY ON  
DRUG FREE WORKPLACE**  
August, 2010 (Revised: March 1, 2013)

It is the policy of all employees of Northwest Community Action Programs (NOWCAP) of Wyoming, Inc., hereinafter referred to as NOWCAP, that it will maintain a drug free work place at all properties and work sites. Employee drug and alcohol testing is a vital part of ensuring a drug free work place. Employee drug and alcohol testing is required of all potential and current employees. This requirement is posted on all vacancy announcements and conspicuously in all program offices. Drug and alcohol testing processes are described in the Procedure for Employee Drug and Alcohol Testing. The policy and procedure may be viewed on computers at work sites or a copy may be received from any administration or program office.

The illicit use, possession, transfer, or sale of a controlled substance by an employee is prohibited. If an employee is utilizing a Schedule I-Schedule V medication it must be monitored by the prescribing physician.

Employee use of alcohol is strictly prohibited at any location while on duty. If a visitor has been consuming alcohol which results in putting program participants and staff at risk or their behavior is unacceptable they will be asked to leave the premises. Employees cannot be under the influence of any controlled substance or alcohol while on duty or while on NOWCAP property or while attending any NOWCAP event.

All employees are required to report to a member of management any suspected use of drug or alcohol in the workplace to ensure the health, safety and well-being of program participants and staff.

### **Tobacco Use**

As of September 1, 2008 the use of any tobacco product [including, but not limited to; cigars, cigarettes, pipes, smokeless tobacco, chewing tobacco, and/or any other unlisted tobacco product or method of delivering a tobacco product] by any person who is not a participant of the program is strictly prohibited on or in any vehicle, building or outside space which is owned, leased or managed by NOWCAP.

The use of tobacco products [as defined above] is also strictly prohibited by any employee or volunteer while on duty at any location. On-duty is defined as any person employed by NOWCAP in any paid capacity or unpaid volunteer capacity and has been scheduled or assigned to work in a legitimate area of the organization (center based or community based). Under either circumstance no paid or unpaid person who is on-duty in the presence of participants or representing the company in any official capacity may engage in the use of the above defined tobacco products.

Participants of program may continue to choose to use tobacco products but must do so in designated areas only.

## **RESOURCES AVAILABLE FOR EMPLOYEES**

NOWCAP has partnered with an outside agency so as to assist employees and participants, who choose, to quit the use of tobacco products.

This policy should not and does not mean that NOWCAP employees must quit using tobacco products as a condition of employment and if an employee chooses to use tobacco products during their off-duty time, they may do so.

One hour per year of substance abuse training will be provided to all employees by NOWCAP. In addition, supervisors will be provided 2 hours of substance abuse training yearly including identification of alcohol and drug use in the workplace.

**PROCEDURE FOR  
EMPLOYEE DRUG AND ALCOHOL TESTING**

November, 2010 (Revised: March, 2013)

1. Effective March 11, 2010, Northwest Community Action Programs (NOWCAP) of Wyoming, Inc., hereinafter referred to as NOWCAP, implemented a revised alcohol and drug testing procedure that will apply to every employee of NOWCAP.
2. All future and current employees will sign acknowledgements of the revised procedure stating that they are aware and understand the procedure and the original of that form will be placed in the employees personnel file.
3. Effective August 1, 1993, each new employee hired will be tested for drug usage prior to hire. NOWCAP will be responsible for the testing costs of all new hires.
4. Anyone hired prior to August 1, 1993, will be exempt from the initial screening.
5. Drug/alcohol tests results are confidential and will be kept in separate, locked medical files by the employer and exclusive access to those files are given to the Executive Management and the employee themselves. A contracted medical lab will do the testing.
6. The Drugs of Abuse Screen includes: Amphetamines, Barbiturates, Benzodiazepines, Cocaine Metabolite, Opiates, Phencyclidine (PCP), Marijuana (THC) Metabolite, Methadone, Methaqualone, and Propoxyphene.

**TYPES OF TESTING CONDUCTED**

**NEW HIRE**

1. Any prospective employee refusing initial drug testing will not be hired for any reason or under any circumstance.
2. No prospective employee will hired for any reason or under any circumstance until pre-employment drug testing is completed.
3. Any prospective employee testing positive during pre-employment drug testing will not be hired for any reason or under any circumstance.
4. If the prospective employee wishes to give a second sample at the time the first sample is taken they may elect to do so. However, this process will be at the employees cost and NOWCAP reserves the right to accept or reject the outcome of the second sample.

## RANDOM

1. Effective March 1, 1995, NOWCAP instituted a random drug testing program. If an employee refuses to comply with the company's random drug testing program, that employee will be terminated immediately.
2. Random drug testing must be done within the same working day as requested unless the request was made after the normal business hours of the company's designated testing provider. If testing cannot be done the day requested because of previously stated circumstances, the testing must be completed by noon of the next regular business day for any random testing.
3. NOWCAP will be responsible for all costs for the random testing program. The employee will remain on duty at full pay until the results of the testing have been received. If a random drug test is positive the employee will be terminated immediately.
4. If the employee wishes to give a second sample at the time the first sample is taken they may elect to do so. However, this process will be at the employees cost and NOWCAP reserves the right to accept or reject the outcome of the second sample.
5. Random testing will be conducted, at a minimum, on 20% of the average staff on an annualized basis. This will be accomplished by testing 5% of NOWCAP's workforce every quarter.

## REASONABLE SUSPICION

1. Any employee may be tested for drug and alcohol usage upon reasonable suspicion. NOWCAP will be responsible for the costs for this testing.
2. Reasonable suspicion may be determined by observation of symptoms (smell, speech, and motor function impairments, pupil dilation, action or result of action, etc.) by a member of management and/or report of another person observing the employee having symptoms (smell, speech, and motor function impairments, pupil dilation, action or result of action, etc.). Reasonable suspicion may also include; suspected theft of program participant or company owned medication, **a significant participant medication error which results in the program participant requiring emergency medical treatment, the involvement in a 'critical incident', or involvement in a motor vehicle accident while on duty and driving either a company vehicle or a personal vehicle.**
3. All drug and alcohol testing for reasonable suspicion must be approved by Executive Management or the administrator on-call during non-business hours.

4. If an employee refuses drug and alcohol testing when there is reasonable suspicion the employee will be terminated immediately.
5. For cases of reasonable suspicion, while waiting for test results, employees will be suspended until test results are available to determine if any further action is warranted. If the test is negative, the employee will be compensated at their normal wage rate for any absences incurred due to their suspension. If the test is positive, the employee will be terminated immediately.
6. If the employee wishes to give a second sample at the time the first sample is taken they may elect to do so. However, this process will be at the employees cost and NOWCAP reserves the right to accept or reject the outcome of the second sample.

#### CHALLENGING DRUG SCREEN RESULTS

1. If the organization has received a positive, confirmatory result for an employees' drug screen test the employee may request a confirmatory retest of the original urine sample at their expense.
2. The employee has **five** working days after notice of this positive test result to notify NOWCAP in writing that they want to obtain a confirmatory retest.
3. Within three days after receiving any such notice from the employee, NOWCAP will notify the original testing laboratory that the employee is requesting a confirmatory retest. The confirmatory retest will use the same drug or alcohol threshold detection levels as used in the original confirmatory test.
4. If the confirmatory retest does not confirm the original positive test results, no adverse personnel action based on the original confirmatory test will be taken.
5. Each employee has the right to request and receive a copy of the test result report.

#### POST-ACCIDENT AND/OR EMPLOYEES INJURED ON THE JOB

1. An employee will undergo drug and alcohol testing for all accidents as well as any injury incurred while on the job. Drug and alcohol testing will occur whether the employee files a Worker's Compensation Injury Report or not.
2. If an employee refuses drug and alcohol testing when they are involved in an accident or injury while on the job, they will be terminated immediately.
3. If the employee wishes to give a second sample at the time the first sample is taken they may elect to do so. However, this process will be at the employees cost and NOWCAP reserves the right to accept or reject the outcome of the second sample.

## **PERSONNEL POLICIES**

**Policy ID: P019**

**Subject: Dress Code**

### **Performance Objective:**

All employees are expected to present a professional image to NOWCAP, its participants, and the public.

### **Operational Procedures:**

1. Employees are asked to utilize good judgment in determining their dress and appearance.
2. All employees are asked to observe good habits of grooming and personal hygiene. Employees should dress appropriately and professionally, according to the requirements of their positions. If there are any questions as to what constitutes proper attire within a given program, the employee's supervisor or Program Director should be consulted.

**Related Regulations: (1301.31)**

## **PERSONNEL POLICIES**

**Policy ID: P021**

**Subject: Emergency Procedures**

### **Performance Objective:**

The program adopts procedures to insure the health and safety of employees during an emergency.

### **Operational Procedures:**

1. Emergencies may be any number of circumstances calling for some time of immediate response including, but not limited to:
  - Medical emergencies
  - Fire
  - Earthquake
  - Bomb Threat
  - Natural disasters
  - Flood
  - Hurricane
  - Tornado
  - Blizzard
2. Each work site must have an Emergency Plan including the following elements:
  - Designation of a Building Warden, including two alternates whose authority during an emergency will supersede that of all other employees at that location.
  - Posting of emergency telephone numbers and basic response procedures.
  - Training for all employees in emergency reporting and responses.
  - Evacuation Plan with posted exit routes, assembly area, means of assisting handicapped people, notification or alarm technique, and means of accounting for all personnel.
3. Elevator use is restricted to handicapped people in emergencies.
4. Medical Emergency Responses include:
  - Providing appropriate first aid and/or cardiopulmonary resuscitation (CPR).
  - Calling the fire department if advanced first aid is required (911).
  - Calling an ambulance if appropriate (911).
  - Sending the injured to either the physical location of his or her choice or to the nearest medical emergency center or hospital.
  - Reporting injuries to the appropriate supervisor immediately.
  - If an injury results in death or hospitalization of an employee for over 24 hours, the Safety Division and the State Division of Occupational Safety and Health should be called.

5. Fire Emergency Responses include:
  - Notifying the fire department immediately. Building, room number, address, and other means of identifying location of the fire is required as well as a description of the size and type of fire, relaying if there are any injured people, name, and telephone number and extension.
  - Evacuating all people from the area of the fire and closing off the fire area.
  - Reporting to assembly area (consult the Evacuation Plan).
  - Using appropriate type fire extinguisher. If smoke or heat endangers safety, evacuating the area to allow emergency personnel to handle the situation is required.
  
6. Earthquake Emergency Responses include:
  - Ducking and covering under a table or desk, crouching on knees with face down and hand covering the back of the head.
  - Staying clear of outer walls, windows, glass, file cabinets, bookshelves, and other furniture that may fall or move.
  - Evacuating the building to assembly area.
  - Avoiding re-entry into the building.
  - Allowing the Building Warden to re-enter the building to search for missing persons, assess the extent of damage, turn off utilities as needed, and checking for gas leaks. NOTE: It is the responsibility of the Building Warden to turn off gas if a leak exists.
  - Keeping clear of overhead wires, poles, buildings, trees, and falling objects if outside.
  - Preparing for aftershocks.
  
7. Bomb Threat Emergency Responses include:
  - Attempting to get the following information from the caller while on the phone:
    - ✓ *When the bomb is set to detonate;*
    - ✓ *Where the bomb is located;*
    - ✓ *What kind of bomb it is;*
    - ✓ *What it looks like;*
    - ✓ *Sex of the caller;*
    - ✓ *Approximate age of the caller;*
    - ✓ *Tone of voice, accent, unusual speech mannerisms, or phrases;*
    - ✓ *Association with any organizational affiliation, if applicable; and*
    - ✓ *Distinguishable background noises.*
  - Notifying local police (911).
  - Evacuating to designated assembly area as directed by the local supervisor.
  - Scanning work area for unusual items.
  - Taking personal items.
  - Locking up cash on the way out.
  - Bomb searching is to be done by the police, by experts that the police summon, and by volunteers who know the location well.
  - Buildings may be re-entered only on instructions of the Building Warden.

Related Regulations: (1301.31)



## **PERSONNEL POLICIES**

**Policy ID: P022**

**Subject: Credit Cards**

### **Performance Objective:**

It is the policy of NOWCAP that agency credit cards are to be used **only** for purchases for agency business and that documentation be provided by the employee for each purchase made with the credit card.

### **Operational Procedures:**

Agency personnel requiring credit cards to conduct agency business will be issued credit cards with a preset spending limit. They are to be used only for agency business. No personal purchases (in any amount) are permitted. The staff person is required to turn in all itemized receipts on a monthly basis. Expenses charged without proper documentation may be charged to the employee.

## PERSONNEL POLICIES

**Policy ID: P023**

**Subject: Employee Benefits**

### **Performance Objective:**

To identify the benefits available to eligible employees. These benefits are subject to amendment or revocation by the NOWCAP Board at any time.

### **Operational Procedures:**

1. *Health and Dental Insurance* - NOWCAP will pay a percentage of the premiums the employee will pay the difference with payroll deductions. Eligible employees must apply for coverage within 90 days of becoming eligible.
2. *Tax Sheltered Annuity* - NOWCAP will match employee contributions to a TSA plan up to a percentage of the employee's gross salary.
3. *Cafeteria Plan* - NOWCAP offers a cafeteria plan which provides certain benefits from non-taxable income.
4. *Eyeglass Plan* - NOWCAP provides eye care benefits.

**Related Regulations: (1301.31)**

## **PERSONNEL POLICIES**

**Policy ID: P024**

**Subject: Employee Relations**

### **Performance Objective:**

As a part of a team providing services for the benefit of the public, each employee must cooperate with co-workers and the public in order to set a high standard for work performance.

### **Operational Procedures:**

1. Unwillingness or failure to cooperate shall be cause for disciplinary action.
2. The total staff of NOWCAP must function as a team, and each employee is required to make a positive contribution in the interest of effective and efficient public service.

**Related Regulations: (1301.31)**

## **PERSONNEL POLICIES**

**Policy ID: P025**

**Subject: Employees as Recipients of Agency Services**

### **Performance Objective:**

NOWCAP provides employees with a uniform mechanism with which to become participants of the programs that are under the jurisdiction of the Agency.

### **Operational Procedures:**

1. An employee who wants to enter a program other than the one that he/she is currently employed in must follow the applicable eligibility requirements for that program.
2. An employee who wants to enter the program in which he/she is currently employed must obtain supervisory approval as part of the eligibility process and safe guards. If the employee is a current supervisor in the program, then the Program Director of the program must be involved in establishing eligibility to ensure fair admittance procedures, and the Executive Director must be advised of the activity. Full limits of confidentiality will be adhered to in order to protect the privacy of the employee.

**Related Regulations: (1301.31)**

## PERSONNEL POLICIES

**Policy ID:** P026

**Subject:** Employment Status

### **Performance Objective:**

NOWCAP employs the following classifications for employees to determine benefits eligibility and accrual rates.

### **Operational Procedures:**

All employees will be assigned a classification status depending on the numbers of hours **regularly scheduled to work**. This classification will be used in establishing guidelines for providing a standardized, equitable total compensation program, including employer provided benefits to employees based on full and part time work commitments.

1. *Regular, Full-Time Employee*

A regular, full-time employee is hired to a position which does not have a pre-set ending date and in which the hours worked will normally be 40 hours per week and is eligible for all fringe benefits.

2. *Regular, Part-Time Employee*

A regular, part-time employee is hired to a position which does not have a pre-set ending date and in which the hours worked will be less than 40 hours per week. Annual leave and sick leave will be accrued on a pro-rata basis. Regular, part-time employees will be paid for holidays they are scheduled to work.

3. *Seasonal, Full-Time and Part-Time Employee*

A seasonal employee is hired to a position with a preset ending date and must apply on a year-to-year basis. Such an employee will not receive payment for holidays and will not be eligible for benefits.

4. *Temporary, Full-Time and Part-Time employee*

A temporary employee is hired to a position of limited duration. Such an employee will not receive payment for holidays during the term of employment, and will not be eligible for benefits.

5. *Job Descriptions*

All positions will have job descriptions detailing individual job responsibilities.

6. *Contract Employees*

Contract employees are considered temporary employees which are utilized for a specified period of time. They may be used for work that is based on a piecework or incentive reimbursement schedule, or for a short term project. These employees are required to sign contracts that must be approved and signed by the Program Director, and be in accordance with all applicable Federal, State and conflict of interest regulations.

**Related Regulations:** (1301.31)

## PERSONNEL POLICIES

**Policy ID:** P027

**Subject:** Expense Reimbursement

### Performance Objective:

NOWCAP reimburses employees for direct out-of-pocket expenses that occur in the conduct of assigned work for the program.

### Operational Procedures:

1. All out of area travel or travel involving per diem must be approved in writing by the employee's immediate supervisor prior to the travel. Such travel should be accomplished by the most economical means. Where this is not possible an explanation should be attached for approval by the Chief Executive Officer.
  - *Per Diem* - Employees will be paid per diem at a rate not to exceed current federal guidelines.
  - *Per Diem Without Lodging* - Per diem not involving an overnight stay will be paid on the basis of actual meal costs documented with receipt up to the amounts specified by the Administration office. Per diem without lodging requires travel of 10 hours or more during the same calendar day or six hours or more beginning before 6:00 a.m. or terminating after 8:00 p.m.
  - *Mileage Expenses* - Mileage will be paid at a rate not to exceed federal guidelines. Employees must complete the mileage column on the NOWCAP Employee Time Sheet and submit it to the Administration office for payment.
  - *Miscellaneous Expenses* - Taxi expenses are reimbursable. Fares over \$25.00 one way must show a receipt.

**Related Regulations:** (1301.31)

## **PERSONNEL POLICIES**

**Policy ID: P028**

**Subject: Gift Acceptance**

### **Performance Objective:**

Gift acceptance and solicitation of goods is prohibited in accordance with these procedures.

### **Operational Procedures:**

1. Employees will discourage personal gifts and will not accept any gift or other valuable things offered in the course of work or in connection with it when such a gift is given in the hope or expectation of receiving a favor or better treatment than accorded other persons.
2. Employees shall not accept nor receive money in the form of tips or rewards for services rendered.
3. Solicitation of funds from employees or the public is not permitted with the exception of parent fund-raising. Employees desiring to solicit or to have someone else solicit, either directly or indirectly, money or materials of any kind, including prizes, for the purpose of assisting in the promotion of any program area or activity must secure approval before starting such solicitation.
4. Violation of this gift acceptance policy will result in disciplinary action, up to and including termination.

**Related Regulations:** [(1301.31); see 1304.52 h]



## **PERSONNEL POLICIES**

**Policy ID: P029**

**Subject: Holidays**

### **Performance Objective:**

Employees are provided with pay for holidays selected by NOWCAP.

### **Operational Procedures:**

1. NOWCAP will be closed and will provide full time and part time employees holiday pay for the following observed holidays each calendar year.
  - New Year's Day
  - Memorial Day
  - Independence Day
  - Labor Day
  - Thanksgiving Day
  - Christmas Day
2. Certain employees [such as part-time] receive a pro-rated benefit, based on hours worked. Temporary status employees and On-Call/Substitute status employees do not receive holiday pay.
3. Holiday pay is effective upon hire.
4. The employee must be active on the payroll (i.e., not on a leave of absence) to be eligible for holiday pay.
5. Whenever a holiday falls on a Saturday, the Friday before the holiday will be observed as the holiday. If the holiday falls on a Sunday, the following Monday will be observed as the holiday.
6. Holidays falling within a period of annual or sick leave will not be counted as work days in computing annual or sick leave.
7. On General Election Day, employees will be allowed to take up to two (2) hours time off to vote.

Related Regulations: *(1301.31)*

## **PERSONNEL POLICIES**

**Policy ID: P030**

**Subject: Illness and Injury at Work**

### **Performance Objective:**

NOWCAP is committed to the prevention of accidents at all levels of the program and in all its activities.

### **Operational Procedures:**

Any work related injury/illness must be reported by the employee to the supervisor as soon as is practical. Necessary medical attention will be facilitated by the organization. Workers Compensation claims will be filed by both the employer and the employee within 10 days. NOWCAP administrative staff will review any employee injuries on a regular basis for corrections of unsafe conditions or procedures.

**Related Regulations: (1301.31)**

## **PERSONNEL POLICIES**

**Policy ID: P031**

**Subject: Jury Duty**

**Performance Objective:**

Employees are allowed to assume the civic duty of jury duty/jury selection/jury participation.

**Operational Procedures:**

Employees serving as a member of a jury panel will be granted leave of absence with pay less the amount paid by the court.

**Related Regulations: (1301.31)**

## PERSONNEL POLICIES

**Policy ID:** P032

**Subject:** Leaves of Absence

### **Performance Objective:**

Employees are provided with time off to resolve medical, personal and military matters by means of leave of absence.

### **Operational Procedures:**

1. Extended leaves of absence will be based upon special determination by the Chief Executive Officer.
2. *Family Leave Policy* - NOWCAP will comply with the Family Leave Act at NOWCAP sites with 50 or more employees. To be eligible the employee must have been on the job for a year and have worked at least 1,250 hours in the past year. Under the act an employee will be provided with up to 12 weeks per year of unpaid leave to handle the birth or adoption of a child, or a serious illness involving self, parent, spouse, or child. Health care coverage will be maintained during the leave if the employee pays his/her portion of the policy. The NOWCAP administration office can provide information for the application and detailed eligibility process.

Related Regulations: [(1301.31); see OMB Circular A-122-B 7 f)]

## PERSONNEL POLICIES

**Policy ID:** P033

**Subject:** Nepotism (Employment of Relatives)

**Performance Objective:**

It is the policy of NOWCAP that when employees are related as specified below, such persons will not have direct supervisory or administrative relationships.

**Operational Procedures:**

No person shall hold any position over which any member of the immediate family has authority, either as a member of the governing body or as an employee, to order or recommend personnel actions. A member of the immediate family includes any of the following:

Husband	Wife	Father-in-Law	Step-Father
Father	Mother	Mother-in-Law	Step-Mother
Brother	Sister	Brother-in-Law	Step-Brother
Son	Daughter	Sister-in-Law	Step-Sister
Son-in-Law	Step-Son	Daughter-in-Law	Step-Daughter

**Related Regulations:** (1301.31)

## PERSONNEL POLICIES

**Policy ID:** P034

**Subject:** Outside Employment

### **Performance Objective:**

To require employee to report outside employment

### **Operational Procedures:**

1. To inform staff to report a description of all employment or business activities engaged in outside the employment of NOWCAP to their immediate supervisor.
2. Regular full-time employees are required to inform NOWCAP about outside employment or starting a business. Those employees taking on a second job or starting a business will report this to NOWCAP immediately. Second jobs will not be allowed to interfere with the regularly scheduled work routine. In case of conflict between jobs, NOWCAP must take precedence.
3. NOWCAP employees who hold second jobs or have businesses should report the following to the Administration office:
  - State name of business.
  - Complete mailing address.
  - Type of outside work or business.
  - Title of outside position.
  - Outside employment supervisor's name, business address and telephone number.
  - Number of hours per week expected to work and what hours.
  - A description of any direct interest in any contract with a city or county not connected with NOWCAP employment and any involvement or prospective involvement in a substantial conflict of interest situation.
  - Signature of employee
  - Date

**Related Regulations:** (1301.31)

## PERSONNEL POLICIES

**Policy ID:** P035

**Subject:** Pay for Attendance at Meetings

### Performance Objective:

Specified job-related meetings and/or training sessions will be compensated as time worked.

### Operational Procedures:

1. **Attendance** at lectures, meetings, training sessions and similar activities directly related to the employee's job is compensable.
2. The training is considered directly related to the employee's job if it is designed to make the employee handle his/her job more effectively, hence resulting in the employee becoming more efficient in the current, present job, as distinguished from training him/her for another job, or to acquire new additional skills.
3. **MANDATORY training may be required by the employer, if the employer determines that safe working conditions would be adversely affected by non-attendance.**
4. The determination of job-related training will be the responsibility of the Program Director, along with the designation given to which training activities will be counted as working time and for which employees.
5. Orientation is a MANDATED training that is required by Head Start programs.
6. Most training days that are required, and therefore compensable time, will be treated as a normal day's work (i.e., 4 hours, 6 hours, or 8 hours).

NOTE: Due to the nature of operations and funding source dollars, training is customarily limited to job-related sessions.

**Related Regulations:** (1301.31)

## PERSONNEL POLICIES

**Policy ID: P036**

**Subject: Payroll Procedures**

### **Performance Objective:**

Employees are compensated based on hours worked and leave taken which is recorded on a daily basis on time sheets. Most NOWCAP employees are paid semimonthly.

### **Operational Procedures:**

1. For most NOWCAP employees, each pay period ends on the 15<sup>th</sup> and last day of the month and time sheets should be turned in to their supervisor on the day the pay period ends.
2. Supervisors are responsible for ensuring the routing of time sheets to the Worland Administration office for processing. **Paychecks will normally be issued by the fifth and twentieth of each month.**
3. When a payday falls on a weekend or holiday, payday is ordinarily the last workday before a weekend or holiday. Unless otherwise specified, paychecks are delivered by means of mail for employees working outside of the Worland Administration office, delivery to employee's desk for those employees that do work in the Administration office. Employees who have a scheduled day off on payday may make alternative arrangements for check pickup by contacting the Fiscal Officer or Fiscal Assistant in the Worland Administration office.
4. If an employee receives a paycheck which has an error in the amount of compensation to be received and if this error occurred as a result of a mistake by the Fiscal Officer or Fiscal Assistant, the error will be corrected and a new paycheck issued within forty-eight working hours from the time of notification and verification that the paycheck is in error.
5. Pay errors found in employee pay are corrected as soon as possible as to current pay rate, but no recovery of either overpayment or underpayment to an employee is made retroactively except for the six month period immediately preceding discovery of the pay error. This provision applies regardless of who made the error.
6. Recovery of fraudulently accrued overpayment or underpayment are excluded from this policy for both parties.
7. When the program notifies an employee of an overpayment and proposed repayment schedule and the employee chooses to meet with the program, a meeting will be held at which time a repayment schedule will be determined.



8. Mandatory payroll deductions include: Federal and State income tax and social security
9. Voluntary payroll deductions include: Health, dental, TSA, transfer of funds to employees Credit Union; and other types of union sponsored programs.

**Related Regulations:** *(1301.31)*

## PERSONNEL POLICIES

**Policy ID:** P037

**Subject:** Professional Liability Insurance

### **Performance Objective:**

NOWCAP carries professional liability insurance. Applicants for positions requiring professional licenses are required to provide proof of license before accepting employment. Once hired, proof of renewal by the appropriate dates must be submitted to the program to continue as an employee in good standing.

### **Operational Procedures:**

1. Documentation will be placed in the employee's personnel file.
2. The employee is responsible for submitting proof of renewal prior to the expiration date.
3. Documentation of each renewal will be placed in the employee's file.
4. Proof of professional license applies to regular staff as well as to contract staff, consultants, and volunteers.

**Related Regulations:** (1301.31)

## PERSONNEL POLICIES

**Policy ID:** P038

**Subject:** Prohibited Discrimination [*Written Policy Required*]

### **Performance Objective:**

No person shall be appointed, promoted, disciplined, reduced, removed, or in any way favored, disfavored, or discriminated against because of race, color, national origin, religion, age, sex, disability, political affiliation or belief.

### **Operational Procedures:**

1. A person may file a complaint of unlawful discrimination with the local [Affirmative Action Officer].
2. A person may file a complaint of unlawful discrimination with the EEOC.
3. NOWCAP is an Equal Opportunity Employer. This statement must appear on all public employment notices.

**Related Regulations:** [see 1301.31 a 6]

## PERSONNEL POLICIES

**Policy ID:** P039

**Subject:** Promotions and Transfers

### **Performance Objective:**

NOWCAP is committed to providing job advancement opportunities, including promotions and transfers, for interested and qualified employees.

### **Operational Procedures:**

1. All interested employees are encouraged to apply for promotions and transfers. Any decisions made after the interviewing process will be based upon the ability, qualifications and the performance of the candidates for the open posted positions.
2. Employees interested in a posted position must notify their supervisor. Head Start employees must complete a letter of interest.
3. All employees who meet the required qualifications will be interviewed by the appropriate management staff. All other qualifications and abilities being equal, priority consideration will be given to parents and internal candidates for available positions.
4. *Promotion* - A promotion is defined as a position where the salary range is [two or more] pay grades higher than the former position and range. In the case of the promotion, the employee will be eligible for an increase to the new position's minimum salary step, or an increase calculated to fit into the new range. A new review cycle will begin with the date of this change.
5. *Transfer* - A transfer is a lateral move to a different position no more than one pay grade difference in the wage and salary system. The employee's rate will not change, except to fit to the closest step on the new position pay grade. A new review cycle, as outlined above, will begin with the transfer.
6. *Benefit Accruals* - If an employee transfer results in an **employee becoming benefit eligible**, then benefit accruals will begin the effective date of the transfer. Health and Dental benefits will become effective after the three month waiting period, as is the case with new hires.

**Related Regulations:** (1301.31)

## **PERSONNEL POLICIES**

**Policy ID: P040**

**Subject: Public Relations and Release of Information**

### **Performance Objective:**

To establish agency policy regarding an employee's contacting representatives of radio, television, newspaper and other public media and appearing as agency representatives before public or private, civic, religious or fraternal organizations.

### **Operational Procedures:**

1. Employees desiring to make public statements as representatives of NOWCAP shall obtain prior approval of the Chief Executive Officer or his/her designated representative. Prior approval may be obtained by submitting a memorandum to the Chief Executive Officer outlining the type of contact to be made, with whom the issue is to be discussed, and the position to be taken by the employee.
2. Employees desiring to make public statements as a taxpayer or private citizen may do so at will but should refrain from making reference to their place of employment, position, title or function within NOWCAP.

**Related Regulations: (1301.31)**

## PERSONNEL POLICIES

**Policy ID: P041**

**Subject: Right to Privacy**

### **Performance Objective:**

NOWCAP respects the individual privacy of its employees.

### **Operational Procedures:**

1. NOWCAP owned equipment may be subject to inspections at any time.
2. Personal belongings will only be the subject of inspections in **rare circumstances, such as when violations of the Standards of Conduct are suspected.**
3. Although the program respects the individual privacy of its employees, an employee cannot expect privacy rights to extend to work related conduct or the use of program-owned equipment or supplies.
4. NOWCAP reserves its right to search work stations, desks, lockers and program vehicles. In addition, briefcases, purses and other personal belongings are subject to inspections **ONLY** when there is reasonable cause to **believe** that illegal drugs, alcohol, weapons, or stolen property may be in an employee's possession.
5. *Program's right to access information* - Although employees have individual access codes to voice mail and computer network systems, these systems are accessible at all times by various staff, and may be subject to periodic unannounced inspections for business purposes. All system pass codes must be available to Program Directors, and employees may not use pass codes that are unknown.
6. Systems use is restricted to program business. Employees are expected to use the voice mail and computer network systems for program business only and not for personal purposes. Personal purposes include, but are not limited to, soliciting or proselytizing for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.
7. *Forbidden content* - Employees are prohibited from using the program's information systems in any way that may be disruptive or offensive to others, including, but not limited to, the transmission of sexually explicit messages, cartoons, ethnic or racial slurs, or anything that may be construed as harassment or disparagement of others.
8. *Password security and integrity* - Employees are prohibited from the unauthorized use of the access codes of other employees to gain access to their computer network systems and/or voice mail messages.

9. Personal or other inappropriate use of the information systems will result in disciplinary action up to and including termination.
10. The intent of this policy is to ensure our commitment to all NOWCAP employees the provision of a safe, comfortable and high quality enhanced employment atmosphere.

**Related Regulations:** *(1301.31)*

## PERSONNEL POLICIES

**Policy ID:** P042

**Subject:** Seniority

### **Performance Objective:**

An employee's seniority is determined by length of service.

### **Operational Procedures:**

1. An employee's seniority within a class for layoff and displacement purposes is determined by adding the employee's length of service in the particular class in question to the employee's length of service in other classes at the same or higher salary levels as determined by the salary schedule in effect at the time of layoff.
2. Employees reallocated or transferred without examination from one class to another class having a salary within five percent of the former class carry the seniority accrued in the former class to the new class.
3. Service for layoff and displacement purposes includes only the employee's last continuous permanent program employment. Periods of separation may not be bridged to extend such service unless the separation is a result of layoff. In this case, bridging will be authorized if the employee is re-employed in a regular position within the employee's layoff eligibility.
4. Approved leaves of absence as provided for in these rules and regulations do not constitute a period of separation, **and they do not count towards seniority.**
5. In the event of ties in seniority rights in the particular class in question, ties are broken by length of last continuous permanent program employment. If a tie remains in seniority rights, the tie will be broken by counting total time in the program in permanent employment. Any remaining ties are broken by random selection among the employees involved.
6. The length of service credits of each employee of the program dates from the beginning of the last period of continuous program employment (including temporary, provisional, permanent status, and absences on approved leaves of absence). When an employee separates from a permanent position in good standing and within two years is re-employed in a permanent program position or is re-employed in a permanent program position from a layoff list within the period of layoff eligibility, service credits include all credits accumulated at time of separation but do not include the period of separation. The Chief Executive Officer determines these matters based on the employee status record.

**Related Regulations:** (1301.31)



## PERSONNEL POLICIES

**Policy ID:** P043

**Subject:** Short Term Contract Employees

### Performance Objective:

Certain approvals are required for short term contract employees.

### Operational Procedures:

1. *Contract Employee* - is a skilled temporary employee who is employed by a contract employment agency and assigned to a client company under terms specified by a contract between the agency and the client company.
2. *Temporary Employee* - is a regular employee who is employed for a specified duration of time or amount of work. The temporary employee may be employed by a third-party employer of record (e.g., temporary employment agency, contract employment agency, contractor recruiting firm, pass-through agency, or umbrella service), and leased under contract to a client of the employer of record. Or, the temporary employee may be employed directly by the company that uses his or her services. Examples of temporary employees are short-term clerical and seasonal workers, migrant workers, inventory takers, piece workers, contract programmers, and others whose basis for employment is limited by time or amount of work.
3. A need for contract labor is determined first.
4. Funds must be available for contract labor.
5. Any short term contract employee working over thirty days must be approved by the Chief Executive Officer, and Head Start contract employees must be approved by the Policy Council. Contract employees working less than thirty days do not require Policy Council approval.
6. Contract employees working over one year must have the approval of the Chief Executive Officer.
7. Policy Council approves or disapproves **use of project funds** for contract labor for Head Start Programs.
8. The signed contract is sent to the contractor and other appropriate parties.
9. Copies are filed in the Worland Administration office.

**Related Regulations:** (1301.31)

## **PERSONNEL POLICIES**

**Policy ID: P044**

**Subject: Smoke Free Workplace**

### **Performance Objective:**

To provide for the health and safety of staff and clients and to comply with local ordinances, smoking is prohibited on all NOWCAP property..

### **Operational Procedures:**

1. NOWCAP will comply with the local ordinances regulating smoking in public places.
2. Smoking products will not be sold in NOWCAP facilities.

**Related Regulations:** [(1301.31) and 20 U.S.C. 6083; and see the Head Start Act]

## **PERSONNEL POLICIES**

**Policy ID:** P045

**Subject:** Travel

### **Performance Objective:**

Employees may be expected to travel on program business. It is the policy of NOWCAP to require successful applicants for positions involving operation of a motor vehicle to demonstrate fitness to perform these duties.

### **Operational Procedures:**

1. See also the Personnel Policy # P20-d, Expense Reimbursement.
2. Program employees are allowed compensation for mileage.
3. For such expenses of travel necessarily done by private automobile, employees are allowed a rate set by NOWCAP (not to exceed the US Government rate).
4. Persons hired to operate either NOWCAP owned vehicles or privately owned vehicles are required to submit a current driving record review at their expense at the time of employment. This applies to staff performing NOWCAP business whether or not they are compensated for mileage.
5. Persons with records involving suspension of a driver's license, reckless driving, driving while intoxicated, or excessive number of traffic offenses will not be hired for any position involving driving and may be subject to further action if this is misrepresented at the time of employment.
6. Current staff are also required to notify the personnel office of any driver's license suspension, reckless driving, driving while intoxicated, or excessive number of citations (defined as more than two citations for moving violations in one year).
7. NOWCAP will not assume responsibility for payment of tickets received while operating either company-owned or privately owned vehicles. This includes parking tickets as well as tickets for moving violations.
8. Any employee whose job necessitates driving for company business, who receives driver's license violations making them uninsurable under NOWCAP's insurance carrier, will be no longer be employable.

9. Persons driving agency vehicles must use the Vehicle Purpose and Mileage Log to document their usage.

Related Regulations: *(1301.31)*

## **PERSONNEL POLICIES**

**Policy ID: P046**

**Subject: Unemployment Compensation**

### **Performance Objective:**

Employees of NOWCAP may be eligible for unemployment compensation.

### **Operational Procedures:**

1. The contribution to the unemployment compensation system is borne by NOWCAP.
2. To qualify for unemployment compensation, an employee must meet the requirements imposed by the State of Wyoming.

**Related Regulations:** [see 1301.31 a 1]

## **PERSONNEL POLICIES**

**Policy ID: P047**

**Subject: Use of Facilities**

### **Performance Objective:**

NOWCAP facilities are used in accordance with these regulations.

### **Operational Procedures:**

1. Use of NOWCAP building space by private organizations is allowed with the approval from the Fiscal Officer or Chief Executive Officer.
2. Program Directors are responsible for the program facilities and property used by employees under their jurisdiction. In controlling and administering use of space and facilities, the Program Directors should see that employees do not introduce material which others will find objectionable or offensive for reasons such as their differing social, political, religious, or moral beliefs.
3. Solicitation of contributions or sale of merchandise within NOWCAP buildings is prohibited. This does not include parent fund-raising activities.
4. Restroom and lounge facilities are provided for employee use.
5. Parking stalls and traffic flow are marked in permanent parking areas. Parking other than in designated spaces is prohibited, as is driving in directions other than as marked. Handicapped parking spaces are to be used only for such purposes. Parking areas are to be maintained in a clean and neat manner.
6. No drugs, alcohol or tobacco products shall be consumed in any NOWCAP building, vehicle, or space or used in the conduct of NOWCAP business.

**Related Regulations:** (1301.31); and see 1306.30 c and 1304.53 a

## **PERSONNEL POLICIES**

**Policy ID: P048**

**Subject: Use of Materials and Equipment**

### **Performance Objective:**

Materials and equipment owned and/or operated by NOWCAP are used in the designated manner, comply with safety standards, and are kept in operating condition.

### **Operational Procedures:**

1. Every employee is responsible for the safe and proper usage of NOWCAP materials and equipment.
2. Materials and equipment are used in the manner for which they are intended.
3. Materials and equipment comply with safety standards, as evidenced by instructions and valid warranty documents.
4. Materials and equipment are kept in operating condition.
5. The Program Directors are responsible for having faulty equipment or materials replaced or repaired.
6. Materials and equipment owned and/or operated by NOWCAP are for program use only, and not for personal use.
7. The telephone system is provided for the use of NOWCAP employees in the conduct of their assigned duties. The telephone system is not to be used by employees or the general public for personal calls except as may be authorized by the employee's supervisor.
8. Fax machines are available for NOWCAP use. Telephone numbers for fax machines are listed in the inter-office telephone directory.
9. Use of Computers
  - Employees may use NOWCAP computers to conduct their work.
  - Employees may not use NOWCAP computers for personal use.

Related Regulations: [(1301.31) and see 1304.53]

## **PERSONNEL POLICIES**

**Policy ID: P049**

**Subject: Use of Vehicles**

### **Performance Objective:**

NOWCAP establishes policies on the use and operation of vehicles, both program owned and privately owned, in program business.

### **Operational Procedures:**

1. All staff and passengers are mandated to wear seat belts. Children under 80 pounds and/or eight years of age must be secured in appropriate car seats.
2. If an employee is approved to use his or her own vehicle for work and is involved in an accident while on the job, the employee's own insurance is primary.
3. An employee involved in an accident must contact the local police department and complete an accident report. A copy of the accident report must be sent to the Fiscal Officer in the Worland Administration office.

**Related Regulations: (1301.31)**



## PERSONNEL POLICIES

**Policy ID:** P050

**Subject:** Personal Leave

### Performance Objective:

Personal Leave is used to compensate employees for personal days off.

### Operational Procedures:

1. Regular, full-time and part-time employees will accrue personal leave at the following rate based on the number of years of service. The maximum number of hours that can be earned in one year are:
  - Years 1 - 2 12 Days Personal Leave
  - Years 3 - 5 15 Days Personal Leave
  - Years 6 - 12 18 Days Personal Leave
  - Years 13 - 18 20 Days Personal Leave
  - Years 19+ 25 Days Personal Leave

Employees will be provided the total personal leave on their annual date of hire except for first year employees who will earn 1 day per month.

All personal leave will be on a “use it or lose it” basis. No leave will be carried over from year to year and no leave will be paid out when employees leave NOWCAP employment.

Personal leave may be taken only with permission of the supervisor. Seasonal and Temporary employees are not eligible for paid personal leave.

2. *Request for Leave* - An employee shall submit a written Leave Request Form for leave at least five (5) days before the leave is to be taken. Program Directors may grant accrued leave at any time but shall have the authority to schedule personal leave according to the needs of their program. If a holiday occurs during vacation leave, such holiday(s) shall not be charged against accrued personal leave. All leave requests will be filed in the employee’s personnel file with the time sheets.

**Related Regulations:** [see 1301.31 a]

## **PERSONNEL POLICIES**

**Policy ID: P051**

**Subject: Funeral Leave**

### **Performance Objective:**

NOWCAP understands the need from time to time for funeral leave

### **Operational Procedures:**

1. Absence from work because of a death in the immediate family will be charged to annual leave.
2. Consideration has been given to bereavement needs in establishing annual leave.

## **PERSONNEL POLICIES**

**Policy ID: P052**

**Subject: Educational Leave**

### **Performance Objective:**

NOWCAP has established a policy for education leave.

### **Operational Procedures:**

1. Directed education leave mandated by NOWCAP, will be compensated at full pay and is not charged to annual leave.
2. Employee-selected educational leave may not conflict with their NOWCAP work schedule.

## **PERSONNEL POLICIES**

**Policy ID: P053**

**Subject: Administrative Leave**

### **Performance Objective:**

NOWCAP has established a policy for administrative leave

### **Operational Procedures:**

1. Administrative leave with pay may be granted by the administrator in charge, during dangerous weather, an Act of God, to comply with a subpoena to appear in court or before a judge, to attend professional conferences, institutes, meetings or training seminars or in-service.

## **PERSONNEL POLICIES**

**Policy ID:** P054

**Subject:** Military Leave

### **Performance Objective:**

NOWCAP has established a policy for military leave

### **Operational Procedures:**

1. Military leave will be granted in accordance to State and Federal requirements pertaining to military leave.

## **PERSONNEL POLICIES**

**Policy ID: P055**

**Subject: AIDS and Other Communicable Diseases**

### **Performance Objective:**

People with AIDS or HIV (Human Immunodeficiency Virus) infection are entitled to the same rights and opportunities as people with other serious life-threatening illnesses.

### **Operational Procedures:**

1. NOWCAP policies on AIDS will comply with federal, state and local laws and regulations.

## PERSONNEL POLICIES

**Policy ID: P056**

**Subject: Disciplinary Procedure**

### **Performance Objective:**

To establish and maintain a system of progressive discipline within NOWCAP.

### **Operational Procedures:**

1. Progressive discipline requires that the employee be told:
  - The behavior or weak performance for which the reprimand is given.
  - The specific improvement expected.
  
2. What will happen if improvement is insufficient.
  - Step 1 - Written Warning  
The supervisor will provide a written summary of the rule that has been violated, the expected level of performance and warn the employee that the next time a similar offense could result in termination. A copy of the warning shall be provided to the employee, the Supervisor and the Chief Executive Officer. The employee shall sign a receipt indicating he/she has received the warning notice and it shall be placed in the employee's personnel file.
  - Step 2 - Dismissal  
If the disciplinary status is not successfully completed, the person will be terminated. Dismissal may be warranted as a first step in serious situations.

## **PERSONNEL POLICIES**

**Policy ID:** P057

**Subject:** Policy on Indemnification

### **Performance Objective:**

To establish a policy to indemnify supervisory personnel.

### **Operational Procedures:**

1. It shall be the policy of NOWCAP to indemnify supervisory personnel for expenses incurred in the performance of their duties. This includes, but is not limited to, legal expenses related to personnel matters in which the staff person is represented by legal counsel. Non-supervisory staff who choose to be represented by legal counsel in personnel matters may do so at their own expense.



## **PERSONNEL POLICIES**

**Policy ID: P058**

**Subject: Children in the Workplace**

### **Performance Objective:**

The workplace is not a place for children unless they are enrolled specifically in a NOWCAP program that serves children.

### **Operational Procedures:**

If, under extreme circumstances, an employee must have their child with them at work, it will be for no longer than one (1) hour. Any longer period of time than one (1) hour, the employee will be required to take personal leave time.

## **PERSONNEL POLICIES**

**Policy ID: P059**

**Subject: Reference Guide**

### **Performance Objective:**

To provide a reference to appropriate guidelines from funding sources.

### **Operational Procedures:**

1. In addition to the policies contained in this manual, employees may be subject to regulations from the funding source. Each employee should consult with his/her supervisor to determine these requirements. Nothing contained in the guidelines from any funding source shall be construed to have any effect on employees whose positions are not funded from that source unless specifically indicated in these Personnel Policies and Procedures.