

# OHIO HEARTLAND COMMUNITY ACTION COMMISSION



## EMPLOYEE POLICIES

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## POLICIES AND PROCEDURES HANDBOOK

*EFFECTIVE: 06/01/2019*

ADOPTED BY OHCAC BOARD: 05/09/2019

REVISED BY OHCAC BOARD: 01/13/2022  
(ADDITION MADE ON PG. 69)

The Employee Policies describe important information about OHCAC. The policies and procedures contained herein supersede any and all prior practices, oral or written, or statements regarding the terms and conditions of employment with OHCAC. Except for employment at will status, any and all policies and practices may be changed at any time by OHCAC.

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## ABOUT THIS HANDBOOK

Whether you have just joined our staff or have been at Ohio Heartland Community Action Commission (OHCAC) for a while, we are confident that you will find our OHCAC a dynamic and rewarding place in which to work, and we look forward to a productive and successful association. We consider the employees of Ohio Heartland to be one of its most valuable resources. These policies have been written to serve as the guide for the employer/employee relationship.

There are several things to keep in mind about these policies. First, they are aspirational in nature and contain only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to your Program Director or Benefits Manager. As circumstances arise, it may be necessary to introduce new policies, or to change or discontinue some of the policies and programs outlined in this Handbook. Consistent with this, OHCAC reserves the right to apply, modify, supplement, discontinue, or rescind any part of this Handbook as it deems necessary or appropriate, at any time and without prior notice. **This Handbook is not a contract or other all-encompassing document, nor does it contain contractual commitments of any nature.**

The procedures, practices, policies and benefits described herein may be modified or discontinued from time to time at the discretion of the Board of Directors. We will inform you of any changes as they occur.

These policies and the information in it should be treated as confidential. No portion should be disclosed to others except OHCAC employees and others affiliated with OHCAC whose knowledge of the information is required in the normal course of business.

Some subjects described in these policies are covered in detail in official policy documents. Refer to these documents for specific information because these policies only briefly summarize those guidelines and benefits. Please note that the terms of the written insurance policies are controlling and override any statements made in this or other documents.

## **PERSONNEL POLICY ACCOUNTABILITY**

The Board of Directors is the source of authority for setting personnel objectives and issuing policy statements. All staff are under the general authority of the Executive Director. The Executive Director is responsible for the implementation of policy statements and for the development of all necessary detailed procedures consistent with its intent. The Executive Director may delegate specific authority and responsibility to other staff to carry out these policies.

This statement establishes the standard of performance for all OHCAC compensated personnel. Individual program personnel policies may vary to meet certain grantor specifications but these variances must be noted in the policies and have the approval of the Executive Director.

The Management of OHCAC retains the right to make determinations regarding the application of policies in any matter related to the operation of the organization. Given the inability to imagine every situation that could arise, the Executive Director will evaluate each situation on a case by case basis and make a determination.

## **THE EMPLOYMENT RELATIONSHIP**

Unless otherwise expressed in a written agreement executed by an authorized official with appropriate authority, all employment with Ohio Heartland Community Action Commission is “at will” and may be terminated by either OHCAC or the employee at any time, for any reason or for no reason. No OHCAC official is authorized to make any oral or spoken promise concerning employment which would change the nature of an employee’s at-will status. No such oral or spoken promises should be relied upon by an employee.

No policy contained within this handbook shall be construed as altering the at-will nature of the employment relationship.

## **LEGAL COMPLIANCE**

Ohio Heartland Community Action Commission will comply with all applicable employment laws including, but not limited to: Age Discrimination in Employment Act of 1967 (ADEA); the Older Workers Benefits Protection Act of 1990; the Americans with Disabilities Act of 1990 (ADA); the Civil Right Act of 1964, Title VII; the Civil Rights Act of 1991; the Consolidated Omnibus Budget Reconciliation Act (COBRA); the Drug Free Workplace Act of 1988; the Employee Retirement Income Security Act of 1974 (ERISA); the Equal Pay Act of 1963; the Fair Labor Standards Act of 1938 (FLSA); the Family Medical Leave Act (FMLA); the Health Insurance Portability and Accountability Act of 1996; the Immigration Reform and Control Act of 1986; the Jury System Improvement Act of 1978; the Occupational Safety and Health Act of 1970; the Omnibus Transportation Employees Testing Act; the Pregnancy Discrimination Act of 1978; the Uniformed Services Employment and Re-Employment Rights Act; the Viet Nam Era Veteran's Readjustment Assistance Act of 1974; Vocational Rehabilitation Act of 1973; and the Genetic Information Non-Discrimination Act of 2008 (GINA).

In the event OHCAC policies conflict with laws, the laws will prevail.

Employees who feel that any OHCAC policy or procedure conflicts with a law should bring the matter to the attention the Executive Director.

## **EQUAL EMPLOYMENT OPPORTUNITY STATEMENT**

Ohio Heartland Community Action Commission provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex (including sexual orientation and/or gender identity or expression), national origin, age, disability, genetic information, ancestry, military status, or any other legally protected characteristic in accordance with applicable federal, state and local laws. OHCAC complies with applicable state and local laws governing nondiscrimination in employment in every location in which OHCAC has facilities. This policy applies to all terms, conditions, and privileges of employment, including hiring, placement, promotion, termination, layoff, recall, transfers, leave of absence, compensation, and training.

OHCAC expressly prohibits any form of unlawful employee discrimination or harassment based on race, color, religion, sex, national origin, age, disability, genetic information, ancestry, military status, or any other legally protected characteristic. Improper interference with the ability of OHCAC employees to perform their expected job duties is absolutely not tolerated. OHCAC prohibits retaliation against any employee who engages in activities protected under this policy, including good-faith reporting, assisting in reporting, or participating in an investigation or proceeding arising out of a violation of this policy.



# WORKPLACE HARASSMENT AND RETALIATION POLICY AND COMPLAINT PROCEDURE

## A. Introduction

Unlawful harassment, defined below, undermines the employment relationship by creating an intimidating, hostile, or offensive work environment. Harassment has no place at our OHCAC. It is against OHCAC policy and a violation of law. It must be avoided and will not be tolerated by this organization, whether initiated by an employee, vendor, third party contractor, or anyone with any other type of business relationship with us. Personnel who violate this policy may be disciplined up to and including termination.

This policy applies to all employees, applicants for employment, interns, contractors, and persons conducting business with OHCAC.

## B. What is Unlawful Harassment?

Unlawful harassment is adverse conduct that is motivated by or based upon a person's **race, color, age, religion, disability, gender, sex, sexual orientation or gender identity, ancestry or national origin, military status, or other legally protected characteristic**. Harassment based on any of these legally protected characteristics that creates an abusive or hostile work environment is prohibited by OHCAC. Harassment that is based on any of these characteristics is inappropriate, and it can include physical conduct, or the expression of general hostility to the characteristic, or actions prompted by a failure to conform to stereotypical notions. This includes unsolicited remarks, gestures or physical contact, or the display or circulation of written material or pictures, which are derogatory to either gender or to racial, ethnic, religious, or other protected groups. Harassment is verbal or physical conduct that embarrasses, denigrates, or shows hostility toward a person because of their race, color, religion, gender, sex, sexual orientation or gender identity, national origin, age, military status, or disability, or which is based on such characteristics of a person's relatives, friends or associates.

## C. What is Sexual Harassment?

Prohibited harassment can take many forms. It includes behavior which, to the person involved or a reasonable person in the same or similar circumstances would not be welcome and would be personally offensive. Sexual harassment, in particular, consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment also includes gender-based treatment, and harassment that would not have occurred but for the sex of the victim. Examples (not all inclusive) of behavior that cannot be tolerated are:

1. Abusing the dignity of an employee by insulting or degrading sexual (or other) remarks, slurs, or conduct;
2. Threats, intimidation, demands, or suggestions that an employee's job, salary, or other terms of employment are dependent (either explicitly or impliedly) on the employee's toleration or submission to sexual advances; and/or

3. Improper conduct which has the purpose or effect of interfering with an employee's work performance, or creating an intimidating, hostile, or offensive working environment.

Sex harassment is not limited to conduct that is purely sexual in nature - it also includes harassment that is based on **gender**. Gender-based harassment, which is also prohibited, is conduct that would not occur except for the sex of the person involved. An example would be referring to a woman by or as a female body part, or a demeaning sex-based term, or treating people differently because of their gender. (The same prohibitions apply with regard to inflammatory or offensive comments or conduct which are based upon any protected classification, such as race, color, age, religion, disability, or national origin. In short, working relationships between employees must be based on mutual respect.)

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

#### **D. Reporting Harassment and Investigation**

Any employee who experiences or observes conduct believed to be a violation of this policy should tell the harasser that the behavior is offensive and that you want it to stop. If you are uncomfortable for any reason confronting the harasser or are unsuccessful in convincing the harasser to stop, you must immediately report the incident. Employees are encouraged to report incidents directly to their immediate supervisor, but any employee may instead report any incidents to the Program Director, the Human Resources Director, or the Executive Director.

Managers and supervisors are required to report any complaint they receive, or any harassment that they observe or become aware of, to the Executive Director.

OHCAC will conduct a thorough investigation whenever management receives a complaint about harassment or otherwise knows of the occurrence of possible harassment. If the complaining party so requests, the investigation will be kept confidential to the extent possible and/or appropriate for the investigation.

*Where the focus of a complaint is against a Board member or senior executive, a complaint may be directed to any other member of senior management, Human Resources, or Board member. In that event, OHCAC's CEO (if not involved) and/or counsel will form a special committee, comprised of at least three neutral and objective personnel (selected from staff and/or external participants, as CEO/counsel determines) to investigate and make a recommended determination and disposition with respect to the allegations.*

Preventing unlawful harassment is everyone's responsibility. OHCAC cannot prevent or remedy harassment unless it knows about it. A failure to report any objectionable conduct by any employee indicates that the relationship is consensual and/or that the conduct is not offensive or unwelcome to the employee.

OHCAC will not tolerate or condone unlawful harassment. In addition, we prohibit inappropriate, unacceptable, or unwelcome conduct between employees, regardless of whether it may strictly

violate this Policy or rise to the level of illegal harassment. Violation of these expectations of appropriate workplace conduct may result in disciplinary action.

Any complaints of harassment will receive thorough and impartial attention, including an investigation. Where it is determined by OHCAC that sexual or other improper harassment of another employee has occurred, appropriate disciplinary measures, depending on the circumstances and ranging from a warning or unpaid disciplinary suspension to dismissal, will result.

**E. Retaliation Prohibited**

There will be no retaliation or reprisal against any employee who reports a complaint or who provides a witness statement during the investigation, with the exception of knowingly false complaints or statements. No person covered by this Policy shall be subject to adverse action because the employee reports an incident of harassment, provides information, or otherwise assists in any investigation of a harassment complaint. OHCAC will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of OHCAC who retaliates against anyone involved in a harassment investigation will be subjected to disciplinary action, up to and including termination. Anyone working in the workplace who believes they have been subject to such retaliation should inform any one of the individuals identified in the Reporting section of this Policy.

## **AMERICANS WITH DISABILITIES ACT (ADA) AND THE ADA AMENDMENTS ACT (ADAAA)**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that govern employment of individuals with qualifying disabilities.

It is the policy of OHCAC to comply with all laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our policy not to discriminate against qualified individuals with disabilities with regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

OHCAC will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to OHCAC. Contact the Executive Director with any questions or requests for accommodation.

OHCAC strives to have job descriptions that contain as accurate and complete a description of the essential functions and physical requirements of that job as possible. Candidates for employment will be given an opportunity to read such a job description and will be asked to indicate in writing whether they are capable of performing the duties as described with or without reasonable accommodation. From time to time, OHCAC may require medical documentation indicating that an individual with a disability can perform the essential functions of their job with or without accommodation.

# WHISTLEBLOWER POLICY

## **General**

The Ohio Heartland Community Action Commission Code of Ethics and Conduct (Code) requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of OHCAC, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

## **Reporting Responsibility**

It is the responsibility of all directors, officers and employees to comply with the Code and to report violations or suspected violations in accordance with this Whistleblower Policy.

## **No Retaliation**

No director, officer or employee who, in good faith, reports a violation of the Code, assists in reporting, or who participates in an investigation or proceeding of such reports shall suffer harassment, retaliation, or adverse employment consequences. An employee who retaliates against someone who has exercised their rights under this Policy, in good faith, is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within OHCAC prior to seeking resolution outside OHCAC.

## **Reporting Violations**

The Code addresses OHCAC's open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with OHCAC's EEO officer or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations of the Code of Conduct to the Organization's Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with following the Organization's open door policy, individuals should contact the Organization's Compliance Officer directly.

## **Compliance Officer**

The Organization's Compliance Officer is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Code and, at his discretion, shall advise the Executive Director and/or the Board of Directors or finance committee. The Compliance Officer has direct access to the Board of Directors and committees and is required to report to the board or designated committee at least annually on compliance activity. The OHCAC's Compliance Officer is the chair of the finance committee. See APPENDIX A for name and address.

## **Accounting and Auditing Matters**

The finance committee of the Board of Directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the audit committee of any such complaint and work with the committee until the matter is resolved.

**Acting in Good Faith**

Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a disciplinary offense.

**Confidentiality**

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

**Handling of Reported Violations**

The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Noted: in compliance with Dodd-Frank Act 2010  
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# DRUG-FREE WORKPLACE

Ohio Heartland Community Action Commission has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, OHCAC is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment. The Program Directors and Benefits Manager is responsible for policy administration.

## **Employee Assistance and Drug-Free Awareness**

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Benefits Manager.

OHCAC will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated. Such employees may be required to document that they are following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose medical conditions to their supervisor.

## **Work Rules**

The following work rules apply to all employees:

- Whenever employees are working, operating any OHCAC vehicle, present on OHCAC premises, or conducting OHCAC related work, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing or dispensing any alcoholic beverage, illegal drug (to include possession of drug paraphernalia), or controlled substance (including medical marijuana, whether prescribed or otherwise).
  - Being under the influence of alcohol, illegal drugs, or controlled substances (including medical marijuana, prescribed or otherwise).
- The presence of any detectable amount of any illegal drug or controlled substance (including medical marijuana, prescribed or otherwise) in an employee's body while performing OHCAC business, while in an OHCAC facility, or while attending OHCAC sponsored events (whether on or off OHCAC premises) is prohibited.
- OHCAC will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication other than medical marijuana must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked. Medical marijuana is strictly prohibited on or in OHCAC premises or property at any time.

- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement official and may result in criminal prosecution.

### Required Testing

OHCAC retains the right to require the following tests:

- **Pre-employment:** All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing or testing positive for illegal drugs and/or controlled substances not prescribed by a treating physician may result in disqualification of further employment consideration.
- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. The Program Director must approve sending an employee for reasonable suspicion testing. Refusal to submit to testing or testing positive for alcohol, illegal drugs, and/or controlled substances not prescribed by a treating physician will result in discipline up to and including discharge.
- **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that damage an OHCAC vehicle, machinery, equipment or property and/or result in an injury to themselves or another employee requiring off-site medical attention. In these instances, the investigation and subsequent testing will be required to take place within two (2) hours following the accident, if not sooner. Refusal to submit to testing or testing positive for alcohol, illegal drugs, and/or controlled substances (including medical marijuana, whether prescribed or otherwise) will result in discipline up to and including discharge.
- **Random:** Employees are subject to testing at random, without notice. Refusal to submit to testing or testing positive for alcohol, illegal drugs, and/or controlled substances not prescribed by a treating physician will result in discipline up to and including discharge. If an employee tests positive in their first ninety (90) days of employment, they will be terminated.
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee's work history/record, OHCAC may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive for alcohol, illegal drugs, or controlled substances not prescribed by a treating physician after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.
- **Annual:** In addition to the above listed circumstances, all employees will be required to pass a drug test sometime during the agency program year.

### Consequences

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the test. After the results of the test are received, the Program Director will schedule a time to discuss the results of the test. If the results prove to be negative, the employee will receive back pay for the days of suspension.



### **Confidentiality**

OHCAC management shall make every effort to keep information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations confidential to the extent required by law and maintained in secure files separate from normal personnel files.

### **Inspections**

OHCAC reserves the right to inspect its premises for drugs, controlled substances (including medical marijuana, whether prescribed or otherwise), alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, controlled substance, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

### **Crimes Involving Drugs**

OHCAC prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug or controlled substance (including medical marijuana, prescribed or otherwise) in or on OHCAC premises or property or while conducting OHCAC business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

**Employees who are injured while on the job may be required to take a drug or alcohol test if OHCAC believes there is cause to suspect the employee was intoxicated or under the influence of drugs (including medical marijuana). (Examples of such cause include physical symptoms, abnormal or erratic conduct, absenteeism, information from a reliable source, etc.). You should be aware that an employee who tests positive or refuses to submit to chemical testing for alcohol or controlled substances (not prescribed by a treating physician) after a work-related injury faces a rebuttable presumption that the alcohol or controlled substance proximately caused the injury. The burden of proof will be on the employee to prove that the presence of alcohol or a controlled substance (including medical marijuana) was not the proximate cause of the work-related injury, and failure to overcome this rebuttable presumption will disqualify the employee for compensation and benefits under the Workers' Compensation Act.**

## VIOLENCE IN THE WORKPLACE

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, customer, vendor or business associate will not be tolerated. OHCAC resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. OHCAC treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, or anyone in management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform their Program Director of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. OHCAC will not retaliate against employees making good-faith reports.

OHCAC will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. OHCAC will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, OHCAC may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

OHCAC encourages employees to bring their disputes to the attention of their supervisors or Program Director before the situation escalates. OHCAC will not discipline employees for raising such concerns.

## WEAPONS

The safety of our employees, clients and visitors is of paramount importance. Accordingly, OHCAC prohibits its employees, contractors, agents, including any individuals licensed to carry concealed weapons, from carrying firearms, handguns or any potentially lethal or dangerous device (including, but not limited to, knives, clubs, explosives, etc.) while:

- On or in any property owned, leased or controlled by OHCAC (including buildings, and vehicles);
- While performing any duties for OHCAC;
- While being paid by OHCAC; or
- While at OHCAC-sponsored events.

Notwithstanding the foregoing, individuals with a valid concealed handgun license may transport or store their licensed firearms and/or ammunition in their privately owned motor vehicle on OHCAC parking lot, provided that all of the following conditions are met: (a) when the license holder is absent from the vehicle, the gun and ammunition must be locked in the trunk, glove compartment, or other enclosed compartment of the vehicle, (b) when the license holder is present in the vehicle, the gun and ammunition must remain in the vehicle, and (c) the vehicle must be parked in a permitted location. The only other exception to this policy is for law enforcement officers on official business.

Violation of this policy will result in disciplinary action, up to and including termination. In addition, OHCAC prohibits visitors from carrying firearms, handguns or any potentially dangerous device on OHCAC property. An employee who becomes aware of another person violating this policy must immediately notify a supervisor.

## **SAFETY**

It is imperative that each employee accept responsibility for personal safety as well as that of co-workers using good judgment and prudence at all times. Each employee is required to follow all OHCAC safety rules, OSHA regulations, Universal Precautions as set forth by the Centers for Disease Control (CDC) and any other legal, equipment or task specific safety rules. General employee safety training will be provided on a regular basis. Program Directors are responsible to ensure training of a specific nature for the employee working in their areas.

Employees are required to study, retain and practice good safety behaviors at all times asking questions when in doubt of procedures or circumstances. Employees are required to report all unsafe practices or working conditions to their supervisor or Program Director.

All employees should know fire and emergency evacuation procedures for their working areas. Employees are also required to know the location of the fire extinguishers, alarms and first aid kits. Employees are required to keep their work areas clean, neat and safe from all potential hazards.

### **Reporting Accidents**

An employee who is injured or becomes ill on the job must report that injury or illness to a supervisor immediately if medically able to do so. Employees who have knowledge of a co-workers injury or illness must report same to a supervisor immediately. The supervisor must notify the Benefits Manager immediately. The Program Director will insure that the employee completes the Employee Incident/Accident Report and forwards it directly to the Benefits Manager. No one else may have a copy of this report.

### **MEDICAL ATTENTION**

If an employee is injured while at work and requires medical attention, he/she may go to the medical provider of his/her choice so long as that provider is licensed by the Ohio Bureau of Workers Compensation to provide such care.

The Benefits Manager provides each employee with an identification card which has information about the managed care organization which assists OHCAC with Workers Compensation. This card contains address, FAX number, and telephone number of the MCO where the Workers Compensation First Report of Injury (FROI) should be sent or faxed.

If an injured employee requires medical attention but is not conscious or able to move, a supervisor should be notified immediately and the person nearest the employee at the accident site should call 911. The injured employee should not be moved.

### **HAZARDOUS CHEMICAL COMMUNICATIONS PROGRAM**

Each work site must have a poster telling employees where the Hazardous Communication materials are kept. A binder which contains the written Hazard Communication Program, the Exposure Control Plan and all the Material Safety Data Sheets (MSDS) for each chemical used in that work site is required to be kept in a central, available location. It is the responsibility of the Program Director, with the assistance of the Benefits Manager, to ensure that the material in this binder is kept organized and up-to-date.

The Benefits Manager will coordinate annual training in these subjects and all employees are required to attend and demonstrate their understanding and grasp of these subjects.

No employee may bring any chemical or product to the work site for use unless it is approved for use by the Program Director and a Material Safety Data Sheet is obtained on the product before it is put into use.

Any changes to chemicals used, any additions or deletions of MSDS should be reported by the Program Director to the Benefits Manager and a copy of the MSDS sheet sent to the Benefits Manager for retention in the master records.

## **TOBACCO FREE WORKPLACE**

It is the policy of Ohio Heartland Community Action Commission to prohibit the use of all forms of tobacco (including cigarettes, cigars, cigarillos, pipes, water pipes, snuff, chewing tobacco, dissolvable tobacco products, and electronic cigarettes, also known as e-cigarettes, e-vaporizers, or electronic nicotine delivery systems) by all persons in or on OHCAC premises or property, while conducting OHCAC business, and/or while attending OHCAC-sponsored events (whether on or off OHCAC premises).

## **STAFF PHYSICAL POLICY**

All employees may be required to have a physical and TB tests to insure safe performance of their jobs at the discretion of the Executive Director. The Program Director or Benefits Manager, or their designees, will determine the location and will schedule the physical.

All employees paid with Head Start funds are required to have a physical upon hiring.

TB tests are required every year for Head Start staff and Indirect staff due to HS Performance Standards. Head Start Bus/Van Drivers are required to have a Standards T-\* physical with a TB test every year.

All physicals and TB tests will be at OHCAC's expense.

## **EMPLOYEE ILLNESS**

Employees who are ill are expected to take whatever precautions necessary not to expose other people to their malady. If you are sick, stay home. Employees who are ill should contact their supervisor to indicate they will not be reporting to work.

Employees should contact their supervisor as soon as possible. OHCAC employees should contact their supervisor no later than 15 minutes before their shift is scheduled to begin. Head Start staff should contact their supervisor no later than ONE (1) HOUR before their shift is scheduled to begin. You must talk directly to a supervisor. Texting or emailing is NOT sufficient.



## **DRIVING**

It is the policy of Ohio Heartland Community Action that all employees be licensed to drive, carry vehicle insurance, and have access to reliable transportation if driving may be required by the job description.

At the time of employment applicants for positions that require driving will be required to produce a valid driver's license and written proof current and acceptable vehicle insurance. Alternatively, if the employee will be covered by OHCAC's general liability insurer, he or she will be required to produce such documentation as OHCAC may deem necessary in order to secure coverage for the employee.

The Program Director may approve an exemption from the requirement to drive and note the status in the employee's personnel file.

If an employee fails to maintain reliable transportation, a valid driver's license, or acceptable vehicle insurance, the employee will be disciplined. Employees shall provide proof of renewal of a driver's license and vehicle insurance to the Head Start supervisor, or a designee, upon each occurrence for placement in the employee's staff personnel file.

If an employee loses the right to drive or becomes uninsurable for any reason, whether under his/her individual plan or OHCAC's general liability insurance coverage, he/she will no longer be permitted to drive OHCAC vehicles or drive for OHCAC business and may be terminated.

### **SAFE DRIVING REQUIREMENTS**

Employees are required to be rested, free from the influence of alcohol, drugs (legal or illegal), and controlled substances (including medical marijuana, whether prescribed or otherwise) while driving any vehicle on OHCAC business.

Employees are required to obey motor vehicle laws and all occupants are to use seatbelts while riding in any vehicle on OHCAC business.

Employees are prohibited from using cell phones while driving any vehicle on OHCAC business. Safety must come before all other concerns. Employees should safely stop the vehicle before placing or accepting a call and reading or sending text messages. In situations where job responsibilities include regular driving and accepting of business calls, hands free equipment may be supplied upon request to the Executive Director. Hands free equipment should only be used in areas where it is permitted by law.

Texting while driving is prohibited in any vehicle when driving on OHCAC business.

Employees who are charged with traffic violations while driving OHCAC property or engaging in OHCAC business will be solely responsible for all liabilities that result from such actions. Violators of this policy will be terminated.

## HIRING

It is the policy of OHCAC to fill vacancies with the best qualified candidates, without regard to any legally protected characteristic. OHCAC strives to provide the first opportunity to fill a vacancy to current employees. Recruitment will be open to any person who can present satisfactory evidence of qualifications for the position within the application period.

The Executive Director is authorized by the Board of Directors to recruit, hire, promote, and transfer all OHCAC personnel subject to the provisions contained in the policy.

Notice of positions for which vacancies exist will be posted on OHCAC's web site. Vacancies will be posted for a minimum of five (5) working days. Temporary Acting positions may be filled without posting with approval of the Executive Director.

If a position is otherwise advertised, the advertisement will publicize the deadline for applying for the position and should note that Ohio Heartland Community Action Commission is an Equal Opportunity Employer and Services Provider. OHCAC may also use current technology for recruitment.

All information submitted by applicants is subject to verification. A record of this verification will be kept in the employee's personnel file. Whenever possible, three previous employment references will be obtained.

A job description will be posted on OHCAC's web site for applicants to read.

Applications will be screened on the basis of the information contained therein and the written qualifications of position. Merit and consideration will determine those who are interviewed.

All applicants will be subject to background checks, drug tests, and verification of vehicle insurability. See sections 402, 301, and 308.

Final decision to hire will be approved by the Executive Director.

## **BACKGROUND AND REFERENCE CHECKS**

To ensure that individuals who join OHCAC are well qualified and to help ensure a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants considered for employment.

All offers of employment are conditioned on receipt of a background check report that is acceptable to OHCAC. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

Pursuant to the Fair Credit Reporting Act, if information obtained in a background check would lead OHCAC to deny employment, or if requested by an applicant or employee, a copy of such report will be provided and the applicant may have the opportunity to dispute the report's accuracy with the issuing entity (not OHCAC). Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record will be made on applicants for particular job categories if appropriate and job related.

OHCAC also reserves the right to conduct a background check for current employees at any time during employment at the sole discretion of the Executive Director.

Head Start staff are required to have renewal background checks every five (5) years pursuant to Ohio Department of Job & Family Services regulations. If ODJFS determines that a current staff member can no longer work for Head Start, the employee may be terminated.

## **NEW EMPLOYEE ORIENTATION**

All new employees are required to attend orientation at which time OHCAC policies and procedures, benefits forms, payroll forms and procedures will be distributed and discussed. The employee will also receive training material covering selected topics such as safety, drugs and alcohol, harassment, and appropriate program information.

## CONDITIONAL EMPLOYMENT PERIOD

All new employees or current employees assuming new positions will experience a conditional employment period of ninety (90) consecutive calendar days starting from the date of hire.

During this period the employee is given the opportunity to demonstrate performance, behavior, attendance and punctuality consistent with quality and quantity standards and to demonstrate compliance with OHCAC's Personnel Policies. Should the employee fail to meet these standards, he or she may have the opportunity to improve before the ninety (90)-day period has elapsed. The Supervisor may develop and implement an action plan specifying the problems, corrective action and timelines. However, this notification is not required before termination can occur. Nor does the entire conditional period for termination need to be completed nor can the employee appeal.

The conditional employment period may be extended one time for up to an additional 60 days upon the approval of the Executive Director. The employee does not have the right to appeal this decision unless discrimination is involved

When an employee has been promoted or transferred to a new position, he or she is placed on a ninety (90) day conditional employment period. The same measurement of performance, behavior, attendance, punctuality, etc. as described above will be applied. If the employee fails to meet the required standards, employment may be terminated. The conditional period for employees under this section may not be extended.

When promotion or transfer occurs, the employee's previous job will not be held open. If there are other positions open the employee may apply. Nothing in this policy is meant to alter an employee's status as "at-will."

### **Disciplinary conditional employment**

If, at any time, an employee's work performance, behavior, attendance and/or punctuality are not acceptable, he or she may be placed on a period of disciplinary conditional employment not to exceed ninety (90) days. A written action plan may be completed by the employee's supervisor reflecting the unacceptable performance, behavior, etc. The plan will list areas of unacceptable performance, corrective measures, and time lines for improvement. Nothing in this policy is meant to alter an employee's status as "at-will."

Nothing set forth in this Policy is intended to, nor shall it have the effect to, modify or in any way alter the at-will nature of employment.

# EMPLOYEE TRAINING

## **NEW EMPLOYEE**

The Program Director will be responsible for assuring such orientation and training as is necessary for the employee to function effectively in his/her position is provided to new employees.

## **MEETINGS, SEMINARS**

Employees' attendance and participation in OHCAC provided training is required at the sole discretion of the Program Director.

Within budget limitations, education and training opportunities will be provided through attendance at meetings, seminars, workshops, webinars and the like which may be outside the regular work environment subject to the approval of both the Program Director and Executive Director.

## **OHCAC TRAINING**

OHCAC will also provide such other training as required by law, regulation or is deemed prudent to offer by OHCAC. This may include, but is not limited to:

1. Fire Safety Rights
2. OSHA Standards
3. Universal Precautions
4. Sexual Harassment
5. Hazardous Chemicals
6. Material Safety Data Sheets
7. Lifting, Back Safety
8. Drug & Alcohol Abuse
9. And other job related training topics

## **JOB CATEGORIES**

All positions will be categorized as follows:

**PERMANENT FULL-TIME FULL YEAR (PFTFY)** is defined as employees who work a regularly scheduled thirty (30) hours per week or more for an indefinite period of time. PFTFY employees are eligible for sick, annual, holiday and personal leave, health benefits, life insurance and retirement, subject to the limitations of the plan document governing the specific benefit in question.

**PERMANENT FULL-TIME SEASONAL (PFTS)** is defined as employees who work a regularly scheduled thirty (30) hours per week or more for a specified period of time. PFTS employees are eligible for sick, annual, holiday and personal leave, health benefits and retirement, subject to the limitations of the plan document governing the specific benefit in question.

**TEMPORARY FULL-TIME (TFT)** is defined as employees who work a regularly scheduled thirty (30) hours per week or more for a specified period of time of less than one year in duration. TFT employees are eligible for sick, and holiday leave subject to the limitations of the plan document governing the specific benefit in question.

**PERMANENT PART-TIME FULL YEAR (PPTFY)** is defined as employees who work a regularly scheduled time amounting to less than thirty (30) hours. PPTFY employees are eligible for sick, annual, holiday and personal leave, and retirement subject to the limitations of the plan document governing the specific benefit in question.

**PERMANENT PART-TIME SEASONAL (PPTS)** is defined as employees who work a regularly scheduled time amounting to less than thirty (30) hours for a specified period of time. PPTS employees are eligible for sick, annual, holiday and personal leave, life insurance and retirement subject to the limitations of the plan document governing the specific benefit in question.

**TEMPORARY PART-TIME (TPT)** is defined as employees who work a regularly scheduled time amounting to less than thirty (30) hours per week for a specified period of time. TPT employees are eligible for sick and holiday leave subject to the limitations of the plan document governing the specific benefit in question.

**ON-CALL (OC)** is defined as employees who are not regularly scheduled and have no set number of hours to work each day or week. The employee may be called to fill in for an employee in one of the above categories or may work on an "as-needed" basis. An Associate Teacher without a CDA may only serve in an OC capacity. On Call staff must consistently work 30 hours per week or 130 hours per month for 90 days or more to be offered health insurance benefits. OC employees are not eligible for any other benefits.

**TEMPORARY ACTING (TACT)** is defined as those employees appointed to fill positions on an interim basis. TACT employees are not eligible for benefits.

Current employees who move into any new category temporarily maintain the benefits they would be eligible for under the old category for the duration of the temporary employment.

## HOW AND WHEN YOU ARE PAID

Pay for all employees is on an hourly basis. You are paid a specific hourly rate for each hour worked. Vacation and holiday pay are based upon your regular hourly rate.

Employees are classified as either exempt or non-exempt. Regardless of classification, all employees are expected to submit accurate records of time worked. All staff, regardless of exempt or non-exempt classification, accrue sick time and annual leave on the same basis, and are provided the same holidays. Pursuant to federal and state law, non-exempt employees are entitled to overtime compensation for hours worked in excess of forty in a workweek.

**All non-exempt employees must report and record all time worked, and no one at OHCAC has the authority to request or direct otherwise. If a directive is given to work “off the clock,” or if “work off the clock” is encouraged, the employee must immediately report the directive to the Executive Director. All recorded working time must be compensated.**

### Overtime Pay

When production requirements must be met, overtime work will be necessary. Non-exempt employees will be paid overtime at the rate of one and one half times their regular hourly rate of pay for all hours actually worked in excess of forty hours in a week. Exempt employees are not paid overtime.

All overtime hours must be approved in advance by your supervisor.

Non-exempt employees are not permitted to work more than forty (40) hours per week unless authorized in advance by the Program’s Director. Employees are not permitted to work in excess of forty (40) hours in one week without authorization in writing from the appropriate Program Director. In instances where an employee believes they will need to work more than 40 hours the Employee should discuss the issue with the Program Director as soon as possible. In instances where an employee works more than 40 hours per week without consent, the Employee will be paid for all hours worked but may be disciplined, up to and including termination.

Employees are not permitted to work “off the clock” (i.e. perform work for which the employee is not paid). If it is discovered that an employee has performed work “off the clock” for which he or she was not paid, the employee is to notify the supervisor as soon as possible so that an immediate correction can be made to ensure that time worked is compensated.

Employees are not permitted to take work home unless authorized to do so in writing by their Program Director. This time must be properly documented on a time sheet so that it may be paid. An employee who has performed work at home without authorization of his/her Program Director will receive an appropriate Disciplinary Action but the time worked will be paid.

### Time Reporting

In order to ensure accurate and prompt processing of your payroll check, it is essential that you report all hours to be paid on your electronic time sheet.

Use the electronic time sheet to record your total hours worked each day. Use the sign-in sheets at each location to record your starting time, the time you leave for and return from



lunch, the time you stop work at the end of your shift, and any other time away from work for personal reasons.

Please promptly notify the Fiscal Office Manager if you have any difficulties accessing, entering or submitting your time. Your Supervisor will need to approve any adjustments made on your time sheet. Recording hours on the time sheet of another employee is a very serious action and may result in corrective action, including termination of employment, for all parties involved.

At the close of your last work day of your pay period, review your time sheet for accuracy. Submit the timesheet electronically to your Supervisor before you leave.

All OHCAC employees must use the current electronic time keeping system to report time worked and leave taken.

Time should be entered on a regular basis during the pay period and submitted to supervisors for approval at the end of the two-week pay cycle. Employees are required to record all hours worked. Under no circumstances are employees permitted to work "off the clock."

Entering time for another employee is not permitted unless approved by the Program Director. The documentation for the reason will be submitted to the Fiscal department in that pay period.

Employees must sign in at all OHCAC sites. Hours represented on sign-in sheets must agree with time reported for payroll.

Timesheets not submitted correctly or timely may be processed in a succeeding pay period. Any violations of this policy will lead to discipline up to and including possible termination of employment.

## **EMPLOYEE RECORDS**

You are responsible for informing OHCAC of current and accurate personal information, such as your name, home address, telephone number, marital status, number and names of dependents, etc. It's important for our records to be accurate to avoid problems concerning your taxes, benefits, and other matters. When you join OHCAC, you will need to complete your new hire paperwork. Thereafter, please promptly notify your Supervisor of any changes in your personal data via an Employee Action Form and updating electronically through our timekeeping program.

## **JOB DESCRIPTIONS**

A written job description will be created for every job in OHCAC and approved by the Executive Director. The required format of the form is as follows:

### **JOB DESCRIPTION**

**POSITION TITLE:**

**DEPARTMENT:**

**REPORTS TO:**

**PRIMARY WORKSITE:**

**FLSA STATUS:**

**DURATION STATUS:**

**PAY GRADE/RATE:**

**DATE REVISED:**

**BOARD REVIEWED:**

**BACKGROUND CHECKS:**

**JOB SUMMARY:**

**ESSENTIAL FUNCTIONS:**

**NON-ESSENTIAL FUNCTIONS:**

**ACCOUNTABILITIES:**

**JOB QUALIFICATIONS:**

This document does not create an employment contract, implied or otherwise.

I have read this job description and I understand the requirements of this position and agree that I can perform the above listed functions.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# **EMPLOYEE PERFORMANCE EVALUATIONS**

## **POLICY**

OHCAC strives to conduct evaluations of all employees below the level of Program Director on an annual basis. Evaluations include written documentation of the evaluation and occur at a time specified by the Program Director.

## **ROLE OF MANAGEMENT**

The employee's written performance evaluation must be completed by, at minimum, a supervisor assigned by the Program Director. The completed evaluation shall be reviewed by the Program Director for appropriateness before the evaluation is presented to the employee. Both 'rater' and 'reviewer' should sign and date the evaluation.

The written evaluation should be completed in accordance with standards as set forth by the Executive Director, should be detailed, thorough, and accurate and should reflect the employee's performance over the preceding twelve (12) month period.

The written evaluations of all employees must be completed by the deadline established by the Executive Director.

## **EMPLOYEE'S RESPONSE**

Each employee is offered the opportunity to respond to his/her performance evaluation in writing on the evaluation form. If the employee objects to the overall rating and content of the evaluation, he/she should make an appointment to discuss the matter with his/her Program Director. If the evaluation has been prepared by the Program Director, the employee may discuss the evaluation with the Executive Director. There is no guarantee that an employee's objection to the rating and content will result in a modification of the rating or content. The rating and content remain at all times at the sole discretion of OHCAC.

## **DOCUMENTATION**

The employee performance evaluation will be maintained in the employee's personnel file and is available for review by the employee.

## **OTHER EVALUATIONS**

A written performance evaluation is to be completed at the end of the employee's initial ninety (90) day conditional employment period as defined on page 26 to determine if the employee has passed their job performance or needs an extension of thirty (30) days or if employment is terminated.

## **PROMOTION AND TRANSFER**

### **POLICY**

It is consistent with the mission of this organization to promote from within whenever possible and to provide growth, learning opportunities and job enrichment by transferring employees from one position or program to another. However, promotion and transfer will occur only within the boundaries set forth in the Recruitment policies contained herein. Employees wishing to transfer or be promoted must apply when the position is posted, and must have the required abilities, skills, education, training, experience and physical capability as outlined in the job description. The employee's past performance as recorded in the employee's evaluations or in the employee's disciplinary records, if any, will also have an impact on the decision to promote or transfer an employee.

Employees who apply for and are selected for a new position will serve a ninety (90) Day conditional employment period as defined in Section 404. The conditional period will not affect benefits already in place. Nothing in this policy modifies, or is intended to modify in any way, an employee's status as an at will employee of OHCAC.

## **PERSONNEL RECORDS**

### **EMPLOYEE PERSONNEL FILE**

A personnel file which is the property of OHCAC will be maintained for each employee. Each file will contain the complete history of the individual's employment with OHCAC. Personnel files may not be removed from OHCAC's administrative office.

Personnel files may contain:

- Employment application
- Current job description
- Confidential statement
- W4
- Direct deposit
- Verification of previous employment
- Reference check
- Acceptance of position
- Employee action forms for all personnel actions
- Disciplinary actions
- Performance evaluations
- Training and education
- Criminal background check
- Verification of valid driver's license and current vehicle insurance
- Annual Orientation Policy and Procedures Checklist

No other documents are to be placed in the personnel file without the approval of the Executive Director

### **EMPLOYEE MEDICAL RECORDS**

Separate employee files are to be maintained for medical records and workers compensation claims. Access to these files is limited to those employees approved by the Executive Director.

### **CONFIDENTIALITY**

The employee's personnel file and medical file are regarded as confidential and will be treated as such.

1. The employee's personnel files are to be kept in a locked file cabinet.
2. The contents of the file will not be released or revealed to anyone without a legitimate need to know and appropriate authorizations.

### **EMPLOYEE ACCESS TO FILE**

Copies of all documents that are signed by the employee will be offered to the employee at the time of the document's execution. Documents which are provided by the employee should be copied by the employee before submitting them for filing.

The employee may be permitted to examine the content of his/her file in the presence of the Program Director. An appointment should be made with the Director in advance of the viewing. The employee is not permitted to remove documents from his/her file.

Any document which would have been copied for the employee at the time of its execution may be copied and provided to the employee at any time. Other items may be requested and copied at the sole discretion and with the consent of the Executive Director.

The entire contents of the employee's file will not be copied and provided to anyone, including the employee, unless a subpoena compels such an action.

### **RELEASE OF INFORMATION**

If an employee signs a form authorizing a release of certain information contained within the employee's personnel file or separate medical and/or workers compensation file(s), OHCAC shall release the information pursuant to the terms of the employee's authorization.

### **KEEPING PERSONNEL RECORDS ACCURATE**

#### **POLICY**

It is the policy of OHCAC that the responsibility for maintaining accurate and up to date employee personnel files is shared by OHCAC and the employee.

1. Employees are required to provide their Program Director and the Fiscal Department and the Benefits Manager with updated personal information in a timely manner. Such information would include but not be limited to: phone number, address, marriage, divorce, death, birth, change in tax status, change in beneficiary, etc.
2. Certain changes in an employee's personal information results in a legal obligation on the part of OHCAC. Failure to notify management in writing, the result of which incurs penalties to OHCAC, may bring about discipline up to and including termination.

OHCAC will rely on the information provided by employees for personnel and employment purposes.

## **WORK SCHEDULES AND ATTENDANCE**

Not reporting to work and not calling to report the absence is a no-show and is a serious matter and may result in termination.

### **REGULAR WORK WEEK**

The regular work week for most full-time employees will consist of five (5) consecutive days, Monday through Friday. There may be exceptions. Scheduling should ensure that staff is available whenever OHCAC facilities are open to the public.

- a. Non-exempt full-time employees are compensated on the basis of a thirty seven and one half (37.5) hour week. These employees will generally work five (5) seven and one-half (7.5) hour days from 8:00 AM to 4:30 PM. They are permitted one (1) hour non-work time for lunch which is unpaid. This schedule may vary by program. Employees are informed by supervisors of different schedules.
- b. For business reasons, the Program Director may change the employee's work schedule at any time providing advance notice whenever possible.
- c. Neither the lunch nor break periods may be used to account for a late arrival or early departure unless approved by the Program Director.

### **EXEMPT EMPLOYEES**

Exempt Full-Time employees are expected to dedicate as much time as necessary to successfully complete job assignments and are not subject to strict compliance with set hours. These employees are subject to compliance with requests of the Executive Director.

### **ADJUSTED WORK SCHEDULE**

A Program Director may adjust an employee's work schedule with the approval of the Executive Director during the course of any regular work week so as to avoid working over thirty seven and one half (37.5) hours in that week or to "make up" for time lost. But an employee's work schedule cannot be adjusted from one week to the next, but must be adjusted within the thirty seven and one half (37.5) hour week which runs from Sunday to the following Saturday.

### **IF YOU ARE LATE**

Employees who are eight minutes late to their scheduled shift will have their hours deducted by a  $\frac{1}{4}$  hour. If an employee is 16 minutes late they will have their hours worked reduced by  $\frac{1}{2}$  hour; if they are 31 minutes late they will have their hours worked reduced by  $\frac{3}{4}$  hour; if they are 46 minutes late they will have their hours worked reduced by 1 hour. Employees who work eight minutes over their scheduled shift time will be compensated for an additional  $\frac{1}{4}$  hour. However, employees may also face discipline for working beyond their scheduled shift.



## SEPARATION OF EMPLOYMENT

Separation of employment within an organization can occur for several different reasons.

- **Resignation:** Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. Management reserves the right to provide an employee with two weeks' pay in lieu of notice. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Retirement:** Employees who wish to retire are required to notify their Program Director in writing at least one (1) month before the planned retirement date. Failure to provide the requisite notice will be deemed a resignation of employment.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The Program Director will initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.
- **Termination:** Employees are employed on an at-will basis and OHCAC retains the right to terminate an employee at any time with or without prior notice.
- **Return of OHCAC Property**  
Employees must return all OHCAC property at the time of separation, including uniforms, cell phones, keys, PCs and identification cards. Failure to return some items may result in deductions from the final paycheck to compensate for the cost of the items not returned. All employees are required at the time of hire to sign a wage deduction authorization agreement to deduct the costs of such items from the final paycheck.

Accrued annual leave will be paid within 30 days of the final day of employment. Health insurance terminates the last day of the month of termination of employment. Information for COBRA continued health coverage will be provided. Employees will be required to pay their share of the health premiums through the end of the month.

- **Rehire**  
Former employees who left OHCAC in good standing and were classified as eligible for rehire may be considered for reemployment and may apply for any position they choose. The application will be handled as any other applicant.

Rehired employees begin benefits just as any other new employee. Unless required by law, previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

**Layoff**

When budgetary requirements require, or when one or more persons occupy essentially the same type of position, the Program Director or Executive Director shall determine which employee to retain based on factors such as performance, attendance and seniority. Persons in lay off status are entitled to health benefits through the end of the last month worked.

## CONFIDENTIALITY

Our clients and other parties with whom we do business entrust OHCAC with important information. It is our policy that all information considered confidential will not be disclosed to external parties or to OHCAC employees who do not have a "need to know." If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor. Confidential information may not be released to anyone without the expressed permission of the Program Director or by court order.

Sharing of confidential information may be considered with a signed release from clients and approval by the Program Director.

Confidential information must not be left or kept in the open and unattended including computer screens. Employees are to insure that confidential information is returned to a secure state and location after using.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

All inquiries from the media must be referred the Executive Director.

By signing the OHCAC Employee Policies Acknowledgment and Receipt, I understand that I am bound by the federal and state laws of confidentiality and that I will be disciplined if I breach this policy or said laws.

## CONFLICTS OF INTEREST

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of OHCAC may conflict with the employee's own personal interests. OHCAC property, information or business opportunities may not be used for personal gain.

### **Conflicts of interest could arise in the following circumstances:**

- Being employed by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while employed with OHCAC.
- Hiring or supervising family members or closely related persons.
- Serving as a board member for an outside commercial company or organization.
- Owning or having a substantial interest in a competitor, supplier or contractor.
- Accepting gifts, discounts, favors or services from a customer/potential customer, competitor or supplier, unless equally available to all OHCAC employees.

Employees with a conflict-of-interest question should seek advice from management. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their Program Director.

## DRESS STANDARDS

Employees need to remember that they are setting an example for others to follow and representing OHCAC to the general public. This standard applies at all times and locations employees are representing OHCAC.

Undergarments must always be worn. No visible cleavage. Attire must be clean and in good repair and not patched, ragged, dragging, or have holes. No inappropriate advertising. OHCAC or program shirts may be worn.

Staff may wear capris/short pants, but they must be below the knee. Tight fitting pants must be accompanied by a long top extending no shorter than six (6) inches above the knee. This includes, when permitted, jeans, polyester, yoga, stirrups, leggings, etc. Skirts and dresses must be no shorter than four (4) inches above the knee.

The outer layer of clothing cannot be so tight fitting that staff cannot effectively carry out their duties. (Bend down, lift and carry, sit on the floor; run to catch a child, etc.)

No sweat pants. Sweatshirts may be worn as long as they are loose fitting. Loose fitting nylon and silk jogging suits are permitted. No muscle shirts, tank tops, spaghetti strap sundresses, or halter tops. No bare midriffs, including no skin showing due to low-rider clothing or short tops.

Holiday clothing and accessories are not permitted during work hours if you will be having contact with Head Start children/families.

No visible body piercings. Earrings may be worn, but at your own risk. Visible tattoos that are judged by OHCAC management to be (including but not limited to) sexist, racist, vulgar, anti-American, anti-social, gang related, or extremist group related must be covered.

Jeans, regular and colored denim, are not permitted as office apparel except as expressly permitted by Program Directors. Housing, transportation and food service personnel are required to wear non-skid safety shoes. Education staff must wear closed toes shoes except on non-classroom days.

**NO FLIP-FLOPS.** Definition: flip-flops are a flat, backless sandal that consists of simple soles held on the foot by a V-shaped strap that passes between the toes and around either side of the foot, attached to the sole at three points (between the toes and on either side of the foot). This does not include shoes with additional strapping holding the sole to the foot, nor does it include high-heeled dress sandals.

Individuals who violate this policy may face discipline including being sent home to change. Employees will not be compensated for time related to violations of the dress code and the need to change attire.

## **OUTSIDE EMPLOYMENT**

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

In the sole discretion of OHCAC, activities and conduct away from the job that compete with, conflict with, or compromise OHCAC interests or adversely affect job performance and the ability to fulfill all job responsibilities cannot be engaged in or held by employees of OHCAC. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by OHCAC. This prohibition also extends to the unauthorized use of any OHCAC tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If OHCAC determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment or may be terminated from OHCAC.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job.

## **LOBBYING**

Employment shall not be offered as a consideration or reward for the political support of any political party or candidate for public office. Nor may any person, as an employee, engage in partisan political activity as prohibited by Chapter 15 or Title 5 of the United States Code (The Hatch Act). A summary of prohibited and permitted activities may be found in the Federal Register vol. 41, no. 7, April 7, 1976. Individuals who violate this policy may face discipline.

# USE OF OHCAC EQUIPMENT AND PHONES

## POLICY

OHCAC computers, E-mail and voice mail services are all the property of Ohio Heartland Community Action and, as such, their use is governed by OHCAC policy. No employee should have any expectation of privacy or confidentiality when using OHCAC owned and/or OHCAC provided means of communication, including but not limited to, any of the forms of communication or equipment listed below, or in any accounts which are accessed using OHCAC network resources or equipment (e.g. personal e-mail accounts accessed on OHCAC equipment). At any time, OHCAC management and IT professionals such as your supervisor, the Executive Director or his designee have the right to access and examine the information you have accessed, placed, stored or received via OHCAC owned or provided tools of communication.

## VOICE MAIL

The telephone system is provided by OHCAC to be used for OHCAC business. Employees should limit the use of the telephone for personal reasons to only that which is necessary or urgent. It is important to protect the privacy and confidentiality of our clients. Therefore employees should not play back voice mail messages while using the speaker feature on the telephone.

## E-MAIL

These services and features on an employee's computer are made available to him/her for the purpose of performing the duties of his/her job. The employee is expected to be discreet and judicious about the distribution of his/her OHCAC provided E-Mail address. Excessive personal use of this service will not be condoned and may result in loss of privileges.

1. Jokes, games, and subject matter which are obscene, illegal, and discriminatory or intended to harass or defame others should not be sent via E-Mail. In the event you receive an electronic message that you consider inappropriate please immediately notify the sender to discontinue sending materials of this type to your e-mail address. If the problem persists contact your supervisor or the appropriate Program Director.
2. Highly sensitive or confidential information should not be conveyed via fax and instead should be conveyed through direct email with scanned attachments as necessary. A confidentiality statement shall be attached to the outgoing email message.

## COMPUTERS

Computers, printers and other related hardware are provided for employees to use in the performance of their jobs. Computers should not be used to keep records of your personal matters.

1. Employees should refrain from defacing computer equipment with stickers, posters, etc. and should not write on such equipment. The employee should strive at all times to take good care of and to keep clean computer equipment assigned to him/her.
  - a. An employee is not permitted to load unauthorized software on his/her computer at work.
  - b. No personal data is to be stored on OHCAC computers.
  - c. Employees are not permitted to attempt to access other employee's computer files and records without express authorization. Hacking is not permitted.
2. Employees should access the Internet primarily for business related purposes. Excess personal use of Internet may result in loss of privileges.



- a. It is not permitted for an employee to download access or view inappropriate material on the Internet during working hours and on OHCAC equipment or on OHCAC premises regardless of the owner of the equipment.
3. Should an employee experience problems with hardware or software, he/she should not attempt to fix or repair the problems but should contact the IT Director.
4. Computers must not be used to send, convey or display any material which is obscene, illegal, discriminatory or intended to harass or defame others. In the event you receive or see something on an OHCAC computer via any means that you consider inappropriate please immediately notify the appropriate Program Director and appropriate steps will be taken to ensure the problem does not continue.

### **OHCAC CELLULAR PHONE USAGE**

Use of OHCAC provided cell phones:

Personal use of OHCAC phones is permitted but must be kept at a minimum. OHCAC will monitor cell phone use to assure that the maximum minutes and/or data contracted for are not being exceeded. If maximum accumulated minutes and/or data are exceeded employees shall be responsible for personal minutes exceeding the maximum. Cell phone usage in the Head Start classrooms while children are present or while serving clients is only permitted for OHCAC business.

Employees in possession of OHCAC equipment such as cell phones are expected to protect the equipment from loss, damage or theft. Employees shall notify their supervisor as soon as reasonably possible of the loss, damage or theft of the cell phone assigned to them. Employees who damage, lose, or do not return assigned equipment when required will be required to reimburse OHCAC for the cost of the replacement. Failure to return OHCAC equipment may result in notification to law enforcement to recover said equipment.

## ELECTRONIC COMMUNICATION AND INTERNET USE

The following guidelines have been established for using the Internet, OHCAC-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, OHCAC-provided equipment (e.g., cell phone, laptops, computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon OHCAC or be contrary to OHCAC's best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and OHCAC-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside OHCAC.

### **Right to Monitor**

All OHCAC-supplied technology and OHCAC-related work records, including OHCAC email, belong to OHCAC and not to the employee. OHCAC routinely monitors use of OHCAC-supplied technology and OHCAC-related work records. In addition, if an employee elects to use their own personal equipment to access OHCAC e-mails or information they will be required to sign an agreement permitting OHCAC to monitor that equipment. Inappropriate or illegal use of OHCAC-supplied technology or communications may be subject to disciplinary action up to and including termination of employment.

Employees shall follow the Electronic Communication Procedures which is form OHCAC-P-001.

## **PASSWORDS**

It is not permitted for an employee to give to another person his/her passwords for OHCAC devices or programs except it may be given to the employee's Program Director or the IT Director or by permission of the Program Director.

Employees shall follow the Password Procedure which is form OHCAC-P-002

## **SOCIAL MEDIA – ACCEPTABLE USE**

NOTE: Nothing in this Social Media policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms or conditions of employment. Employees have the right to engage in, or refrain from, all such activities.

Online communication electronic dialogue tools (weblogs, chat rooms, wikis, etc.) and social networking sites (such as Facebook, Twitter, YouTube, etc.) by OHCAC employees or representatives are subject to this policy, as well as all other applicable OHCAC policies. Communications that do not identify the individual as an OHCAC employee, or which do not discuss or relate in any way to OHCAC, are usually not covered by this Policy. Nothing contained in this policy is intended, or should be construed, to prohibit communications between employees about terms and conditions of employment, or to otherwise prohibit lawful protected concerted activity.

### **Confidentiality**

You must maintain the confidentiality of information that is a trade secret or considered by OHCAC as confidential or proprietary (such as OHCAC data, marketing or financial information, customer or vendor data, personal information of an individual, OHCAC policies or internal discussions, etc.), as well as any other information that is not generally available to the public. You must honor all confidentiality agreements, as well as the confidential nature of information of third parties. Do not disclose or comment on confidential non-public financial, operational, or technical information. Do not share private or personal information about your co-workers (like religion, medical, or identifiable information that could create a safety issue, such as social security number, phone numbers, residence, etc.). Do not post any photos or videos of the inside of the OHCAC workplace, including customers, co-workers, or OHCAC events at work. Do not discuss work-related legal proceedings or communications with counsel. Do not post anyone else's material without approval.

### **Be Respectful**

Communications should not threaten violence or constitute unlawful harassment of anyone associated with OHCAC (including co-workers, customers, and business associates). Don't use ethnic or sexual slurs, personal insults, abusive profanity, or any other conduct that would not be acceptable in the workplace. Respect the privacy and feelings of others. Be careful about exaggeration, guesswork, obscenity, legal conclusions, and derogatory remarks or characterizations you communicate at your own risk.

### **Identify Yourself**

You must disclose your employment or association with OHCAC in all communications that are on behalf of OHCAC, or which relate or refer to OHCAC or its business. In those circumstances, you must state that anything expressed is your own personal view and that you do not speak for OHCAC. You should never claim or imply that you are speaking for OHCAC. Your communications may not include OHCAC logos or trademarks. Do not use Social Media or Blogs for OHCAC communications.

### **Be Careful**

You are legally responsible for your communications, and you may be subject to liability for defamatory, obscene, or harassing communications, or those that violate any laws (including confidentiality, privacy, financial disclosure, fair use, and copyright laws). All such communications are prohibited by this Policy. Managers and supervisors should not interact or communicate with subordinates through Social Media or Blogs.

**Be Accurate and Ethical**

You may not communicate information that is untrue, unfair, or deceptive. Communications should be based on current, accurate, and complete data. You should clearly identify personal views or opinions as such. You must not engage in any activities that are illegal or contrary to OHCAC's policies. You are personally responsible for your communications.

If you are contacted by a member of the media concerning any communication that relates to OHCAC or its business, you must talk with your supervisor before responding.

Employees who fail to comply with this Policy may be subject to discipline, up to and including termination of employment. If you have any questions regarding this Policy, contact the HR Department.

## **SOLICITATIONS, DISTRIBUTIONS, AND POSTING OF MATERIALS**

OHCAC prohibits the solicitation, distribution and posting of materials on or at OHCAC property by any employee or nonemployee, except as may be permitted by this policy or by law. The sole exceptions to this policy are charitable and community activities supported by OHCAC management and OHCAC-sponsored programs related to OHCAC's products and services.

Except as otherwise provided by law:

- No collections, solicitations, ticket selling or the like by employees is permitted on the premises during working time. (Working time is the time an employee is expected to be performing his or her job duties and does not include break periods, meal times, or other periods when employees are properly not engaged in performing their work.)
- The distribution of literature in working areas during working time, as defined above, is also prohibited.
- Any form of solicitation and/or distribution by non-employees on OHCAC property is prohibited.
- The distribution of literature in working areas during working time, as defined above, is also prohibited.
- Any form of solicitation and/or distribution by non-employees on OHCAC property is prohibited.
- Employees may only admit nonemployees to work areas with management approval or as part of an OHCAC-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times. Former employees are not permitted onto OHCAC property except for official OHCAC business.
- The posting of materials or electronic announcements are permitted with approval from the Program Director.

Violations of this policy should be reported to the Program Director.

# ETHICS

## INTRODUCTION

This policy is intended to address the expectations OHCAC has with regard to its employees' behavior which are not already addressed in the Conflict of Interest, Standards of Conduct, Gifts and Gratuities, and other similar policies.

## POLICY

Employees of Ohio Heartland Community Action Commission are expected to conduct themselves at all times as responsible individuals and positive members of the community.

## THEFT OF OHCAC PROPERTY

Employees are not permitted to take any OHCAC property for personal use without the express written permission of the Executive Director.

## FORGERY, FALSE STATEMENTS, FALSIFICATION OF RECORDS

One employee should never sign documents of any kind for another employee, with or without that employee's knowledge unless expressly authorized by the Executive Director. To do so may result in immediate termination of employment and possible criminal charges.

Employees who are found to have made false statements, failed to convey important or required information or falsified employee or OHCAC records of any kind will be subject to immediate termination and possible criminal charges.

## HONESTY, INTEGRITY

It is expected that all employees will act in a manner that is honorable and scrupulous. Employees should always be truthful with clients, fellow employees and management. Intentionally misleading, downplaying information, or omitting information to clients, fellow employees and management is not acceptable behavior. However honest and frank the information is, it should be conveyed with tact and diplomacy.

## USE OF INFLUENCE

Employees shall not use or attempt to use their positions with OHCAC to secure anything of value for themselves that would not ordinarily accrue to them in the performance of the official duties, when the thing is significant enough to make for substantial and improper influences upon their duties or responsibilities with OHCAC.

## ACCEPTANCE OF GIFTS

A conflict would happen if an employee accepts, directly or indirectly, any gifts, promise, gratuity, favor, or any other thing of significant monetary value from any person, group, or corporation which has, or is presently seeking to obtain contractual or other business or financial relationships with OHCAC, or from one who may be in competition with OHCAC.

1. As referenced above, a "significant" gift would be any gift with a monetary value of \$25.00 or more.

Any gifts of cash are not permitted regardless of amounts.

# DISCIPLINE

## INTRODUCTION

Ohio Heartland Community Action Commission feels confident that we have hired employees who are mature, responsible people committed to performing their jobs efficiently and effectively, committed to assisting people in need while maintaining their dignity and privacy and committed to demonstrating their honesty, integrity and dedication every day without fail. It is doubtful that most employees will ever need to be reminded of what is considered appropriate behavior and performance. But, should the need arise, the application of this progressive disciplinary policy is designed to correct an employee, provide an opportunity for improvement and ensure the continuation of his/her employment with OHCAC.

## POLICY

This Disciplinary policy outlines the steps of the corrective disciplinary process, provides a list of possible infractions of acceptable behavior and defines certain rules of conduct. The listed infractions and defined rules of conduct are not exhaustive lists and are examples rather than a comprehensive discussion. Nothing set forth in this Section is intended to, and shall not have the effect to, modify or diminish in any way the at-will nature of employment.

## DOCUMENTATION OF CORRECTIVE DISCIPLINE

The following items may be contained in any documentation of a disciplinary action:

1. The action will be documented and signed and dated by the appropriate level of management.
2. The document should completely describe the action, the behavior, or offense and should detail the standards of behavior expected in the future.
3. The document should indicate if follow-up is required and if so, a date should be noted for such follow-up.
4. In more complex matters, Program Director or Executive Director should also document an agreed upon plan of corrective action.
5. The employee will be permitted to read the documentation and will be asked to sign and date the form or letter indicating he/she has been permitted to read the document.
6. The disciplinary document will be placed in the employee's confidential personnel file and is available for review by the employee.
7. If an employee refuses to sign acknowledging the action, the supervisor should note the refusal in the signature section and remind the employee that refusal to sign does not negate the disciplinary action. The employee will still be held accountable.

## POSSIBLE STEPS OF CORRECTIVE DISCIPLINE

OHCAC often uses a verbal and written notice system to give you an explanation of any shortcomings and so that you understand the seriousness of the matter. Employees who fail to meet OHCAC's expectations or commonly understood standards of acceptable work behavior, who violate OHCAC or industry policies or procedures, will often be given verbal and/or written notices. However, no particular form or steps of progressive discipline is required in any given circumstance. Discipline for violation of performance standards or OHCAC policies may include unpaid disciplinary suspensions and may range from reprimand to discharge. The degree of discipline will be determined according to our view of the seriousness of the offense and the circumstances surrounding the matter.

In cases where the issue is one which involves a state or federal law or a local statute, it is assumed that the employee is aware and he/she may be held accountable. However, the



standards of conduct which would normally be expected of any employee in an employment situation need not be provided to the employee in writing in order to be expected or enforced.

1. **WRITTEN WARNING** – completed by the supervisor or Program Director. The warning is discussed with the employee and the form is presented to the employee for signature. The original form is forwarded to the Executive Director with a copy kept in the employee's file and a copy given to the employee.
  
2. **SUSPENSION** – An employee may be suspended without pay and may be for up to ten working days. This action must be initiated by a Program Director or higher and must be approved by the Executive Director and documented by a letter to the employee.

Any employee who is on a disciplinary suspension is not to be present on OHCAC premises during the period of suspension.

3. **TERMINATION** - This action must be documented in a letter but need not include the signature of the employee since it is not a part of the corrective process but rather the result of it. The action must be approved by the Executive Director.

Employees should always remember that this policy is aspirational in nature, meaning that OHCAC strives to follow the steps set forth in the procedure when the circumstances of the violation make it acceptable to do so. However, OHCAC is not required to follow each step set forth above in each situation. Instead, the step or level of disciplinary action taken in response to these infractions will be governed by OHCAC's view of the circumstances surrounding the violation, including, but not limited to, the severity and/or repetition of the behavior. The disciplinary action taken remains at all times in the sole discretion of OHCAC. In some situations, immediate termination of employment may result.

### **UNACCEPTABLE EMPLOYEE BEHAVIOR**

The following is a list of behaviors which are considered unacceptable and are therefore subject to disciplinary action. This is not an exhaustive list. There may be other infractions not listed here. The items listed below are not in any particular order however, they are divided into two tiers. There is a lower level tier for less serious infractions and a higher level tier for more serious infractions. And, as a reminder, your employment with OHCAC is at-will, meaning that either you or OHCAC may terminate the employment relationship at any time, for any reason.

#### **Group 1 Offenses**

These offenses will subject an employee to discharge, regardless of length of service or prior record:

1. Leaving a child unattended.
2. Release of a child to unauthorized person.
3. Repeated violation of Drug and Alcohol Policy after rehabilitation has been offered.
4. Refusal to follow the directive of a supervisor or other member of management.
5. Failure or refusal to perform assigned work.
6. Attempted or accomplished theft of OHCAC, fellow employee or OHCAC client property. OHCAC reserves the right to inspect all items carried off the premises. Refusal to submit immediately to such inspection is a violation of this rule.

7. Dishonesty.
8. Falsification of records or supplying false information.
9. Failure to follow the Discipline Policy with Head Start children.
10. Abuse or destruction of property belonging to OHCAC, a client, a vendor, or an employee.
11. Possessing explosives, firearms, handguns, or any potentially lethal or dangerous device.
12. Reckless conduct which threatens or results in injury to person or property.
13. Interference with service or with the work of another employee.
14. Soliciting, offering to take, or taking, a bribe or kickback of any kind in connection with work.
15. Refusal to use required safety equipment or follow required safety rules.
16. Immoral or indecent conduct on OHCAC premises or during work hours.
17. Leaving OHCAC premises without permission during work hours unless for a verified Family emergency.
18. Failure to report for work for three (3) consecutive scheduled work days without reporting in.
19. Failure to return to work after an approved leave.
20. Sexual or other harassment including, but not limited to, spreading rumors about OHCAC, co-workers, management, customers or vendors.
21. Failure to adhere to the Worker's Code of Ethics.
22. Statement to News Media without prior approval.
23. Breach of Confidentiality.
24. Sending, knowingly viewing, circulating sexually oriented messages or images, offensive or harassing statements or language, gambling, snooping, sabotaging equipment.
25. Failure to notify Supervisor of being convicted of or having plead guilty to any violation.
26. Failure to notify Supervisor of taking any medication that might affect job performance.

#### Group 2 Offenses

These offenses are of the kind which may be corrected by counseling and/or discipline. However, depending on the circumstances and the employee's prior record, a violation may

result in more serious disciplinary action, up to and including discharge. Some examples of such offenses are:

1. Poor work performance.
2. Use of rude, obscene or abusive language.
3. Failure to follow Incident/Accident Report Procedures or report accident or safety hazards.
4. Failure to complete required paperwork promptly and accurately.
5. Misuse of OHCAC property.
6. Idling on the job/deliberate sleeping on the job.
7. Tardiness in returning from lunch or break periods.
8. Neglect of job duties.
9. Abuse or destruction of property belonging to OHCAC, a vendor, a client or a co-worker.
10. Repeated failure to sign in/out at the work site or other sites.
11. Entering any part of the building or remaining on the premises without permission, unless on duty or scheduled to work.
12. Making or publishing of deliberately false statements about OHCAC, a client or an employee.
13. Smoking where not permitted.
14. Inappropriate dress or grooming.
15. Excessive tardiness.
16. Conducting excessive personal business during work time.
17. Violation of safety and sanitation rules.
18. Gambling on OHCAC premises or during work hours.
19. Failure to abide by the Electronic Communication Policy, including misuse of the internet.
20. Failure to maintain driver's license when required by the job description.
21. Failure to maintain car insurance when required by the job description.
22. Making or receiving personal calls using either OHCAC phones or personal cell phones including texting on work time, which includes trainings.

23. Failure to report off at least an hour before scheduled time to report to work.
24. Failure to keep all required documentation updated in the Personnel File.
25. Failure to turn in required Health & Safety Release to Work Form.
26. Failure to take lunch breaks between 11 am and 2 pm without prior approval of a supervisor.
27. Failure to report to work one day without notifying supervisor within the required time frame.
28. Failure to report to work two days in a row without notifying supervisor within the required time frame.
29. Demonstration of a pattern of absence.
30. Misbehavior during training/meeting.
31. Unauthorized break time.

Of course, no statement of expected conduct can list, in exhaustive or all-inclusive fashion, every reason for disciplinary action. The foregoing are only examples of the types of conduct that employees must avoid.

# GRIEVANCE

## GRIEVANCE DEFINITIONS

A grievance is a dissatisfaction with some condition of employment. The purpose of the grievance procedure is to secure, at the lowest possible administrative level, equitable solutions to the problems that may, from time to time, arise affecting the welfare of working conditions of employees. These proceedings will be kept confidential as may be appropriate.

An "Aggrieved Person" shall be defined as the employee making the claim. Any aggrieved person may present his/her grievance through this procedure. No pressure shall be brought to bear to dissuade the employee from presenting his/her grievance nor shall he/she be discriminated against in or retaliated against in any manner whatsoever for having done so.

## EMPLOYEE RESPONSIBILITY

The employee has specific responsibilities and rights in following the established channels in the processing of his/her grievance.

The employee should follow the grievance process in the order presented to insure full consideration of his/her appeal. An appeal will be considered settled if not presented to the next higher step within the established time limits.

Employees involved in the grievance process, as that process may affect personnel matters involving disciplinary actions, are to maintain proper concern for the questions of confidentiality. Employees involved in this process are not to discuss the matter outside of the grievance proceedings. These actions are deemed necessary to protect the good name of the Agency and the staff person (s) involved in the process. Any breach of these conditions may result in disciplinary action up to and including termination.

Payment of the employee's legal representative is the responsibility of the employee. Each party has the responsibility to notify the other twenty-four (24) hours in advance if legal counsel will be present.

## MANAGEMENT AND POLICY GROUP RESPONSIBILITY

Supervisors and appropriate policy group members have definite responsibilities in the proper processing of grievances directed to them by employees on their staff. They are responsible for:

1. Providing copies of all correspondence concerning an appeal to the next higher line of supervision.
2. Exercising fair and just consideration in their efforts to resolve appeals.
3. Providing sufficient time for a thorough review of the appeal with the employee and any other parties involved.
4. Conducting the hearing of the appeal with all parties involved, in a manner which permits full expression of various points of view.

5. Preparing a report on the appeal's review at his/her level, setting forth the conditions giving rise to the appeal, analysis of the difficulty, and the action taken to resolve the appeal.
6. At each management and/or policy level, the appealing employee has the right to be made aware, in writing, of the employee's next level of appeal. This should be communicated to the appealing employee in the written decision of the reviewing director/manager or policy group.
7. Participating in the review of each successive appeal level.
8. All supervisory staff and policy groups representing OHCAC involved in the appeal process, as the process may affect personnel matters involving disciplinary actions, are to maintain proper concern for the question of confidentiality. Media or other forms of public communication concerning the Agency's position on the matter must be approved by the Executive Director or the Chairperson of the Board of Trustees. Supervisory staff are to discuss the matter with relevant parties only. These actions are deemed necessary to protect the good name of the Agency and the staff person (s) involved in the process. Any breach of these conditions may result in further disciplinary action up to and including termination.

## **PROCEDURE FOR FILING A GRIEVANCE**

**Level One:** An aggrieved person shall, within five (5) scheduled working days after the event or condition which is the basis of the grievance, seek a solution to the grievance by requesting, in writing, a conference with the employee's immediate supervisor. The supervisor shall arrange for a conference in a room which shall assure adequate privacy, and at a mutually satisfactory time, within five (5) working days following receipt of the request. A record will be made of this conference and signed and dated by both parties. In a situation where the grievance is brought against the immediate supervisor the Executive Director could review the grievance and determine if a higher level supervisor should be involved in the grievance procedure.

**Level Two:** If the aggrieved person is not satisfied with the disposition of the grievance at level one, the aggrieved must, within three (3) working days after the conference, file the grievance in writing with the supervisor at the next management level. Supervisors at the various management levels will work under the same time frame and procedures. This process may proceed through as many management levels as are provided in the organizational structure until the grievance is resolved or brought to the attention of the Executive Director as the next management level.

**Level Three** Within seven (7) scheduled working days after receipt of the written grievance by the Executive Director, the Executive Director shall review the case with all relevant parties.

A written record of the meeting must be made, signed by all relevant parties and kept on file. A decision concerning the disposition of the grievance will be issued, in writing, to all parties involved within three (3) working days.

### **Head Start Employees Only:**

An appeal of the Executive Director's decision should be sent, in writing, within three (3) working days to the Chairperson of the Executive Committee of the Policy Council. That Committee must review the appeal within fifteen (15) working days of the receipt of the appeal. The Policy Council Executive Committee must notify all relevant parties of their decision, in writing, within three (3) working days.

**Level Four:** If the aggrieved person is not satisfied with the disposition of the grievance at Level Three, the aggrieved must, within three (3) scheduled working days after receiving the decision of the Executive Director, request in writing to the President of the Governing Board that their grievance be submitted to the Personnel Committee of the Ohio Heartland Community Action Commission for processing in accordance with the following paragraphs:

Within ten (10) scheduled working days following the receipt of the aggrieved person's request for submission of the employee's grievance to the Personnel Committee, the Personnel Committee shall hold a hearing. At such hearing the aggrieved person or OHCAC may present witnesses and both parties may cross examine such witnesses.

Within five (5) scheduled working days from the date of such hearings, the Personnel Committee shall render its decision on the matter. Such decision shall be final and binding unless the Governing Board, by resolution enacted within sixty (60) days from the date of the decision by the Personnel Committee, shall decide to intervene. Such resolution shall require two-thirds (2/3) of the Governing Board members present at a duly called meeting. By and through this policy employees are notified that they are required to follow this procedure with regard to discipline and other grievances they believe they have suffered while employed by OHCAC, and that failure to follow the process or complete the entire process (including exhausting all grievance levels), and failure to do so may impact an Employee's ability to bring claims against OHCAC.

# PAYROLL

## PAY PERIOD

The length of the pay period is two weeks. It begins on a Sunday at 12:01 a. m. and ends fourteen (14) days later on Saturday at midnight.

## PAY DAY

Employees will generally be paid by the Friday following the close of the pay period.

## PAYROLL DEDUCTIONS

Deductions from pay checks will include:

1. Mandatory - Federal, state, local (up to 2 simultaneously), school district, social security and Medicare taxes, court ordered garnishments, child support payments and the like.
2. Voluntary, when applicable - Health Insurance; 403b contributions; United Way contributions, Community Action Information Fund Contributions; and any other voluntary deduction permitted by OHCAC and authorized by the employee.

## ERRORS IN PAY

It is the policy of OHCAC that employees are as responsible for ensuring the accuracy of their pay as is OHCAC. Any errors which are verified will be corrected by OHCAC so long as the error is discovered by OHCAC or pointed out by the employee within a period not to exceed one year from the date of the error.

1. Over or under payments must be brought to the attention of the Fiscal Department.
  - a. If the under payment is a result of an OHCAC error it will be corrected within 3 calendar days of notification to the Fiscal Department.
  - b. If the under payment is a result of an employee error, it will be adjusted as of the next regular pay period.
  - c. However, in no case will an error be corrected if it is discovered and reported more than two years from the date the error occurred.

If over payment should occur, the employee is required to notify the Fiscal Department within twenty four (24) hours of being paid. OHCAC will recover the over payment in full the next regular pay period or pay periods at the discretion of OHCAC or the employee may choose to immediately repay OHCAC by check.



## **EMPLOYEE EXPENSES AND TRAVEL**

### **OVERNIGHT, OUT OF TOWN**

Overnight stays must be authorized by the appropriate Program Director or by the Executive Director. When overnight accommodations are required, the hotel expenses will be prepaid whenever possible. Receipts for lodging must be turned in to the Fiscal Department within five (5) days of the employee's return.

### **PER DIEM**

OHCAC may advance per diem as outlined in the Federal Regulations or funding contract. A request for advance form must be submitted to the Program Director along with documentation of the reason for the travel such as an agenda or brochure. Travel advances must be reconciled and returned to the Fiscal Department within five (5) days of the employee's return.

### **MILEAGE REIMBURSEMENT**

Employees will be reimbursed for mileage incurred for approved OHCAC related travel. Such reimbursement will be made at the current board approved rate.

1. Requests for such reimbursement must be made on the appropriate form and be approved by the employee and supervisor.
2. Travel is normally reimbursed only on regularly scheduled payroll dates.
3. Travel forms must be submitted within twenty one (21) days of the last day claimed or travel reimbursement is forfeited.

### **REIMBURSEMENT OTHER THAN TRAVEL**

No employee is to purchase any item in the name of OHCAC without prior written approval of the Chief Financial Officer or his appointed designee.

1. With the required prior approvals, reimbursement may be made if the employee can produce documentation of the purchase.
2. Such reimbursement will normally occur only on regularly scheduled payroll dates.

When an employee purchases an item for OHCAC without prior approvals or without proper documentation, OHCAC is not obliged to reimburse the employee.

## **BENEFITS**

Some employee benefits such as medical, and other insurance coverages are too complex to address in the employee handbook. Upon completion of your orientation period you will be receiving a separate benefits information. This information will contain booklets explaining the details of the programs.

Eligibility, benefits, procedure decisions, vesting and all other aspects of these benefits are as stated in the respective plans and/or policies. All determinations under the plans and policies are to be made by the trustees or insurers, and not OHCAC. Copies of all plans or policies are available in the office for you to read. You should read this material so that you will be aware of all of the benefits and procedures. OHCAC will assist you in these matters, but all procedures and decisions will be finally dictated by either the trustees or the insurer.

Unless otherwise provided or required by law, all benefits will be suspended during layoffs, leaves of absence, or any period when you are not actually working. However, in the event of a layoff or leave of absence, OHCAC will continue to pay for your hospitalization insurance through the end of the month in which the layoff or leave of absence occurs (other than FMLA leaves).

# **INSURANCE**

## **ELIGIBILITY**

Subject to the OHCAC sponsored health plan, employees who work an average of 30 hours or more per week are eligible for and will be offered the opportunity to enroll in an OHCAC sponsored health insurance plan. OHCAC will offer coverage as required under the Affordable Care Act however employees are not required to enroll in the sponsored health plan.

New employees who are eligible for coverage will be offered enrollment in the OHCAC health plan at the new employee orientation. New employees must decide on coverage within thirty days of employment. Coverage will begin as of the first day of the third month of employment.

## **CHANGES TO COVERAGE**

Employees that experience a qualifying event may change insurance options upon submission of documentation. The changes will be effective on the first day of the following month.

## **PAYMENT FOR BENEFITS**

OHCAC will pay the total cost of the employee's life insurance so long as the employee remains eligible for such coverage.

The employee will pay a portion of the cost of health insurance as determined by the board.

The employee's contribution will be deducted from his/her pay and will be treated as pre-tax.

## **ENROLLMENT**

The Benefits Manager will enroll new employees in the OHCAC sponsored plan. It is the responsibility of the employee to promptly return all forms completed thoroughly, legibly and accurately. Failure to do so will result in a loss of coverage as described previously in this policy.

## **TERMINATION OF COVERAGE**

An employee's coverage will cease as of the last day of the month in which the current insurer's contract with OHCAC expires or the employee ceases to be employed by OHCAC. Dependent coverage will cease according to the provisions of the benefit plan. Employees are required to familiarize themselves with the terms of coverage.

## **LIFE INSURANCE**

Life Insurance coverage may not be continued as a part of the group plan beyond the date of termination of employment.

## **403b RETIREMENT PLAN**

### **ELIGIBILITY**

Employees over the age of eighteen (18) not categorized as OC are eligible to participate in the OHCAC sponsored retirement plan. All eligible employees must be enrolled and as such must complete the retirement plan enrollment and beneficiary forms.

### **EMPLOYEE CONTRIBUTION**

An employee is not required to make a contribution to the plan but may contribute up to the maximum permitted by the plan.

### **EMPLOYER CONTRIBUTION**

The OHCAC Board of Directors determines the contribution to the plan which will be a percentage of compensation defined as regular time and paid leave. That percentage may be adjusted by the board without prior notice. Eligible employees are entitled to receive this contribution so long as he/she receives eligible compensation.

### **INVESTMENTS**

The 403b retirement plan is sponsored by One America. Employees shall choose investment options on their own or with the assistance of investment advisors. OHCAC will not offer investment advice.

### **ENROLLMENT**

At enrollment the employee will complete registration for the eligible benefits on-line and by filling out the enrollment form. The employee will designate the amount of contribution, if any, he or she wishes to make, designate beneficiaries and will make investment choices. OHCAC fiscal staff will assist employees with enrollment but are prohibited from offering investment advice.

### **CHANGES**

Changes in address, investments, etc. may be made at any time directly with One America over the phone or online. Changes in employer contributions may only be made at the first of each quarter. However, an employee may stop a contribution at any time.

### **HARDSHIP WITHDRAWAL**

All the monies which have been placed into the employee's 403b account whether by the employee or by OHCAC may not be accessed while the employee remains employed by OHCAC unless the employee qualifies for a hardship withdrawal. Only if the employee meets the requirements set forth in the plan may he/she receive certain monies from his/her account.

### **VESTING**

An employee is fully vested after continuous employment of two years and one day. If the employee leaves OHCAC's employ prior to becoming fully vested, he/she will only be able to receive back the monies he/she contributed and whatever earnings or interest his/her contributions may have earned.

### **STATEMENTS**

Employee may check their account information at any time by visiting the One America website. [www.oneamerica.com](http://www.oneamerica.com).

**SUMMARY PLAN DESCRIPTION**

At the time of enrollment, each employee will be provided a Summary Plan Description which will contain all the provisions of the 403b retirement plan. Summary plan descriptions will be posted on OHCAC's website.

**CHANGE IN PLAN SPONSOR**

In the event the plan sponsor changes, new information would be provided to all participants and would supersede any reference to One America in this policy.

## **UNEMPLOYMENT COMPENSATION**

### **POLICY**

Ohio Heartland Community Action Commission pays such premiums to the state of Ohio as are required in order to provide all employees with unemployment compensation coverage. Unemployment compensation benefits are intended to provide an income to a person who is out of work through no fault of his/her own. Employees make no contribution nor is there any deduction from an employee's pay for unemployment compensation taxes.

1. OHCAC will provide honest and complete information in response to the receipt of a claim for unemployment compensation filed by a former employee.
2. Should OHCAC believe that, under applicable law, the former employee is not entitled to unemployment compensation benefits, an appeal may be made and any scheduled hearings will be attended by the appropriate representatives of OHCAC.

### **RE-EMPLOYMENT**

If a reasonable offer of employment is made to a former employee or to an employee who is laid off and who is receiving unemployment compensation and such offer is refused, OHCAC will report this refusal to the state department charged with overseeing unemployment compensation. If OHCAC becomes aware that someone who is receiving unemployment compensation is working or has turned down another OHCAC's offer of employment, this information too shall be reported to the state department charged with overseeing unemployment compensation.

## WORKERS COMPENSATION

All employees are covered by the Ohio Bureau of Workers' Compensation (BWC) for which premiums are paid totally by OHCAC. Workers' compensation benefits are intended to provide disability and medical payments for such injuries arising out of and during the course of covered employment.

OHCAC will contest all injury claims filed against OHCAC which occur at any non-work location, off OHCAC premises, outside the employee's scheduled hours of work, or which are an aggravation or exacerbation of an injury occurring at an employee's previous place of employment or outside of OHCAC jurisdiction or in any case where OHCAC feels a defense is warranted.

An injured employee must immediately inform his/her supervisor and must complete an Employee Incident/Accident report and if the event is witnessed a Statement of Witness to Accident form and submit to the Benefits Manager within three hours. It is the supervisor's responsibility to inform the Benefits Manager if the injured party is unable to submit the form.

Employees must follow OHCAC injured worker procedures.

OHCAC may choose to enroll employees who have BWC claims outstanding in a transitional work program depending on work restrictions imposed by a physician. Employees must comply with the work program procedures.

Any employee off work due to a work-related injury, if eligible should be on an approved FMLA Leave.

The "rebuttable presumption" law states that, if an injured worker tests positive or refuses to test for drugs or alcohol, the worker will have to prove that the use of drugs or alcohol did not cause his/her accident. The employee bears the burden of proof and has to provide evidence that the injury was not caused by drugs or alcohol. Therefore, the employee may not be eligible for Workers' Compensation benefits if he/she is injured while intoxicated or under the influence of a controlled substance not prescribed by the employee's physician.

## OBSERVED HOLIDAYS

OHCAC closes in observance of the following holidays:

**New Year's Day**  
**Martin Luther King Day**  
**Presidents Day**  
**Good Friday**  
**Memorial Day**  
**Juneteenth** (Added 1/13/2022)  
**Independence Day**  
**Labor Day**  
**Columbus Day**  
**Veterans Day**  
**Thanksgiving Day**  
**Day after Thanksgiving**  
**Christmas Eve**  
**Christmas Day**  
**New Year's Eve**

### HOLIDAY PAY

The above days off will be paid at the employee's regular rate of pay. Employees in a FT category will receive 7.5 hours holiday pay and employees in a PT category will receive 5.5 hours holiday pay. If one of the above listed holidays occurs on a Saturday, it will be observed on the preceding Friday. If one of these holidays falls on a Sunday, it will be observed on the following Monday.

Employees must have worked or been on approved paid leave the scheduled day before and the scheduled day after the holiday in order to qualify for holiday pay.

If a holiday occurs during a paid leave, the employee will not be charged for said leave for that holiday, but instead will receive the holiday pay.



# ANNUAL LEAVE

## ELIGIBILITY

All permanent employees are eligible to accrue Annual Leave after their first year of employment. After the first year of employment the employee will be awarded annual leave hours based on the number of hours worked in their first year of employment. Employees are not eligible to take Annual Leave until the one year balance populates and shows on the pay stub including their one-year anniversary of their latest hire date.

## POLICY

Annual Leave is accrued from the most recent hire date and is prorated, based on paid hours excluding overtime, per pay period. Paid hours are maxed at 75 per pay.

## FULL YEAR

- 0 - 5 years of service: .0411 hours per paid hour excluding overtime up to 80 hours per year
- 6 - 9 years of service: .0615 hours per paid hour excluding overtime up to 120 hours per year
- 10 - 14 years of service: .0820 hours per paid hour excluding overtime up to 160 hours per year
- Over 14 years or service: .1025 hours per paid hour excluding overtime up to 200 hours per year

In addition to increasing the accrual rate, when an employee reaches 6, 10, and 14 years of service, 40 hours are added to their accrued balance as a one-time adjustment.

## SEASONAL

- 0 - 8 years of service: .0410 hours per paid hour excluding overtime
- Over 8 years or service: .0445 hours per paid hour excluding overtime

## PAY UPON TERMINATION

1. Laid off employees will have the option of lump sum payout or to have it paid by usual pay cycle, as the vacation would have been taken so long as it is taken consecutively.
2. Resigned or involuntarily terminated employee's total accrued Annual Leave hours may be paid in one lump sum in the next regular pay cycle.

## MAXIMUM ACCRUAL

The maximum that can be accumulated for payout at termination is what an employee would accrue in 4 years.

## REQUEST TO TAKE ANNUAL LEAVE

An employee must request Annual Leave electronically obtaining email approval once all approvers have reviewed the request. If the requested time is more than one day, the request must be made two (2) weeks in advance of the time off.

1. Preference in granting Annual Leave will be based upon programmatic needs. If programmatic needs are equal the first to request will be the chief determinant.
2. Annual Leave may not be used in less than fifteen-minute (15) increments.
3. It is the responsibility of the employee to ensure that the amount of Annual Leave requested does not exceed the balance available on the employee's latest paystub. Employees may not request or claim Annual Leave in advance of it being earned. Being earned is defined as the leave balance posted on the latest paystub.

If an employee becomes temporarily medically disabled before his/her scheduled Annual Leave begins, he/she may request to delay the leave subject to approval by the Program Director. If the employee becomes temporarily medically disabled while already on Annual Leave, he/she may not use sick pay.

Annual Leave is to be classified as FMLA or Non-FMLA on the timesheet.

## **SICK LEAVE**

### **If you are sick stay home.**

All employees except on-call and acting are eligible to accrue Sick Leave. Sick Leave is available for the medical absences of an eligible employee or immediate family member living in the household. (Exception: Sick Leave can be used with FMLA for immediate family not living in the household.) Employees may be required to present a physician's statement for any Sick Leave or Pay taken and must present such a statement and the Health & Safety Form if absent on Sick Leave for three consecutive days to the HIPAA Officer. If an employee knows in advance that a period of medical disability will last more than three (3) consecutive scheduled work days, an application for FMLA should be obtained from the Benefits Manager.

Sick Leave is accrued from the most recent hire date and is prorated based on paid hours up to 75 hours per pay period excluding overtime. The accrual is .027 hours per paid hour excluding overtime up to 52.5 hours per year. Employees who have exhausted Sick Leave must use accrued Personal Leave or Annual Leave. The maximum time that can be accumulated is 1,350 hours. Employees who have more than 1,350 hours at the date of this policy revision may not accrue Sick Leave until the balance falls below the 1,350 hour maximum. No employee will be paid for accrued but unused Sick Leave upon termination of employment.

All uses of Sick Leave must be requested electronically obtaining email approval once all approvers have reviewed the request. Sick Leave must be recorded on the employee's timesheet. Sick pay may not be utilized in increments of less than fifteen (15) minutes. Sick Leave is to be classified as FMLA or Non-FMLA on the timesheet. Sick Leave may not be claimed in advance of being earned. Being earned is defined as the leave balance posted on the latest paystub.

## **PERSONAL LEAVE**

Personal Leave will be granted to employees on January 1 of each year and will expire at the end of the same year. Unused days cannot be carried forward. FT employees receive two days at 7.5 hours each, PT employees two days at 5.5 hours each. Personal Leave must be used in 7.5 and 5.5 increments respectively. New employees are granted Personal Leave when they reach the end of the conditional employment period.

Personal Leave must be requested electronically obtaining email approval once all approvers have reviewed the request and is to be classified as FMLA or Non-FMLA on the time sheet.

## **BEREAVEMENT LEAVE**

An employee who wishes to take time off due to the death of a family member should notify his or her supervisor immediately.

Bereavement Leave will be granted unless there are unusual business needs or staffing requirements.

Employees will be granted up to three days off from work in the event of the death of a spouse, parent, child, stepchild, mother-in-law or father-in-law, sibling, or step sibling.

Employees will be granted one day off from work in the event of the death of other in-laws, nieces, nephews, grandparents, and cousins, aunts or uncles.

Employees should request this time off as "Other Leave" when entering the leave request in the electronic payroll program.

Personal Leave or Annual Leave may be used to cover additional time off.

## **JURY DUTY**

Upon receipt of notification from the court of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons. OHCAC will pay regular full-time and regular part-time employees for time off for jury duty. Employees must reimburse OHCAC for jury duty pay received.

Employees should request this time off as "Other Leave" when entering the leave request in the electronic payroll program.

## WEATHER DAYS

It is our belief that Ohio Heartland Community Action Commission provides essential services to those in need who depend upon us to be available. Therefore, it is the policy of OHCAC to remain open at all times unless the appropriate governmental official directs businesses to close and citizens to remain off the roadways. For this reason, we require all our employees to report to work despite the weather subject to the following provisions. The levels apply where the employee lives or works.

1. When there is a Level Three (3) Emergency OHCAC employees scheduled to work will be paid by OHCAC for that portion of the day that the roads are closed. If the roads are opened by noon then employees are expected to come to work. If an employee does not report then any Annual Leave or Personal Leave may be used.
2. Level Two (2) Weather Advisory: if an employee feels that his/her road is too hazardous to travel employee may use Annual Leave or Personal Leave.
3. Level One (1) Weather Advisory: employees are expected to report to work. Employees who cannot report to work under a Level One (1) are required to use Annual Leave or Personal Leave.

The Executive Director may alter work hours for weather related reasons at his discretion.

## **MILITARY LEAVE OF ABSENCE**

OHCAC is committed to protecting the job rights of employees absent on Military Leave. In accordance with federal and state law, it is OHCAC's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States and that OHCAC will comply with all laws relating to status as a veteran or military service. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or OHCAC policy. If any employee believes that he or she has been subjected to discrimination in violation of OHCAC policy, the employee should immediately contact the OHCAC EEO officer. See APPENDIX A.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact their Program Director to request leave as soon as they are aware of the need for leave.



## **PERSONAL LEAVE OF ABSENCE**

Employees who require time off in addition to the leave provided for on pages 72 to 77 may request a Leave of Absence for any reason without pay for up to a maximum of 30 days.

All regular employees employed for a minimum of 90 days are eligible to apply for an unpaid Leave of Absence. Both full-time and part-time employees may apply for a personal leave of absence, without pay, for compelling personal reasons, for a period not in excess of 30 days in a year. Personal leaves are granted at OHCAC's discretion, and each request will be reviewed in light of the employee's record of employment, length of service, job responsibilities, business needs, and the reasons for the request.

The employee must return to work on the scheduled return date or are considered to have voluntarily resigned from his or her employment. Requests for extensions will only be considered on a case-by-case basis and may be approved in limited circumstances at the sole discretion of the Executive Director.

## MEDICAL LEAVES OF ABSENCE

1. FMLA - The Family and Medical Leave Act (FMLA) is a federal law that generally provides for unpaid leaves of absences for up to twelve weeks, for eligible employees, for child care for a newborn or adopted child, care for a spouse, child or parent with a serious health condition, or for an employee's serious health condition that renders them incapable of performing their job. The FMLA also has leave provisions that apply to service members and their families. Although all of the details of the FMLA are too extensive to set forth in this policy OHCAC intends to comply with the requirements of the law, where applicable, and employees should review the policy statement and FMLA material issued by OHCAC. Any leave of absence questions or requests should be directed to the Benefits Manager. OHCAC's FMLA policy is included in this Handbook at Appendix A.

2. Non-FMLA - An unpaid medical leave of absence is a privilege OHCAC may extend to employees where the leave is not covered by the FMLA, or in excess of FMLA leave. It allows an employee to take time off from work for approved medical or personal reasons. The leave is taken without pay, but the employee does not incur a break in service with the facility. Unless prohibited by law or required as an accommodation to a disability, the maximum period of a leave of absence, including any FMLA leave, is **six months** (either continuous, or six months' total or cumulative absence in an eighteen-month period). If an employee is legally disabled and requires an extension of a normal leave granted under this policy, the employee may request a longer leave as an accommodation, and OHCAC will consider each request according to the specific circumstances. Any leave of absence must be requested in writing and submitted to the Executive Director as soon as the need for such leave is known. The management staff will determine, in its sole discretion, whether to grant a leave of absence request and its length. Unless otherwise required by state or federal laws (including disability requirements), if the employee does not return to work at the expiration of the six-month period or other specified time period, employment is considered terminated.

3. The following are guidelines for leaves of absences that are not covered by the FMLA or which are in excess of FMLA leave:

a. Employees who need to be absent from work for approved medical reasons may request a medical leave of absence. So that we have adequate records, the leave is to be requested in writing as soon as the need for the leave is known. You may be required to submit medical documentation from an appropriate provider that specifies the reason and/or continuing need, satisfactory to OHCAC and/or its medical advisors, for the leave of absence.

b. Time off for a medical leave is unpaid and no compensation is provided during a leave. Health insurance can be maintained during a medical leave of absence, provided that the employee timely submits payment for the employee's normal premium payment. Employees on an approved medical leave may use any available accrued Annual, Sick and Personal Leave during their absence. If Staff have leave to cover this medical leave, all leaves will accrue as per normal until staff run out of paid time of any type.

c. OHCAC may request that the employee on non-FMLA leave be examined by a physician designated by OHCAC (at OHCAC's expense), and failure to do so will result in refusal to grant the leave or immediate termination of the leave of absence. Employees returning from a medical leave of absence must provide a doctor's written certificate that they are able to return to normal work duties.

d. Employees are expected to return to work from a medical leave as soon as released to do so by their physician or medical provider. Employees returning from a medical leave of absence may be required to submit a return to work authorization from their medical provider. Unless prohibited by law or required as an accommodation to a disability, **the maximum period of a medical leave of absence, including any FMLA leave, is six months**, as set forth above. Unless otherwise required by local, state or federal law (including disability requirements), if an employee does not return to work when released or at the end of the six-month period, whichever is earlier, the employee's employment will be terminated.

e. For employees who are on a leave of absence not covered by the FMLA, or that is in excess of that available under the FMLA, it may be necessary or advisable that a replacement employee be hired during a leave of absence period, and there is therefore no guarantee of reinstatement nor any guarantee or reinstatement to any particular position. For such leaves, if the employee's former position is no longer available, OHCAC may make reasonable attempts to offer the returning employee work in a comparable position, provided that other work is available and that OHCAC determines that the employee is able to perform that work. Any refusal to accept reasonably comparable or suitable work that is offered will result in the termination of employment. Employees who are on FMLA leave are guaranteed reinstatement to their former position or a substantially equivalent position. However, if an employee is on a leave of absence for a period of time that exceeds that available under the FMLA, the employee may forfeit any guarantee of reinstatement.

## **SUMMARY AND CLOSING WORDS**

We are pleased to have you as part of OHCAC and want to help you make your work here a valuable experience. This Policy Handbook was prepared to help you understand how we do business and to present, in summary fashion, some of the guidelines regarding your employment. If you need more information or have any questions or suggestions about this Handbook or about your employment, we want to hear from you.

## **APPENDICES**

- A. Supplemental Information
- B. FMLA Policy
- C. COBRA – Health Insurance Continuation
- D. HIPAA Compliance
- E. Employees and Dating

## APPENDIX A

### SUPPLEMENTAL INFORMATION

EEO Officer:

Trent Grooms  
Box 248  
Dayton, OH 45405  
937-672-6651

Whistleblower Policy Compliance Officer:

Board Treasurer and Chair of Finance Committee  
Rick Maddox  
[rickmaddox57@gmail.com](mailto:rickmaddox57@gmail.com)

HIPAA Privacy Officers:

Non-Head Start Staff  
Linda Hartle  
[lindah@ohcac.org](mailto:lindah@ohcac.org)

Head Start staff  
Peg Gwinner  
[pegg@ohcac.org](mailto:pegg@ohcac.org)

Benefits Manager:

Beverly Kuenzli  
[bevku@ohcac.org](mailto:bevku@ohcac.org)

Payroll:

Anita Major  
[Anitam@ohcac.org](mailto:Anitam@ohcac.org)

## APPENDIX B

### FAMILY AND MEDICAL LEAVE ACT

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you must contact the Benefits Manager or Fiscal Department in writing.

#### **General Provisions**

Under this policy, OHCAC will grant up to 12 weeks of leave (or up to 26 weeks in the case of leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave, and the accumulated leave available to the employee as specified in this policy.

#### **Eligibility**

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

- The employee must have been employed for at least 12 months and worked at least 1,250 hours during the 12-month period immediately before the date when the leave is to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave will not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

#### **Type of Leave Covered**

To qualify as FMLA Leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child and/or in order to care for that child.
- The placement of a child for adoption or foster care and to care for a newly placed child.
- To care for a spouse, child or parent with a serious health condition (Under the FMLA, a "spouse" means a husband or wife as defined under the law in the state where the employee resides, including same-sex marriages in states that legally recognize such civil unions).
- The serious health condition (described below) of the employee.
- Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.
- Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

### **Serious Health Conditions**

A serious health condition is “an illness, injury, impairment, or physical or mental condition that involves: inpatient care in a hospital, hospice, or residential medical care facility; or, continuing treatment by a health care provider.”

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under OHCAC's Sick Leave policy are encouraged to consult with the Benefits Manager.

If an employee takes paid Sick Leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, OHCAC may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

### **Military Service**

An employee whose spouse, son, daughter or parent has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, and h) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

*Covered active duty* means:

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
- In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in Title 10 U.S.C. §101(a)(13)(B).

The leave may commence as soon as the individual receives the call-up notice. (*Son or daughter* for this type of FMLA Leave is defined the same as for *child* for other types of FMLA Leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA Leave in a 12-month period.

### **Military Caregiver Leave**

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to care for that service member who has a serious injury or illness.

*Next of kin* is defined as the closest blood relative of the injured or recovering service member.

The term *covered service member* means:



- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The term *serious injury or illness* means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

### **Amount of Leave**

An eligible employee may take up to 12 weeks (or up to 26 weeks in the case of leave to care for a covered service member with a serious injury or illness) under this policy during any 12-month period. OHCAC will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses leave under this policy. Each time an employee takes leave, OHCAC will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance described above during a single 12-month period. For this military caregiver leave, OHCAC will measure the 12-month period as a rolling 12-month period measured backward. FMLA Leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for OHCAC and each wishes to take leave for the birth of a child (except a newborn child with a serious health condition), adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for OHCAC and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

### **Employee Status and Benefits During Leave**

While an employee is on leave, OHCAC will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

### **Employee Status After Leave**

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

### **Use of Paid and Unpaid Leave**

All paid Annual, Personal and Sick Leave runs concurrently with FMLA Leave. This means you will be required to use all forms of paid leave at the same time as you are absent for an FMLA qualifying reason. Once you start using leave you must use until extinguished or return back to work.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA Leave and will run concurrently with FMLA.

### **Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA Leave in blocks of time. When medically appropriate and under certain circumstances, employees may use the leave intermittently (take a day periodically when needed over the year) or may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

### **Certification for the Employee's Serious Health Condition**

OHCAC may and often times will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in the leave not being protected by FMLA. .

### **Certification for the Family Member's Serious Health Condition**

OHCAC will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in the leave not being protected by FMLA.

### **Certification of Qualifying Exigency for Military Family Leave**

OHCAC will require certification of the qualifying exigency for Military Family Leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in the leave not being protected by FMLA.

### **Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave**

OHCAC will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in the leave not being protected by FMLA.

### **Recertification**

OHCAC may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if OHCAC receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, OHCAC may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

**Procedure for Requesting FMLA Leave**

All employees requesting FMLA Leave must provide the Benefits Manager with written notice of the need for the leave. Within five business days after the employee has provided this notice, the Benefits Manager will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide at least 30 days' notice to OHCAC. When an employee becomes aware of a need for FMLA Leave less than 30 days in advance, the employee must provide notice of the need for the leave as soon as is practicable, usually either the same day or the next business day. When the need for FMLA Leave is not foreseeable, the employee must comply with OHCAC's usual and customary notice and procedural requirements for requesting leave.

**Designation of FMLA Leave**

Within five business days after the employee has submitted the appropriate certification form, the Benefits Manager will provide the employee with a written response to the employee's request for FMLA Leave.

**Intent to Return to Work from FMLA Leave**

OHCAC may require an employee on FMLA Leave to report periodically on the employee's status and intent to return to work.

**No Retaliation**

No director, officer or employee who, in good faith, reports a violation of the FMLA, assists in reporting, or who participates in an investigation or proceeding of such reports shall suffer harassment, retaliation, or adverse employment consequences. An employee who retaliates against someone who has exercised their rights under this Policy and the FMLA is subject to discipline up to and including termination of employment.

## APPENDIX C

### COBRA – HEALTH INSURANCE CONTINUATION

If you are covered by the group health insurance plan, you may elect to continue your group health insurance at your own expense if you would otherwise lose your group health insurance due to a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct). We have tried to summarize the federal law here; however, in the event of any misstatements or changes in the law, the requirements of the law will prevail.

The spouse of an employee covered by group health insurance may choose continuation coverage if the employee loses group health coverage for any of the following reasons:

1. Death of the spouse;
2. Termination of the spouse's employment (for reasons other than gross misconduct) or reduction in the spouse's hours of employment;
3. Divorce or legal separation from the spouse; or
4. The spouse becomes entitled to Medicare.

A dependent of an employee covered by group health insurance may choose continuation coverage if they would otherwise lose group health coverage for any of the following reasons:

1. Death of the parent;
  2. Termination of the parent's employment (for reasons other than gross misconduct) or reduction in the parent's hours of employment;
  3. Parent's divorce or legal separation;
  4. The parent becomes entitled to Medicare; or
  5. They cease to be a "dependent child" under the group health insurance plans.
- You or your family member has the responsibility to inform the Company of a divorce, legal separation, or a child losing dependent status under the group health insurance plan within 60 days of the later of the date of the event or the date on which coverage would be lost because of the event. The Company has the responsibility to notify the insurance company of an employee's death, termination of employment, reduction in hours, or Medicare entitlement. Rights similar to those described above may apply to retirees, spouses, and dependents if the Company commences a bankruptcy proceeding and these individuals lose coverage.

Once the Company is notified that one of these events has happened, you or your family member will be notified directly that you have the right to choose continuation coverage. You or your family member will then have 60 days from the date of notification (or 60 days from the date coverage would be lost, if later) to inform the Company of your desire to continue coverage. No claims will be processed after the date your group health insurance coverage would have otherwise ended, unless and until the premium is paid.

If you do not choose continuation coverage, your insurance coverage will end.

If you choose continuation coverage, you will receive health insurance coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. You will be afforded the opportunity to maintain continuation coverage for 36 months, unless you lost group health coverage because

of a termination of employment or reduction in hours; in that case, the continuation coverage period is 18 months.

The 18-month period may be extended if other events (for example, divorce, legal separation, death, or Medicare entitlement) occurs during that 18-month period. However, an employee who terminates employment because of a disability is entitled to continuation coverage for 29 months, or until the disability ends, if sooner.

Your continuation coverage may be cut short for any of the following reasons:

1. The premium for your continuation coverage is not paid on time;
2. You become covered under another group health plan that does not contain any exclusion or limitation with respect to any preexisting condition you may have;
3. You become entitled to Medicare;
4. You extend coverage due to your disability and there has been a final determination that you are no longer disabled; or
5. The Company no longer provides group health coverage to any of its employee Associates.

You will be required to pay the entire premium for your continuation coverage. There is a grace period of 30 days for payment of the regularly scheduled premium. At the end of the continuation period, you may be allowed to enroll in an individual conversion health plan as provided under the group health insurance plan. Please notify your Supervisor of all changes in your marital status, dependent status, and/or address.

## APPENDIX D

### HIPAA COMPLIANCE

Ohio Heartland Community Action complies with the Health Insurance Portability and Accountability Act (HIPAA) with regard to the employee's Health Insurance benefits as well as the employee's personal health information which may be a part of the employee's records. All employees shall treat their own medical information and medical information of other employees as confidential. Employees are not required to disclose medical information to anyone other than the Benefits Manager and in that case only as required by this policy.

Employees should keep all information, knowledge, records, gossip, and the like to themselves and confidential. Employees will not share any information about a client or customer, their family, a coworker, or their coworker's family.

The Benefits Manager shall be able to obtain employee medical information for:

The completion of enrollment forms for health and life insurance coverage.

- A. Such medical and personal information as may be required to assist an employee with claims problems and questions.
- B. Such personal and medical information as may be required to process an application for Family Medical Leave.
- C. Such personal and medical information as may be revealed when filing a work-related accident form or to process and administer a claim for Worker's Compensation benefits.
- D. Such medical information as may be revealed through the filing and retention of work-related health examinations, employment applications, signed job descriptions, any requests for accommodation under the Americans with Disability Act, physicians' excuses from work and releases to return to work, and Sick Pay forms.
- E. Such medical and personal information as may be requested by OSHA Inspectors, Program Monitors and other government officials or needed to satisfy outside Auditors of OHCAC's grants, accounting procedures, benefits and the like.

If an employee is required to present documentation of a doctor's statement for sick leave, only the verification of the doctor's appointment need be submitted; specific medical information is not required.

All Release to Work forms shall only be requested and received by the Benefits Manager or designee. Copies are not to be distributed to other employees. The Benefits Manager is responsible for reporting the employee's status and restrictions to Program Directors.

## **APPENDIX E**

### **DATING AND MARRIED EMPLOYEES**

While it is not our desire to become involved in employees' personal lives, experience has shown that dating relationships and marriages among employees, where there may be a supervisor-subordinate relationship, can seriously affect our business in many ways. This includes claims of favoritism, claims of stricter treatment, personal legal or harassment problems, and the potential for personal issues to spill into the workplace.

Our policy is that employees in supervisory roles are prohibited from dating or being married to any subordinate employee who (directly or indirectly) reports to them, or who works in the same work group or work area. If you are involved in any such dating relationship or marriage, you must immediately report it to the HR office. In such a situation, we will try to manage a transfer of one of the employees, if this can be done without a negative impact or inconvenience to OHCAC. Otherwise, termination of employment may occur. Employees who are in violation of this policy, without advance disclosure, will be disciplined, which may include termination.