

*Institute of Community  
Services, Inc.*



*Personnel Policies and Procedures Manual*

Revised 2022

INSTITUTE OF COMMUNITY SERVICES, INC.  
PERSONNEL POLICIES AND PROCEDURES

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INSTITUTE OF COMMUNITY SERVICES, INC.

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To: All Supervisors  
Re: Personnel Policies

COMMENT:

In every organization, it is necessary to establish a framework within which the efforts of employees can be directed in a manner which will advance both the objectives of the organization and the interests of the individual. Simply stated, every employee needs to know where he or she stands with their employer and what is expected of them. Personnel policies that are improperly formulated or administered, or that fail to keep employees informed concerning all areas of management policy, create misunderstanding, mistrust, and inefficiency. Properly formulated and administered personnel policies create a working environment conducive to productivity and personal job satisfaction.

With the growth of INSTITUTE OF COMMUNITY SERVICES, INC., it has become necessary to be more formal in administering personnel policy. This has been necessitated by the increasing number of personnel employed. The need has also been created by the expanding number of employee benefits provided by the agency and by the increasing role of government in regulating the personnel function.

This Personnel Policy Manual has been prepared as a guide and reference for members of management at all levels of supervisory responsibility. It expresses the policies of the agency in the area of employer-employee relations, and it enjoys the unqualified approval of the agency's board of directors and policy council.

Any policy, however properly formulated, is only as good as its implementation, and the key to the implementation of policy is the supervisor who is responsible for and in direct contact with each group of employees. You are the individuals who must translate these ideas and principles into action, and it is upon you that we depend for the successful development of a productive and harmonious working environment for our employees. Accordingly, I request that each of you thoroughly familiarize yourself with the contents of this manual in order that all personnel policies of the agency may be administered fairly and effectively.

*Eloise McClinton, Executive Director*  
Institute of Community Services, Inc.

**POLICY:**

This Personnel Policy Manual of the INSTITUTE OF COMMUNITY SERVICES, INC. is a compilation of personnel policies, practices, and procedures which have been developed over a period of years. Designed as a communications tool for managers and supervisors, it offers a standardized approach for the administration of personnel policies, and thereby is intended to reduce difficulties which might arise from unwritten policy, inconsistent policy, or lack of proper communication.

All employees are hired at the will and pleasure of ICS. Nothing contained in these policies and procedures shall be construed to create any type of employment other than "at will", nor shall anything herein create any property rights in employment or benefits. Employees not working under an employment contract are deemed to be "at will." "At will" employees may resign at any time or be terminated for any reason, so long as it's not illegal; ICS, Inc. reserves the right not to recall employees after lay-off periods due to budgetary constraints, reduction in workforce, performance evaluations, etc.

**COMMENT:**

(1) The human resources director shall be responsible for distributing sufficient copies of the manual to supervisors and Head Start centers of the agency. Each employee shall review this personnel manual and sign an acknowledgment indicating that they have read and understand the contents of the manual.

(2) The manuals are agency property and are assigned to the job position and not the individual. Upon termination of employment or resignation, the supervisor shall return the manual to the human resources director for reassignment to the agency's replacement employee.

(3) Because of the importance of personnel policies and practices in the conduct of agency business, a management committee has been established to review and to recommend changes in the agency's personnel policies, its employee benefit programs, and its salary administration programs. Membership of the management committee consists of the human resources director and such other persons as designated by the agency's executive director.

(4) Any employee may recommend a change in policy to the management committee. Likewise, matters not covered by the manual shall be brought to the attention of the management committee in order that new policy may be formulated if necessary.



(5) All changes and new policy additions to the manual must be reviewed by the management committee, approved by the executive director, and submitted to the Board of Directors and Policy Council for final approval. A general announcement of policy changes to all employees will not be made until two days after distribution to supervisors and department heads.

(6) Should any employee approach his supervisor with a question concerning a policy contained in the manual, the supervisor is encouraged to show the employee the written policy involved and to attempt to answer any questions concerning the policy. Matters involving the interpretation of a policy shall be referred to the agency's human resources director and/or management committee for resolution.

(7) As used in the manual:

- (a) The words "shall" and "will" are to be construed as mandatory and the word "may" as permissive;
- (b) The masculine gender shall be construed to include the feminine gender;
- (c) "Supervisor" means an individual with the authority to assign, direct, and review the work of two or more subordinates; and
- (d) "Immediate family" means the employee's spouse, brother, sister, parent, children, father-in-law, mother-in-law, grandmother, grandfather, great-grandparents, and any members of the employee's household.
- (e) "At will" employment means, ICS, Inc., can keep our employees for however long we want. This means ICS, Inc., can fire employees for any reason or no reason at all, so long as it is not an unlawful or discriminatory reason, such as because of his/her age, sex, national origin or disability.

Lawful, non-discriminatory reasons for terminating an "at will" employee include:

- Merger with another company or business/Head Start agency
- Workforce reduction
- Poor agency performance

(8) The authors of this manual recognize that it is essential for employees to have a guaranteed right to appeal decisions of management that could adversely affect their job security. This manual is designed, therefore, with one central appeal procedure to handle all matters subject to appeal, including but not limited to the following:

- (a) Reductions in force;
- (b) Terminations;
- (c) Disciplinary matters;
- (d) Grievances;
- (e) Evaluations;
- (f) Transfers;
- (g) Any other personnel matter which may cause employee dissatisfaction.

The appeal section's location is Section 905:1, and all staff should refer to it when filing an appeal.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to develop and maintain a system of effective written personnel policies. The Personnel Policy Manual represents a collection of currently operative policies for the agency.

In order to insure that the agency's policies continue to meet high professional standards and do not become outdated or neglected, you will be provided with new or amended policy statements that reflect necessary changes as the need arises.

**COMMENT:**

(1) As new or amended policy information and statements are issued, the updates will not only note the changes you need to make but will also indicate how the affected policy statement is being modified.

(2) Filing instructions will be included stating which pages to remove and/or insert.

(3) Review and file the new material promptly to keep the Personnel Policy Manual current.

(4) Discuss any policy changes, both new issuances and modifications, with the employees you supervise to keep them informed of the policies governing their employment.

(5) Contact the agency's human resources director if you have any questions concerning any of the agency's policies and/or procedures.

(6) No changes, whether additions, deletions, modifications and/or revisions, will be made in the agency's Personnel Policy Manual except after due consideration of the mutual advantages, benefits and responsibilities of the agency's programs, operations, and employees. At some times and in some cases, the implementation and application of these policies may be affected by government regulations and funding, which shall supersede anything contained herein to the contrary.

(7) While the agency intends to continue in effect the policies, benefits and rules reflected in the Personnel Policy Manual, the INSTITUTE OF COMMUNITY SERVICES, INC. reserves the right to make any revisions as, in its judgment, may be advisable.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that the work of all employees shall be assigned, directed, and reviewed by supervisory personnel. Each employee will ordinarily have only one supervisor to whom the employee is directly responsible.

**COMMENT:**

(1) The supervisor is the link between the agency's management and non-management employees. He communicates to the employees under his supervision the goals and policies of the agency, and he communicates to agency the attitudes, suggestions, and complaints of employees.

(2) Effective supervision depends primarily on the ability of supervisors to get employees to do what they want them to do--with enthusiasm. More supervisors fail for lack of ability to deal with people than for lack of technical skills. Supervisory techniques such as the following are frequently utilized by successful supervisors:

- (a) They treat their employees as individuals;
- (b) They give recognition for good performance as well as for correcting mistakes;
- (c) When changes are necessary, they explain in advance and ask for suggestions;
- (d) They recommend good employees for promotion even if it means losing them;
- (e) They show their integrity by admitting mistakes instead of shifting the blame to others;
- (f) They are impartial and let their employees know the reasons for any decisions that might be interpreted as unfair;
- (g) They communicate a desire for good performance by setting performance goals and standards for their employees; and
- (h) They develop a feeling of teamwork among their employees.

(3) It is the responsibility of each supervisor to insure that the goals regarding work output established by the agency are achieved, and that the personnel policies established by this manual are implemented. Included in the latter category of responsibilities are the following:

- (a) Training employees in specific job duties and recommending special training outside the agency as needed;
- (b) Keeping employees fully informed on all factors relating to their work assignments, work progress, and opportunities for advancement;
- (c) Evaluating the performance of probationary employees, permanent employees, and employees who are being terminated;
- (d) Recommending salary adjustments, promotions, transfers, and termination of employees;
- (e) Scheduling vacations and supervising lunch and rest breaks;
- (f) Requesting approval of travel and reimbursement of employee expenses;
- (g) Controlling absenteeism and tardiness, and approving requests for time off;
- (h) Verifying employee time and attendance records;
- (i) Recommending the hiring of additional personnel or the elimination of any job;
- (j) Protecting the safety and health of employees and reporting injuries of employees or clients;
- (k) Maintaining neat and orderly work areas;
- (l) Implementing suggestions, disciplinary, and problem review procedures; and
- (m) Insuring that all rules and regulations are observed by employees.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to employ a full-time human resources director who shall be responsible to the executive director. The human resources director acts as an advisor to agency management by providing professional expertise in planning the agency's personnel policies, and providing staff assistance to supervisors and department heads in carrying out these personnel policies.

**COMMENT:**

- (1) The human resources director is head of the human resources department and as such is responsible for staffing and organizing the work of the department. In addition, the human resources director serves as a member of the management committee which is tasked with the formulation and interpretation of personnel policies.
- (2) Included among the responsibilities of the human resources director are the following:
  - (a) Formulating general personnel policies, including manpower and organization planning;
  - (b) Development and implementation of all policies relating to equal employment opportunity;
  - (c) Recruiting, interviewing, testing, recommending placement, and orientation of new employees;
  - (d) Coordinating the transfer, promotion, and termination of employees;
  - (e) Wage and salary administration for exempt and non-exempt employees;
  - (f) Administration of employee benefits plans and programs, and disclosure of information concerning benefits to employees;
  - (g) Monitoring the disciplinary and grievance procedures; and
  - (h) Maintaining personnel records and evaluating personnel programs and policies.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to announce to all employees the fundamental principles and mutual rights and obligations comprising the relationship of employment between the agency and its personnel.

**COMMENT:**

- (1) In its continuing effort to implement fair and effective personnel policies and practices, the agency pledges:
  - (a) To employ people on the basis of their qualifications and with assurance of equal opportunity and treatment regardless of race, religion, color, sex, age, or national origin;
  - (b) To provide salaries and employee benefits which bear a fair and reasonable relationship to the work performed;
  - (c) To establish reasonable hours of work;
  - (d) To maintain safe and healthful working conditions;
  - (e) To place employees in the kind of work best suited to their abilities;
  - (f) To provide systematic training for those whose needs, capabilities, and desires warrant such training;
  - (g) To welcome constructive suggestions which relate to methods, procedures, working conditions, and the nature of the work performed;
  - (h) To establish procedures for employees to discuss freely any matter of interest or concern with their immediate supervisor or department head; and
  - (i) To permit each employee as much discretion and responsibility as is consistent with a well-coordinated and effective operation.
- (2) The agency expects all employees:
  - (a) To give a productive day's work to the best of their abilities and skills;

- (b) To arrive at their departments and begin work on time;
  - (c) To demonstrate a considerate, friendly, and constructive attitude toward fellow employees; and
  - (d) To adhere to the policies adopted by the agency.
- (3) The agency retains the right to exercise customary managerial functions including the right:
- (a) To dismiss, assign, supervise, and discipline employees;
  - (b) To determine and change times, quitting times, and shifts;
  - (c) To transfer employees within departments or into other departments and other classifications;
  - (d) To determine and change the size of and qualifications of the work force;
  - (e) To establish, change, and abolish its policies, practices, rules, and regulations;
  - (f) To determine and change methods by which its operations are to be carried out; and
  - (g) To assign duties to employees in accordance with the agency's needs and requirements and to carry out all ordinary administrative functions.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide equal opportunity in employment to all employees and applicants for employment. No person shall be discriminated against in employment because of such individual's race, religion, color, sex, age, or national origin.

**COMMENT:**

(1) This policy applies to all terms, conditions, and privileges of employment including hiring, probation, training and development, promotion, transfer, compensation, benefits, educational assistance, reduction in force, social and recreational programs, termination and retirement.

(2) The administrative assistant has been appointed director of equal employment opportunity programs for the agency and will be responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. The administrative assistant shall report directly to the executive director, and the duties shall include but are not necessarily limited to:

- (a) Assisting management in collecting and analyzing employment data, identifying areas in which the agency is deficient in the utilization of minorities and women, and working with department heads to establish goals and timetables;
- (b) Developing policy statements, affirmative action programs, and internal and external communication techniques regarding the equal employment policies of the agency;
- (c) Designing and implementing record keeping and reporting systems to insure compliance with legal requirements, and posting of notices as required by law;
- (d) Preparing an annual review and summary of the agency's affirmative action programs and the results achieved under these programs for submission to the executive director;
- (e) Assisting supervisory personnel in arriving at solutions to problems.
- (f) Serving as liaison between the agency and government agencies, minority and women's organizations, and other community groups; and

- (g) Keeping management informed of the latest developments in the entire equal employment opportunity area.
- (3) Any communication from an applicant for employment, an employee, a government agency, or an attorney concerning any equal employment opportunity matter shall be referred to the agency's human resources director.
- (4) While overall authority for implementing this policy is assigned to the administrative assistant, an effective equal employment opportunity program cannot be achieved without the support of supervisory personnel at all levels. Supervisors and department heads should understand that their work performance is being evaluated on the basis of their equal employment efforts and results.
- (5) This policy has the complete endorsement of the agency's executive director and board of directors.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to prohibit sexual harassment of its employees in the work place by any person and in any form.

**DEFINITION:**

Sexual Harassment is a form of discrimination in the United States that violates **Title VII of the Civil Rights Act of 1964.**

Sexual harassment occurs when one employee makes continued, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, to another employee, against his or her wishes.

**COMMENT:**

- (1) Each supervisor has an affirmative duty to maintain his or her work place free of sexual harassment. This duty includes discussing this policy with all employees and assuring them that they are not required to endure insulting, degrading, or exploitative sexual treatment.
- (2) Specifically, no supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.
- (3) Other sexually harassing conduct in the work place, whether committed by supervisors or non-supervisory personnel, is also prohibited. Such prohibitive conduct includes:
  - (a) Unwelcome sexual flirtations, advances, or propositions;
  - (b) Verbal abuse of a sexual nature;
  - (c) Sexually suggestive or other erotic comments about an individual's body;
  - (d) Sexually degrading words used to describe an individual;
  - (e) The display in the work place of sexually suggestive objects or pictures;
  - (f) Text messages of a sexual or sexually suggestive nature;

- (g) Emails of a sexual or sexually suggestive nature;
  - (h) Sexual or sexually suggestive statements about any ICS employee to be Found on anyone's cyber medium such as: FaceBook or Twitter, etc.
- (4) Any employee who believes that he or she has been the subject of sexual harassment should report the alleged act immediately to his or her supervisor. Supervisors should make every effort to insure that complaints of sexual harassment are resolved promptly and effectively.
  - (5) If the employee is not satisfied with the action taken by the supervisor, the supervisor should advise the employee to bring the complaint to the attention of the human resources director. The complaint will be investigated by the human resources director and the employee will be advised of the findings and conclusion.
  - (6) All actions taken to resolve complaints of sexual harassment through internal investigations shall be conducted confidentially.
  - (7) Any supervisor, agent, or other employee who is found, after appropriate investigation, to have engaged in sexual harassment of another employee will be subject to appropriate sanctions depending on the circumstances, up to and including termination.

\*\*\*\*\*

**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to hire individuals who are qualified or trainable for employment as determined by our standards of physical fitness, education, experience, aptitude, and character. All decisions regarding the recruitment, selection, and placement of employees are made solely on the basis of job-related criteria.

**COMMENT:**

- (1) Job openings will be filled by promoting qualified personnel, including substitutes, from within the agency, whenever possible.
- (2) The agency will accept applications for employment only when job openings exist. When no openings exist, applicants will be so informed and told that they may submit application(s) when future vacancies occur.
- (3) The agency will not pay any employment agency fees for referrals of individuals to fill job openings.
- (4) When a department head or other manager or supervisor determines that there is a requirement for one or more new employees, he or she shall submit an employment requisition to the human resources department. Requisitions to fill existing jobs that are being permanently vacated will be processed routinely. All other requisitions will be reviewed by the human resources department before approval.
- (5) To aid the process of selecting those most qualified for long term employment, the agency may utilize pre-employment tests as a part of normal hiring procedures for non-management personnel. The human resources department will administer any pre-employment tests.
- (6) If job openings are to be filled from within the agency, the openings will be posted in accordance with established agency procedures. The human resources department will arrange interviews between the applicant and the department head where the vacancy exists. A recommendation to accept or reject an applicant shall be made by the department head based upon the applicant's performance and qualifications. It is the department head's responsibility to determine if an applicant is technically qualified for the position and if the applicant can work compatibly within the department. The department head shall provide his or her recommendation in written form to the executive director.

- (7) If it is determined that additional personnel will be hired from outside the agency, parents will be given priority for positions for which they qualify. The following procedures shall be followed for outside hiring:
- (a) Employment applications shall be completed and submitted to the human resources department. Appropriate employment tests are administered and personal background investigations commenced by the human resources department for applicants who meet the minimum qualifications for the position.
  - (b) If the human resources department determines that the applicant is eligible for employment, an interview shall be arranged between the applicant and the head of the department from which the request for additional personnel originated.
  - (c) It is the department head's responsibility to determine if an applicant is technically qualified for the position and if the applicant can work compatibly within the department. A recommendation concerning hiring or rejecting each applicant shall be made by the department head and forwarded to the human resources department.
  - (d) All applicants recommended for hire by a department will be scheduled for interviews by the agency's management committee, as appropriate. Management committee recommendations will be forwarded to the agency's executive director. The personnel committee of the Policy Council shall make all final recommendations to the Policy Council for hiring.
  - (e) Following a decision to hire the applicant, a medical examination shall be arranged by the human resources department, if desired by management, to determine the applicant's physical abilities to perform the job. The cost of a physical examination required by management shall be paid for by the agency.
  - (f) If the medical examination or background investigation discloses any misrepresentation on the application form or information indicating that the individual is not suited for employment with the agency, the applicant shall be refused employment or, if already employed, shall be terminated.
  - (g) Orientation of the new employee shall be conducted by the human resources department. Training of the new employee is the responsibility of his or her supervisor.
- (8) All representatives of the agency should be aware that employment with the agency is "at will" and should exercise great care not to make any representations otherwise. Therefore, during the recruitment, hiring, and orientation process, no statement shall be made promising permanent or guaranteed employment, and no document shall be called a contract unless, in fact, a written employment contract is to be used.

- (9) When not prohibited by federal or state laws, the agency will employ a relative or cohabitant of an employee provided the individual possesses the usual qualifications for employment. However, those persons will not be given work assignments which require one to direct, review, or process the work of the other, or which permit one to have access to the personnel records of the other.
- (10) If one employee marries another, both may retain their positions if they do not work in the same department, are not under the direct or indirect supervision of each other, and neither occupies a position which has influence over the other's employment, promotion, salary administration, and other related management or personnel considerations.
- (11) Former employees who left the agency in good standing may be considered for re-employment. Former employees who resigned without adequate notice or who were dismissed for cause will not be considered for re-employment. A previously terminated employee who is re-employed will be considered a new employee from the date of re-employment unless the break in service is less than thirty days, in which case the employee shall retain accumulated seniority and other applicable benefits.
- (12) Members of the ICS Policy Council and Board of Directors are not eligible for employment with ICS as long as they are members of the council or board.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that all job applicants will be subject to employment investigations into their work backgrounds and personal references.

**COMMENT:**

(1) Only fully qualified individuals will be considered for employment by the agency. Applicants who have falsified information, omitted essential facts on their application, or whose work backgrounds and/or personal references are not satisfactory are not considered to be eligible for employment. If employed and it is subsequently discovered that information was falsified or omitted, the employee is subject to immediate discharge.

(2) Prior to employment by the agency, all job applicants must declare in writing all:

(a) Pending and prior criminal arrests and charges related to child sexual abuse and their disposition;

(b) Convictions related to other forms of child abuse and/or neglect; and

(c) Convictions of violent felonies.

(3) Prior to employment, a state and national criminal record check will be made on all prospective employees, to the extent permitted by state law and available funds.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to require a physical examination for its employees under certain circumstances. The objectives of this program are to hire people in good health so that satisfactory work performance may be maintained, to help new employees recognize disabilities so that early correction may be obtained, and to help employees start an effective health program on their own.

**COMMENT:**

- (1) The human resources department of the agency is responsible for the administration of this program.
- (2) The human resources department will determine the extent and nature of the physical examination required, if any, based on the prospective and/or current employee's job and prior history.
- (3) Federal and state laws, where applicable, take precedence over agency policies. Where federal and state laws are not prohibitive, it is the agency's policy that every individual shall, as a condition of new and/or continued employment, pass a physical examination upon request of the agency's executive director and/or human resources director.
- (4) It is a condition of new and/or continued employment that center employees shall complete a Communicable Disease History Survey for Child Care Center Employees in accordance with State Board of Health requirements.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to hire individuals who are qualified or trainable for employment as determined by applicable federal and/or agency standards of physical fitness, education, experience, aptitude and character. All decisions regarding the recruitment, selection, and placement of employees are made solely on the basis of job-related criteria.

**COMMENT:**

- (1) Every effort is made to place new employees in positions which best utilize their abilities and in which they will be able to achieve both personal satisfaction and opportunity for growth.
- (2) Positions authorized on the agency's staffing chart are divided, according to status, as either exempt (salaried personnel are not covered by wage and hour laws), or non-exempt (hourly or clerical personnel covered under wage and hour laws).
- (3) Jobs having similar or equal performance requirements are classified by categories. Each job classification has been assigned a wage according to the agency's labor grade and salary schedule. In compliance with the agency's wage comparability policy, such compensation will not exceed the wage or salary payable to persons providing substantially similar services in the area where the program is being carried out.
- (4) All jobs and classifications are reviewed annually and scheduled modifications or classification adjustments, if any, will be recommended by the executive director to the agency's board of directors and policy council.
- (5) Job descriptions have been developed listing the major duties and responsibilities of each position. Many include specific performance levels and all reflect minimum qualifications for the described position. Each employee is provided a copy of his/her job description during orientation by the human resources department with additional copies kept in the human resources director's office.
- (6) The agency tailors its recruitment to obtain personnel particularly well suited to dealing with Head Start enrollees. The agency actively seeks to find employees with such personal traits as:
  - (a) A willingness, awareness, and sincere desire to work with young children;

- (b) An ability and willingness to serve or perform in functions other than their specific job;
  - (c) An understanding of the diverse cultures and backgrounds of the Head Start population;
  - (d) Personal integrity and a personality which can serve as role-models for the children;
  - (e) Experience that is both positive and relevant to the training of children who come from various ethnic backgrounds; and
  - (f) Experience in other early childhood education programs.
- (7) In order to recruit the type of personnel who can relate to and serve as models for young children, consideration is given to applicants both with and without extensive academic training. An academic degree is not the final hiring determinant if other qualifications have proven to be more relevant to successful job performance.
- (8) Experience and other attributes are weighed in making the final selection. All hirings, however, must comply with the respective job criteria specified on the position descriptions, and final approval must be given by the agency's policy council.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to maintain established guidelines relative to employee classification that adhere to the provisions of the Fair Labor Standards Act.

**COMMENT:**

- (1) EXEMPT EMPLOYEES: Employees whose duties are of an executive, administrative, professional, or outside sales nature, and who meet the legal requirements of the Fair Labor Standards Act. These employees are exempt from the normal overtime and minimum wage requirements of the Fair Labor Standards Act. A "Checklist for Exemption" form should be completed to determine if a position is exempt.

Although the exempt employee is not eligible for overtime pay, there are certain privileges which are recognized:

- (a) Compensation for service on a salary basis as indicated in CFR 29541.602.
  - (b) Independent judgment and discretionary decision making.
  - (c) Salary and leave banks are not docked for part-day absences.
- (2) NON-EXEMPT EMPLOYEES: Employees whose duties are not of an executive, administrative or professional nature, and who are covered by the legal requirements of the Fair Labor Standards Act. These employees are eligible for overtime pay and must be paid at least the minimum wage.
- (3) FULL-TIME: Employment in an established job requiring 30 or more hours per week.
- (4) PART-TIME: Employment in an established job requiring less than 30 hours per week.
- (5) TEMPORARY: Employment in a job established for a specific period of time or for the duration of a specific project or assignment. The status of a temporary employee who has been employed longer than ninety days shall be reviewed for possible reclassification as a full-time employee, unless one of the following conditions is met:
- (a) The employee has an irregular schedule (does not work every week), or is "on call" (for example, a substitute teacher).

- (b) The term of employment is for a specified period of time or a specific project of longer duration than ninety days.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to conduct orientation and training programs to familiarize employees with the agency and to enable them to learn their assigned jobs and to develop the skills required for efficient job performance.

**COMMENT:**

- (1) An orientation program will be conducted for all newly hired employees. The primary purpose of the orientation program is to acquaint new employees with agency rules and policies. Additional subjects to be covered and the scheduling of the programs shall be determined by the human resources department.
- (2) Employees will be required to participate in continuing education and training programs when such instruction is considered necessary for satisfactory job performance.
- (3) Supervisors will be responsible for on-the-job training involving new methods, systems, techniques, and equipment.
  - (a) Employees assigned as on-the-job trainers will be provided with instructional aids.
  - (b) On-the-job training will be conducted during normal working hours.
- (4) A safety and health education/training program will be conducted for all employees. The program will stress accident prevention and on-the-job safety.
- (5) Special programs dealing with cost reduction, program improvement, compliance with government regulations, and other job related topics will be developed and conducted on an as-needed basis.
- (6) Supervisory and management development programs will be conducted for prospective and present supervisors and managers as the need exists and agency resources permit.
- (7) All agency-sponsored or conducted orientation and training programs will be evaluated as to the quality of the instruction, the content, and the results.
  - (a) Evaluation forms will be prepared and distributed by the training officer at the conclusion of each program.

- (b) Supervisors of employees participating in agency programs will be requested to evaluate the effectiveness of the program in terms of operating results.
  - (c) Participants in agency programs may be required to take tests to determine the extent to which they have learned the knowledge and skills being taught.
- (8) Certificates of completion will be awarded to all employees who successfully complete any agency-sponsored or conducted program.
- (9) Records will be maintained by the training officer of all training programs completed by each employee.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to require its employees to be examined by a physician whenever conditions make this desirable for the protection of the employees or the agency. In addition, all employees are required to have physical examinations annually during their employment if their job functions require them to have contact with children and/or food served to children.

**COMMENT:**

- (1) As a condition of employment, an applicant for employment may be required to pass a physical examination administered by a physician designated by the agency. (See Hiring) Physical handicaps or impairments will be noted on the applicant's permanent file, and such problems that could affect job performance will be reported to the human resources department.
- (2) Employees may be required to have a physical examination on other occasions, such as transfer or promotion, or whenever management determines that the interests of the agency and the employee will be served thereby.
- (3) Physical examinations administered at the request of management shall be paid for by the agency. The cost of physical examinations not made mandatory by this policy shall be paid by the employee and may be administered by a physician selected by the employee.
- (4) Written reports of medical examinations paid for by the agency are the property of the agency and shall be treated as confidential. However, records of such examinations will be made available to public agencies if required by law or regulation.
- (5) Employees returning to work from a sick leave or maternity leave of absence (see Leaves of Absence) may be required to have a physical examination to determine their capability to perform satisfactorily their regular work without endangering themselves or their fellow employees. Also, in order to limit possible abuses of paid absence policies, the agency reserves the right to have a doctor visit employees at home in order to examine them while they are absent because of illness or injury. (See Short-Term Absences)
- (6) When the agency requires a physician's report concerning an illness suffered by an employee (see Holidays, Short-Term Absence and Leaves of Absence), the examination shall be at the expense of the agency and performed by a physician selected by the agency. Employees who are not satisfied with the physician's determination may submit, at their



own expense, a report from a physician of their own choosing. In the event of conflicting opinions, the agency's physician and the employee's physician shall designate a third physician to examine the employee, and that physician's report shall be binding on both parties. The expense of the third examination shall be shared equally by the agency and the employee.

- (7) The agency maintains first-aid kits and other limited emergency supplies in the health aide or center administrator's office and on buses.
- (8) Employees who become ill on the job or suffer any work-connected injury, no matter how minor, shall report to their supervisor for first-aid treatment and/or recording of the incident. Time spent by an employee in waiting for and receiving such first-aid attention shall be considered hours worked for pay purposes. However, whenever possible, employees should notify their supervisor before leaving their work station for medical reasons.
- (9) Employees who are exposed to any unexpected occupational health hazard, such as toxic materials or fumes, are required to have a physical examination immediately after the exposure. The physician shall determine whether exposed employees require medical treatment, whether they may be permitted to continue on their jobs, or whether they should be assigned to other jobs. Employees whose job normally exposes them to health hazards shall be given periodic medical examinations to insure that such exposure does not result in any medical complications.
- (10) Employees who are seriously injured during the course of their employment shall be given immediate medical treatment and, if required, hospitalized. The employee's immediate supervisor, the safety officer, or any other member of management has the authority to have injured employees transferred to an outside medical facility for emergency medical treatment.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC., that all new employees and all present employees transferred or promoted to a new job shall be placed on performance probation for a period of six months. Upon successful completion of the probationary period, the employee will be given regular status.

**COMMENT:**

(1) During the probationary period, the employee's job performance will be carefully observed by the supervisor. Weaknesses in performance or attitude shall be brought to the employee's attention in a manner appropriate for understanding and self-correction.

(2) After the first three months of the probationary period, the supervisor shall prepare a written evaluation of the employee's job performance. The evaluation should include a recommendation as to continuing the employee during the remainder of the probationary period. Copies of the evaluation shall be forwarded to the department head for review. After review, the department head will forward the evaluation to the human resources department for inclusion in the employee's personnel file.

(3) When a person who has been working as a substitute is employed, the 6-month probation period shall be waived provided the substitute has worked in that position on a regular basis for at least 6 months.

(4) New employees whose job performance is deemed by their supervisors to be unsatisfactory after reasonable efforts have been made to improve their performance, may be terminated at any time prior to completion of the probation period. A written evaluation shall be prepared by the supervisor and department head, plus a statement of actions taken to assist the employee in adjusting to the job. Copies of these evaluations shall be forwarded to the human resources department. New employees who are terminated during or at the conclusion of a probationary period have no rights of appeal. All hiring and firing must be approved by the agency's policy council.

(5) Transferred or promoted employees who are unable to perform satisfactorily on their new jobs during or at the end of their probation period shall be returned to their original jobs, if available.

(6) If the results of the medical examination or background investigation indicate that a new employee is not suited for employment with the agency, then the employee will be

terminated. New employees who are terminated during or at the end of the probationary period are not eligible for severance pay.

(7) New employees who successfully complete the first three months of the performance probationary period shall be eligible for all agency benefits such as annual leave, sick leave, participation in the health insurance and retirement programs, and protection under the Family and Medical Leave Act.

(8) An employee will be granted regular status only after the period of probation has been satisfactorily completed.

(9) Any regular employee may be placed on probation for up to three months when his or her performance has deteriorated and the supervisor believes it is necessary to impress upon the employee the need for improvement. Employees who improve satisfactorily during the probation may be restored to regular status. Failure to gain a performance rating of satisfactory or better during probation may result in transfer to another job more suited to the employee's capabilities or in termination.

(10) Regular employees who have been placed on probation are eligible for paid holidays but may not take any vacation days during the probation period.

(11) Probationary employees are not entitled to the grievance or appeal procedures (Sections 904:2, 905:1).

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to promote from within when possible. When vacancies occur, employees in the service area where the vacancy exists will be given priority for the position. If the vacancy is not filled by human resources within the service area, other qualified applicants will be considered for filling the vacancy.

**COMMENT:**

- (1) Job vacancies will be publicized internally by posted announcements on bulletin boards in the centers and central office. The announcement will give the position and qualifications.
  - (a) Employees who desire to apply for a particular job must notify the human resources department in writing within the time period specified by the initial posting of announcement of the job opening.
  - (b) Supervisors and department heads may recommend employees for consideration as candidates for promotion.
- (2) The records of all candidates will be reviewed and updated by the human resources department to insure that they are current and complete.
- (3) Qualified candidates will be interviewed by the head of the department in which the job opening occurs.
  - (a) Employees will be notified by the human resources department of the date and time scheduled for job interviews related to promotion.
  - (b) It is the responsibility of the department head to recommend the most qualified applicant for the position.
- (4) In selecting the most qualified applicant for promotion, the following factors will be considered:
  - (a) Ability to perform the work with a normal period of training, as determined by the employee's education, experience, and past performance;
  - (b) The employee's health and general physical fitness; and

- (c) The employee's seniority.
- (5) Management may use all or any combination of less than all, of the following methods to evaluate employees for promotion:
- (a) Attendance and work records;
  - (b) Performance appraisals;
  - (c) Job-related tests; and
  - (d) A medical examination arranged by the human resources department.
- (6) Employees selected for promotion will be placed on probation for a period not to exceed six months.
- (a) Promoted employees will be given training in their new job.
  - (b) They will retain their former job seniority until they have satisfactorily completed the probationary period in the new job.
  - (c) They will be compensated at the minimum rate of pay for their new job during the probationary period, or if their existing rate is above the minimum for the new job, the employee will be assigned a rate of pay which is at least equal to the next appropriate step in the salary grade for the new job.
- (7) At the end of the probation period, the supervisor and department head will prepare a written evaluation of the promoted employee's job performance with a recommendation as to the employee's status in the new position. Copies of the evaluation will be forwarded to the human resources department.
- (8) A promoted employee successfully completing the trial period will be assigned regular status in the new position as his or her regular job.
- (a) The employee will be given a rate of pay within the salary range for the new job which is commensurate with his or her performance level.
  - (b) The employee will be given the new job title.
  - (c) His or her personnel record will be updated to record the promotion.
  - (d) The promotion will be publicized.
- (9) If the promoted employee proves incapable of holding the position, he or she shall be reinstated to the former job without prejudice or loss of any rights or privileges,

and assigned to his or her prior rate of pay, if a vacancy exists and management recommends the reassignment.

- (10) No employee will be permitted to apply for promotion to a new position until he or she has been in the present job for a minimum of six months.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to transfer employees from one job to another, either at their own request or as a result of a decision by management, when feasible and in the best interest of ICS.

**COMMENT:**

- (1) Reasons for transfer may include, but shall not necessarily be limited to, fluctuation in department workloads or production flow, the more efficient utilization of personnel, increased career opportunities, personality conflicts, reasons of health, and personal situations which may require temporary or permanent relocation.
- (2) Temporary transfers may be made for periods of up to three months. They may be extended for an additional three months when the reasons for the original transfer continue to be applicable.
- (3) An employee's eligibility for transfer is determined by the requirements of the new job. In addition, an employee must have been performing in a satisfactory manner in his or her current job prior to the request for transfer.
- (4) Employees are considered as candidates for transfer in the following order:
  - (a) Eligible employees in the same department as the job opening;
  - (b) Eligible employees in other departments who have submitted requests in accordance with this policy to transfer to or to be considered for job openings in the particular department; and
  - (c) Eligible employees who are being considered for termination due to a reduction in force in their present position or due to the elimination of their jobs.
- (5) When an employee desires a transfer to another job, the following procedure will be followed:
  - (a) The employee will submit a written request for transfer to his or her department head. The request must include the reason for the desired transfer. If the employee desires a transfer to a specific job, this also must be included in the

request. The department head will forward the request to the human resources department, recommending approval or disapproval.

- (b) The human resources department will determine whether the desired job or a suitable job opening exists. If a suitable job is available, the human resources department will arrange an interview between the employee and the head of the department in which the job opening occurs.
  - (c) Employees will be notified by the human resources department of the date and time scheduled for job interviews related to transfers.
  - (d) The decision whether to affect the transfer will be made by the head of the department in which the job opening occurs, with the concurrence of the human resources department.
- (6) When the employee desires a transfer to another agency location, the above procedures will apply except that the employee will be required to pay for all travel expenses going to the desired location for job interviews. The time off with pay will be limited to one day unless additional interviewing time is requested by the head of the department considering the request.
  - (7) Transferred employees, who are not on temporary transfer, will be given up to six months as a probationary period. During this period they will be assisted in adjusting to their new jobs. Unsatisfactory performance will be cause for returning a transferred employee to his or her regular job, if available, or termination, if appropriate.
  - (8) Transferred employees will retain their existing job seniority until satisfactorily completing their probationary period. The existing seniority will be transferred to the new job after the employee satisfactorily completes the probationary period.
  - (9) An employee who is transferred to a comparable-paying job will continue to receive his or her existing rate of pay.
  - (10) An employee who is transferred to a higher paying job will be paid at the higher rate effective as of the date of the transfer.
  - (11) An employee who is transferred to a lower paying job on the initiative of management will continue to be paid at his or her former job rate for the period of temporary transfer, not to exceed thirty days, if funds are available. The employee will be paid at the regular rate of his or her new job as of the date the transfer is confirmed as a regular assignment.
  - (12) An employee who requests a transfer to a lower paying job will be paid at the lower rate upon commencing the new job.



- (13) When more than one employee requests a transfer to the same position, the determining factors in selecting the employee to be transferred will be the same as stated in Policy 211:1 Promotion, Comment (4).

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to establish working hours as required by workload and production flow, client service needs, and the efficient management of personnel resources.

**COMMENT:**

(1) The normal workweek shall consist of forty hours. The workweek is from Sunday through Saturday.

(2) The normal workday shall consist of eight consecutive hours of work with an unpaid meal period. Rest or coffee breaks are considered as time worked. The schedule of hours for employees shall be determined by the department to which they are assigned. Employees shall be informed of their daily schedule of hours of work, including meal period and rest or coffee breaks, and of any changes deemed necessary by the agency.

(3) Employees may be required to work overtime whenever it is deemed necessary by their supervisor. Overtime shall be assigned by a supervisor to employees in the particular job for which overtime is required. No employees shall be permitted to work overtime without the prior approval of the executive director. For the purposes of overtime compensation, only hours worked in excess of forty during a workweek shall be counted.

(4) All non-exempt employees (those employees subject to the minimum wage and overtime provision of the Fair Labor Standards Act) are required to complete an individual time sheet/card showing the daily hours worked. Time sheets/cards shall cover two work weeks and shall be completed at the close of each workday. Procedures for filling out time sheets/cards are as follows:

- (a) Non-exempt employees are responsible for completing their own time sheets/cards and shall record their starting time, quitting time, and total hours worked for each workday.
- (b) Non-exempt employees are not permitted to sign in or commence work more than fifteen minutes before their normal starting time or stop work later than fifteen minutes after their normal quitting time without the prior approval of their supervisor under normal circumstances.

- (c) All employee time sheets/cards shall be signed and checked by the supervisor involved. Unworked time for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation time) shall be entered by the supervisor on the time record. Authorized overtime also shall be identified by the supervisor.
  - (d) Any changes in hours worked on a time sheet/card must be discussed with the employee prior to sending time sheet/card to the payroll department. Any changes should be initialed by the employee.
  - (e) Unapproved absences shall not be considered as hours worked for pay purposes. The supervisor shall inform the employee if he/she will not be paid for certain hours of absence.
  - (f) Filling out another employee's time sheet/card or falsifying one's own time sheet/card is prohibited and may be grounds for disciplinary action, including termination.
- (5) Exempt employees are responsible for signing in on the sign-in sheet on a daily basis, indicating vacation/annual leave, sick leave, holidays, or any other time off. Exempt employees are not eligible to receive overtime compensation.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to allow its employees to hold second jobs, subject to certain restrictions as outlined below. Outside employment for full-time employees is not encouraged, however, and the prior approval of the executive director must be obtained before any outside employment or work activity is undertaken.

**COMMENT:**

- (1) The agency recognizes the right of its employees to spend their non-working time away from the job as they please. However, Institute of Community Services, Inc. does require that activities away from the job must not adversely affect the employee's job performance or compromise the agency's interests.
- (2) An employee may engage in outside employment as long as the employment will not:
  - (a) Reduce the employee's efficiency in working for the agency;
  - (b) Involve working for an organization which is a competitor of the agency or which does a significant amount of business with the agency, such as major contractors and/or suppliers; or
  - (c) Adversely affect the agency's image in the community.
- (3) All employees are expressly prohibited from engaging in any activity that competes with the agency or compromises its interests. This prohibition includes performing any services for clients on non-working time that are normally performed by agency personnel, the unauthorized use of any agency premises or property, including vehicles, machinery, tools or equipment, and the unauthorized use or application of any confidential agency information or techniques. In addition, employees are not to conduct any outside business during paid working time.
- (4) Employees who have accepted outside employment are not eligible for paid sick or personal absence when the absence is used to work on the outside job or as the result of an injury sustained on the second job.

**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to supplement the regular work force with temporary or part-time employees when necessitated by periods of peak work load, employee absences, or other situations as may be determined by management.

**COMMENT:**

- (1) A temporary employee is an individual who is hired full time for a limited period, such as a month. A part-time employee is an individual who is hired for an indefinite period but who works less than the normal work week.
- (2) Requests for temporary or part-time employees should be submitted to the human resources department by department heads.
- (3) Should the request for temporary or part-time employees appear justified, the human resources department shall attempt to satisfy such request by the temporary transfer of employees from another department. If it is necessary to hire additional personnel from outside the agency, the agency's established hiring procedures shall be used. In some situations, it may be necessary to fill positions before the policy council can meet to approve such. In these cases, the executive director is authorized to employ staff pending final approval by the policy council.
- (4) An employee who is transferred temporarily to a higher paying job will be compensated at the rate of the new job. An employee who is transferring temporarily to a lower paying job will continue to be paid at his or her existing rate for as long as the temporary transfer is in effect. If the employee has not been returned to his or her regular job at the end of thirty days from the date of the temporary transfer, the human resources department shall review the situation and either return the employee to his or her former position, extend the period of temporary transfer, or make the transfer permanent.
- (5) Temporary employees shall not be eligible for paid absences, annual leave, sick leave, and/or holidays. An employee whose status changes from full time to temporary may use any days of paid absence or annual leave earned as full-time employee. An employee whose status changes from temporary to full time shall be considered as hired on the date of change of status for purposes of eligibility for paid absences and annual leave.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to make offers of employment and promotion in good faith and to stabilize employment so that employees may be provided with regular and continuous work. However, recognizing that reductions in force cannot always be avoided since they are usually made necessary by external factors beyond management's control, it is the intent of the Institute of Community Services, Inc. to administer such reductions in a manner that is fair, equitable, and without discrimination because of race, color, religion, sex, age, handicapping condition, or national origin.

**COMMENT:**

- (1) In the event that a reduction in the work force becomes necessary or a reallocation and/or reduction of available funds occurs requiring the modification and/or elimination of existing positions, management will attempt to carry out the necessary reductions in an equitable manner, using objective policies and procedures to safeguard the rights of employees.

Whether there will be specific jobs eliminated or a general, agency-wide reduction in force will be determined according to a number of factors:

- (a) A reduction in force may be caused by lower funding levels.
- (b) A reduction in force may be caused by a need to improve program quality.
- (c) A reduction in force may be caused by a reduction in enrollment.
- (d) A reduction in force may be caused by a need to improve program efficiency.

Management may choose to group employees that are to be affected by a reduction in force according to the service area of their work responsibilities.

It is management's responsibility to identify the groups to be affected by a reduction in force. However, all reductions in force must be approved by the Policy Council and Board of Directors.

- (2) The primary considerations for retention of individuals affected by a reduction in force shall be performance and length of service. Job seniority shall be the primary determinant only if the performance of the affected employees is relatively equal.

- (3) When business conditions necessitate a reduction in force, the agency shall:
  - (a) Attempt to arrange transfers, either to another position or to another location for all employees who are affected.
  - (b) Use the human resources department to assist those employees adversely affected to obtain other employment.
- (4) When specific jobs are eliminated or a general reduction is necessary, the executive director, the department head, and the human resources director shall review the complete records of those in the affected work groups and determine who is to be displaced, considering the following factors:
  - (a) The specific work which must be continued by the program.
  - (b) The flexibility of employees as determined by the transferability of their skills, training, knowledge, and experience to essential work.
  - (c) The quality of performance of the individuals as documented by formal performance appraisals and their overall work record.
  - (d) Seniority, if work record and performance evaluations are equal.
- (5) If there is no distinguishable difference in the performance of incumbent employees affected by modification and/or elimination of existing positions, individuals in the adversely affected group shall be selected for termination in the following order:
  - (a) Temporary employees;
  - (b) Employees who have not completed the probationary period;
  - (c) Part-time employees;
  - (d) Regular, full-time employees with the least seniority.
- (6) Supervisors shall give notice to affected employees at least two weeks before the effective date of termination. In addition to notice, supervisors shall inform employees of the reason for the termination and refer the individual to the human resources department for outplacement assistance.
- (7) Employees terminated pursuant to a reduction in force without notice shall be paid two weeks pay in lieu of such notice.

- (8) Unless the reduction in force is designated as being permanent, recall to positions for which employees may be qualified shall be made of full-time employees within one year from date of reduction before employment of others.
- (9) Employees who are recalled within the one year time period shall be reinstated with no break in service. If re-employed after the one year time period or after a permanent reduction, there shall be a break in service and the employment shall start over.
- (10) Recall decisions will be based on the same factors as used in determining which jobs are displaced.
- (11) Employees will be recalled in the reverse order of layoff or termination. Notice of recall shall be sent by registered mail, return receipt requested, to the most current home address furnished by the employee to the human resources department.
- (12) Seniority and length of service credit for retirement benefits will continue to accumulate during any layoff of thirty days or less. Employees laid off for more than thirty days and subsequently recalled within one year from the date of layoff shall be credited with the years of service and seniority accumulated at the time of layoff.
- (13) No annual leave days or days of paid absence will be earned during layoff. When an employee returns to work following recall, however, he or she may use any annual leave or days of paid absence accumulated at the time of layoff.
- (14) If the employee so requests, annual leave pay equal to the number of days earned during the program year, minus the number of days taken, will be paid at the time of layoff. Annual leave accrued from prior years will be paid only if prior management approval has been obtained. (See Annual Leave.)
- (15) Any reduction in force must be authorized by the Policy Council and Board of Directors. If the reduction in force requires a work program change, it must be approved by the regional office prior to implementation.
- (16) The employees who are terminated by a reduction in force must be notified in writing of their termination and their right to appeal under the agency's appeal procedure. (See 905:1.)

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**POLICY:**

INSTITUTE OF COMMUNITY SERVICES, INC. has established certain conditions under which employees may be removed from the agency's payroll and the agency has developed standard procedures to be followed when it becomes necessary to terminate employees.

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to terminate employment because of an employee's resignation, discharge for cause, retirement, release for the good of the agency, or as a result of a permanent reduction in the work force. Discharge can result from employee misconduct or unsatisfactory job performance.

In the absence of a specific policy or written agreement to the contrary, employees are free to resign at any time, and the agency reserves the right to terminate employment for any business reason. All recommended involuntary terminations of agency employees must be approved by the agency's Policy Council to be effective.

**COMMENT:**

- (1) All employees are expected to give written notice of their intent to resign.
  - (a) All employees are expected to give two weeks' written notice.
  - (b) Failure to give the required notice may result in forfeiture of accrued annual leave and ineligibility for re-employment.
- (2) Employees terminated because of a permanent reduction in the work force will be given advance notice of the termination or pay in lieu of the notice. The notice period will be the same as for resignations.
  - (a) Prior to the termination, the agency will make a reasonable effort to transfer or relocate affected employees.
  - (b) Outplacement services will be made available to those employees terminated by a reduction in force.
  - (c) Accrued annual leave pay up to the date of the termination will be paid to employees terminated by a reduction in force.

- (3) Any employee who is absent from work without prior approval or without having notified the immediate supervisor of his or her absence or the reason for it will be considered as having resigned after the third consecutive day of absence.
- (4) All recommended terminations must be approved in advance by the executive director. The personnel committee of the Policy Council will review and approve or disapprove all terminations recommended by the executive director. The action of the personnel committee must be forwarded to the Policy Council for final approval or disapproval. Supervisors will forward notices of resignation or termination notices to the human resources department. These will be accompanied by a written performance appraisal or evaluation for each employee involved.

An employee who is not satisfied with the decision of the executive director should refer to the Appeal Procedure, Section 905:1, Step 6.

- (5) The human resources department will conduct a termination or exit interview not later than the employee's last working day. During the interview, the human resources department will:
  - (a) Attempt, if the termination is voluntary, to accurately determine the reason(s) why the employee is leaving so that, where appropriate, action can be taken to correct any problems that come to light;
  - (b) Discuss, if the termination is involuntary, the circumstances leading to the termination so that misunderstandings and hard feelings can be minimized;
  - (c) Explain any conversion benefits under the agency's group insurance plans and any other vested benefits available to the employee under the agency's benefit plan (COBRA);
  - (d) Determine the employee's availability for future employment, if the supervisor's written evaluation indicates eligibility for re-employment;
  - (e) Obtain the correct address for mailing Internal Revenue Service Form W2; and,
  - (f) Remind the employee to take with him or her any personal belongings.
- (6) A written report of the termination interview will be prepared and placed in the employee's personnel file. Pertinent items requiring managerial review and possible change of policy will be brought to the attention of the executive director.

- (7) The human resources department will be responsible for the return of all agency property, including books, manuals, identification cards and keys, from terminated employees.
- (8) If any agency property in the employee's possession has been lost or damaged, the cost of replacing such property shall be deducted from the employee's final pay check. However, in the case of non-exempt employees, the amount deducted shall not reduce the employee's earnings for the final pay period below the current minimum wage.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that employees are eligible for normal retirement on the first day of the month following the month in which they reach age sixty-five. Employees, with certain exceptions, who desire to continue working past age sixty-five may do so provided their job performance is satisfactory. Eligible employees may elect early retirement on the first day of the month following the month in which they reach age fifty-five or 25 years of service, whichever occurs first, or at such time that they become permanently disabled, by submitting written notice to the human resources department.

**COMMENT:**

- (1) Upon qualifying for retirement under this policy, an employee becomes eligible to receive benefits in accordance with the provisions of the agency's employee benefit plans. Employees retiring are eligible to receive pay for accrued annual leave. (See Annual Leave)
- (2) The agency provides retiring employees with a special gift as a small token of its appreciation for long service. The value of the gift is based on the employee's length of service at retirement. Gifts will be presented at an appropriate retirement ceremony.
- (3) Retired employees are welcome at all agency employee social functions.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to pay wages and salaries which are based upon the nature of the job performed and which are competitive with rates being paid for similar work by other employers in the community. Salary increases are intended to reward above average job performance and are not given on the basis of length of service alone.

**COMMENT:**

- (1) The management committee has been appointed to review all wages and salaries on a continuing basis. It is the responsibility of the committee to determine whether existing salary ranges are competitive and whether the salaries of individual employees accurately reflect their job performance and responsibilities. Merit increases for individual employees and adjustments to the salary ranges will be approved by the committee as appropriate.
- (2) New employees generally are hired at the minimum rate assigned to their job. Supervisors may recommend higher starting rates based on the employee's experience or education. These recommendations will be reviewed by the appropriate department heads and the agency's management committee.
- (3) Supervisors may recommend salary increases for their employees in conjunction with regular performance appraisals. (See Probation and Performance Appraisals.) Recommendations for salary increases will be reviewed by department heads and forwarded to the agency's management committee, if approved.
- (4) Wage and salary surveys will be conducted by the human resources director as appropriate and/or upon request of the agency's executive director or management committee. The surveys are conducted among area companies as well as competitors. The data obtained from these surveys form the basis for the management committee's recommendations for rate range adjustments, if funds are available for such adjustments.
- (5) Cost of living adjustments will be taken into consideration by the agency if and when funds become available for such increases and/or when the agency conducts wage and salary surveys. There will be no automatic cost of living adjustment.

- (6) Special bonuses or rewards may be given to employees of the agency. Rewards may be based on the employee's level of performance or other special criteria established by the agency. Each employee shall receive the same monetary value across the board.
- (7) The pay period for the agency shall be for a two-week period of time. The checks are issued two weeks after the end of each pay period. Pay periods end on Friday.
- (8) On each payday, employees will receive a statement showing gross pay, deductions, and net pay. City, state, federal and Social Security (FICA) taxes and employee contributions to the agency's benefit plans will be deducted automatically. Deductions for the payroll savings plan and similar purposes will be made if the employee submits a request in writing to the human resources department.
- (9) Overtime compensation will be paid to non-exempt employees who work in excess of forty hours during the normal workweek at one and one-half times their regular hourly rate, or compensatory time of one and one-half for every hour over forty.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that the job performance of each employee shall be evaluated periodically by the employee's supervisor.

**COMMENT:**

- (1) The performance appraisal consists of a written evaluation of the employee's job performance and a personal discussion with the employee. Information derived from the performance appraisal will be used to determine the employee's eligibility for merit pay increases, promotion and/or transfer, as well as to identify the training needs of the employee.
- (2) Performance appraisals shall be completed upon the following occasions:
  - (a) After the first three and six months of employment with the agency or in any new position or change in job position;
  - (b) Performance appraisals shall be completed at the end of the program year for the office staff and at the end of the school year for center staff.
  - (c) When the employee is transferred or promoted to a new position;
  - (d) When the employee's supervisor changes positions or leaves the agency; and
  - (e) At the time of the employee's termination.

Except in the case of probation or termination, if a performance appraisal has been completed on the employee within one month prior to one of the above occasions, a new appraisal need not be completed.

- (3) Supervisors are encouraged to keep informal records of significant events concerning the job performance of individuals under their supervision. Records of this kind can be very helpful in preparing a performance appraisal because they enable the rating supervisor to evaluate the job performance of the employee on the basis of written information compiled between appraisals, rather than having to rely on memory.

- (4) The job performance of each employee shall be evaluated on the basis of the job description and performance measures established by the agency. Factors to be considered in the performance appraisals include quantity and quality of work and promptness in completing assignments.
- (5) When completing written evaluations of employee job performance, supervisors should make every effort to avoid the following common errors that can distort the rating process:
  - (a) Rating the evaluation on the employee's most recent behavior instead of evaluating the whole performance period;
  - (b) Allowing irrelevant factors such as physical appearance, social standing, or personal habits to influence the evaluation;
  - (c) Failing to include unfavorable comments on the evaluation even though justified;
  - (d) Rating all subordinates at about the same point on the scale--usually the middle; and
  - (e) Allowing one characteristic of the employee or aspect of his or her job performance to distort the rating process.
- (6) Following completion by the supervisor, each written evaluation shall be reviewed by the appropriate department head to assure objectivity and fairness. After review of the written evaluation has been completed by the department head, the supervisor shall discuss the evaluation with the employee. The discussion should cover both the employee's accomplishments and shortcomings so that positive aspects of his or her job performance are reinforced and unsatisfactory performance is targeted for improvement.
- (7) At the time of the discussion with the supervisor, the employee shall be given the opportunity to examine the written evaluation, correct inaccuracies, and make written comments concerning any aspect of the evaluation. The written evaluation shall then be forwarded to the human resources department for inclusion in the employee's personnel file.
- (8) If the written evaluation contains an unfavorable comment or rating which the employee believes is unfair or unjustified, and the matter has not been resolved to the employee's satisfaction during the discussion with the supervisor, the employee may take further action by using the agency's regular grievance procedure.
- (9) Nothing contained in this policy should be construed to prohibit or discourage supervisors from discussing an employee's job performance with the employee on an informal basis whenever the need to do so arises.



**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to adopt a job evaluation plan to measure all jobs and to establish labor grades or classifications. Rates of pay are set for each labor grade or classification on the basis of internal and external salary surveys.

**COMMENT:**

- (1) A written job description is prepared for each job in the agency. Job descriptions are evaluated in terms of knowledge and skill required and impact on operations.
- (2) Labor grades or classifications are established by the agency and a salary range is assigned to each grade or classification. The salary range provides for a spread from a minimum to a maximum rate, and permits employees in any labor grade to be compensated at different rates of pay based on merit, length of service, experience, or individual productivity.
- (3) The management committee has been authorized to review and comment on the job evaluation plan. The responsibilities of the management committee include:
  - (a) Periodically reviewing existing job descriptions to insure that they adequately describe the jobs;
  - (b) Handling all requests for re-evaluation of jobs as well as the evaluation of new jobs; and
  - (c) Making recommendations for adjustments in labor grades or classifications when justified by the re-evaluation.
- (4) All questions of comparable worth will be resolved by the management committee.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to reimburse employees for the expenses of travel, including the cost of transportation, meals and lodging, provided such travel is performed in the course of conducting agency business.

**COMMENT:**

- (1) Activities which justify the reimbursement of travel expenses include visits to clients' homes, attending community functions, prospects, and suppliers, and the attendance at business meetings, conventions, and seminars or other selected educational functions related to the employee's job. Prior approval of such travel, however, must always be obtained from the employee's department head.
- (2) Common carrier transportation shall be utilized for trips of two hundred miles or more, provided suitable scheduling is available. Employees are expected to exercise prudence in their selection of local transportation at their destination. For trips involving shorter distances, employees shall use an agency car or their own car. If employees wish to use their own cars for a trip of two hundred miles or more, the amount reimbursed shall not exceed the amount the trip would have cost had air transportation been used.
- (3) All employees normally shall travel coach or economy class and shall stay and eat in moderately priced establishments while traveling on agency business.
- (4) Time spent by an employee in traveling away from home on agency business during normal working hours shall be considered hours worked for pay purposes, regardless of whether such travel occurs on regular working days or on Saturday or Sunday.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to own and maintain certain vehicles for use by its employees while they are engaged in agency business, including the transportation of students to and from agency facilities. An employee may also use his or her own car for agency business, if necessary, in accordance with the guidelines established below.

**COMMENT:**

- (1) Vehicles are permanently assigned to those facilities and/or departments which have demonstrated a continuing need for them.
- (2) Employees required to travel by automobile in the course of their daily work assignments may be assigned agency vehicles for their use while on agency business. Employees may use their own car for agency business only with the prior approval of their supervisor.
- (3) Agency vehicles are not to be applied to an employee's personal use.
- (4) The cost of gasoline or other expenses directly related to an agency-owned vehicle paid for by the employee will be reimbursed by the agency. Employees who use their own cars for agency business shall receive a mileage allowance not to exceed the authorized federal amount per mile to cover the cost of gasoline, oil, depreciation, and insurance. Also, expenditures for parking and tolls may be claimed in addition to the mileage. Claims for reimbursement must be approved by the employee's department head before they are submitted to the accounting department for payment. Employee liability insurance coverage for an automobile used on agency business must be adequate to cover damage to the vehicle, other property damage in the event of an accident, and injuries sustained by individuals as a result of the accident. Coverage must be sufficient to meet or exceed the state's minimum requirements. ICS will not reimburse employees for travel on agency business unless the employee has provided proof of liability insurance coverage. Failure by an employee to have liability insurance as required by state law may result in employment termination.
- (5) Every employee whose duties require the operation of an automobile on agency business shall be required to possess a valid driver's license. Any fines incurred as a result of driving or parking violations shall be paid promptly by the employee.

- (6) Time spent by an employee in driving an agency or personal vehicle on agency business during normal working hours shall be considered hours worked for pay purposes.
- (7) An employee using an agency vehicle is responsible for its proper maintenance. Any malfunctions or maintenance requirements must be reported to the transportation supervisor.
- (8) A report of any accident, regardless of the extent of damage or the lack of injuries, must be made if an agency vehicle, or personal vehicle used on agency business, is involved. Such report must be made to the transportation supervisor within forty-eight hours of the accident. In the event of an accident, employees are expected to cooperate fully with the authorities. However, employees should make no voluntary statements other than in reply to questions of investigating officers.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to reimburse employees for the cost of meals when traveling out of the service area or in certain other circumstances if it is deemed to be for the good of the agency.

**COMMENT:**

- (1) Employees authorized to travel on agency business shall be reimbursed for all meals paid for during their travel in accordance with applicable federal guidelines.
- (2) When an employee is eligible for reimbursement for the cost of meals in accordance with this policy, an expense voucher should be approved by the department head and forwarded to the accounting department for processing.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to encourage its employees to become members of non-partisan community and civic organizations.

- (1) The membership of employees in non-partisan community and civic organizations enhances the agency's image in the community and promotes agency business. All employees are encouraged to seek membership in such clubs and organizations regardless of whether they are eligible for reimbursement of expenses under this policy.
- (2) An employee may propose membership in a non-partisan community or civic organization as an agency membership. Such a request must be approved by the employee's department head and submitted to the human resources department for review and recommendation to the executive director. If the agency has a membership in a non-partisan community or civic organization, an employee may be reimbursed for travel expenses associated therewith based upon the following considerations:
  - (a) The nature and purpose of the program or organization;
  - (b) The benefit to be derived by the agency from the employee's participation;
  - (c) The extent to which the agency is already represented in the club or organization;
  - (d) The level of responsibility and length of service of the employee requesting travel; and
  - (e) The cost to the agency.
- (3) Except in unusual circumstances, only supervisory and executive personnel will be reimbursed for travel expenses in community programs and civic organizations.
- (4) Reimbursement of travel expenses shall include all regular and per diem rates, if any.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to encourage all employees to participate in trade and professional associations.

**COMMENT:**

- (1) Employees are encouraged to apply for membership and take active interest in trade and professional associations. Time spent in such activities normally should be outside of the employee's working hours and will not be considered hours worked for pay purposes. However, time spent participating in trade and professional associations at the agency's request or under its direction or control shall be considered hours worked for pay purposes.
- (2) Subject to prior approval by management, the agency will reimburse employees for registration fees and reasonable expenses to attend meetings and conferences of trade and professional associations, if agency's management requires or requests such employee participation.
- (3) Employees are encouraged to contribute articles, present papers, or give talks to trade and professional associations and their group publications. However, if any such communication might be construed as representing the agency's position on any subject or involves information which might be confidential, prior approval must be obtained from the executive director.
- (4) Employees who are invited or seek to serve in any official position in a trade or professional association must obtain the approval of agency management before accepting. The agency will reimburse these employees for reasonable expenses incurred in attending to their duties, in addition to compensating them for working time lost. Prior approval of the employee's immediate supervisor will be required for all time away from work.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide a competitive group insurance package to employees of the agency to protect them against catastrophic medical liabilities and to help provide for a secure financial future.

Group insurance will be provided on a best effort basis by ICS but with no guarantee of amount of benefits or continuation of coverage.

**COMMENT:**

- (1) Additional information may be obtained from the agency's human resources director.
- (2) Insurance claims should be filed in accordance with the procedures established by the insurer. Employees should contact the agency's human resources department for additional information.
- (3) The agency's available funds shall determine the percentage of agency contribution to be paid toward coverage for employees' medical, life and accidental death insurance. Dependent medical and life coverage may also be available under certain circumstances.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide its employees with various fringe benefits. Information and summary communications intended to explain these benefit plans are furnished to all plan participants and beneficiaries on a timely and continuing basis by the human resources department.

Fringe benefits will be provided on a best effort basis by ICS but with no guarantee of amount of benefits or continuation of benefit programs.

**COMMENT:**

- (1) All benefits provided by the agency are described in official documents which are kept on file in the human resources department and are available for examination by any plan participant or beneficiary. These documents are the only official and binding documents concerning the agency's fringe benefits, and all summaries and communications, both written and verbal, must defer to them as binding in cases of questions or disputes. The agency reserves the right to modify, amend, or terminate its fringe benefits.
- (2) The human resources director or such other person or persons as the executive director may designate, shall serve as administrator of the agency's fringe benefits. The administrator is responsible for all communications and disclosures concerning agency benefits and for compliance with all applicable laws and regulations. In addition, the administrator shall be available to answer employee questions concerning benefits and shall counsel new employees, employees as they achieve eligibility, retiring employees, and non-employee beneficiaries as to specific benefit coverage and required forms and designations. The administrator is specifically authorized to use outside professional assistance as needed, at the request of the agency's executive director.
- (3) Under certain of the agency's insurance and retirement plans, an employee must designate a beneficiary in the event of the employee's death. Such designation must be made in writing to the administrator, and the beneficiary will be so informed. Employees may change a beneficiary designation by giving the administrator written notice, and the administrator shall in writing inform both the old and new beneficiaries of the change. It is the employee's responsibility to maintain the proper beneficiary designations.
- (4) The administrator will furnish the following information to each participant in a health or pension plan and to each beneficiary receiving benefits under a pension plan:

- (a) A summary description of the plan within ninety days after the individual becomes a participant or first receives benefits;
  - (b) An updated summary description of the plan at such times as may be needed;
  - (c) A summary description of any material modification of the plan within 210 days after the end of the plan year in which the modification is adopted; and
  - (d) A summary of the latest annual report of the plan within nine months after the close of the plan year.
- (5) Plan participants or beneficiaries may obtain the following information concerning the agency's benefit plans by submitting a written request to the administrator:
- (a) Complete copies of the latest updated summary plan description, the latest annual report, any terminal report, and any bargaining agreement, contract, or other instrument under which the plan is established or operated. The administrator may make a reasonable charge to cover the cost of furnishing such copies.
  - (b) A statement indicating the total benefits accrued under the agency's pension plans and the non-forfeitable pension benefits, if any, which have accrued, or the earliest date on which benefits will become non-forfeitable. In order to control administrative expenses, the agency will supply no more than one such report per person during any one twelve month period.
- (6) Each participant in a pension plan who, during the plan year:
- (a) Separates from the service covered by the plan;
  - (b) Is entitled to a deferred vested benefit under the plan as of the end of such plan year; and
  - (c) Was not paid retirement benefits under the plan during the plan year;

Shall receive a statement setting forth the nature, amount, and form of the deferred vested benefit to which the participant is entitled. In addition, such statement shall include a notice that certain benefits may be forfeited if the participant dies before reaching a specified date contained in the plan. This notice is intended to alert participants that they need to make effective financial arrangements for the retirement security of their spouses.

- (7) If a pension plan participant is eligible for tax rollover treatment of a distribution, the administrator will notify the recipient that:
- (a) The distribution will not be taxed currently to the extent it is transferred to another qualified plan or to an Investment Retirement Account (IRA); and

- (b) The transfer must be made within 60 days in order to qualify for such rollover treatment.

In addition, the notice shall provide an explanation of the ten-year income averaging and capital gains provisions that may apply to the distribution.

- (8) Any participant or beneficiary whose claim for benefits under any employee benefit plan has been wholly or partially denied shall be furnished, within a reasonable period of time, written notice containing the reason for the denial, specific reference to plan provisions on which the denial is based, and appropriate information as to the steps to be taken if the participant or beneficiary wishes to submit the claim for review. If a review of the denial is requested, the administrator shall review the denial of the claim and shall promptly furnish a decision to the claimant.
- (9) All employees who are eligible for coverage under the agency's health benefits plans shall have the option of membership in qualified health maintenance organizations which are engaged in providing basic health services in health maintenance organization service areas in which at least twenty-five employees reside. Employees who desire to have HMO membership contributions deducted from their pay checks should so notify the human resources department in writing.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to develop a better educated and more highly skilled work force by providing educational assistance in the training and career development of its employees in accordance with the guidelines established below.

**COMMENT:**

**NOTE:** This policy of educational assistance is primarily designed for employees who request reimbursement for courses taken above those required by the agency. The agency will pay for all courses that it requires an employee to take.

- (1) Educational assistance will be provided only for courses of study which are requested by an employee's supervisor and which are directly related to the employee's present job. In addition, the courses or programs must be offered by accredited institutions of learning. Reimbursement must be requested in writing by the employee's supervisor and approved by the executive director.
- (2) Publicly offered educational programs or courses of instruction which meet the above criteria will be reviewed by the training officer upon receipt of written request by the employee's supervisor.
- (3) Other requirements for educational assistance include the following:
  - (a) The employee must have completed one year of service with the agency.
  - (b) The employee must not be eligible to receive educational benefits from other sources such as the Veterans Administration.
- (4) In order to guarantee reimbursement of educational costs, requests for educational assistance must be approved prior to enrollment. Written requests shall be submitted to the training officer by way of the employee's supervisor and department head. The supervisor and department head shall recommend either approval or disapproval of the request. The recommendation shall be reviewed by the training officer and forwarded to the executive director for a final decision.
- (5) In determining whether to approve a request for educational assistance, supervisors, department heads, the personnel department, and the agency's executive director shall consider the following factors:

- (a) The nature and purpose of the course of study;
  - (b) The benefits to be derived by the employee and the agency;
  - (c) The level of responsibility and length of service of the employee; and
  - (d) The estimated cost.
- (6) The amount of assistance paid by the agency shall be based upon the grade received for the course, as follows:
- (a) For a grade of "A" - 100% of reimbursable costs;
  - (b) For a grade of "B" - 75% of reimbursable costs; or
  - (c) For a grade of "C" - 50% of reimbursable costs.

There shall be no assistance for a grade lower than "C". For passing a "pass-fail" course, the amount of assistance shall be 75% of reimbursable costs.

- (7) Upon completion of the course the employee shall submit to the training officer a certified transcript of grades received and receipts for expenses incurred. The agency will then reimburse the employee the applicable percentage of the cost of tuition, textbooks, and registration, laboratory and/or library fees. However, employees who take courses at the specific request or direction of management may be reimbursed for all costs in advance if approved by the agency's executive director.
- (8) An employee who is terminated during enrollment because of a reduction in force or elimination of the job, or who is unable to complete the course because of transfer within the agency, shall be reimbursed for the full amount of the costs incurred up to the date of termination or transfer. An employee who voluntarily leaves the agency or is terminated for cause prior to completing a course shall not be reimbursed for the expenses associated with the course.
- (9) Employees enrolled in agency-approved courses shall be given released time for class attendance and completion of study assignments. No employee will be granted more than two hours of released time per day.
- (10) If the employee leaves the agency voluntarily or is terminated for cause within six months of completion of the course, the employee must repay the full amount reimbursed by the agency for educational assistance. If the employee leaves the agency voluntarily or is terminated for cause between six months and one year after completing the course, one-half of the amount will be repayable.

- (11) Records will be maintained by the training officer of all education programs completed by each employee.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to assist employees in obtaining counseling and referral services which will aid employees in career planning and in solving problems of a personal nature.

**COMMENT:**

- (1) Personal difficulties such as marital, medical, mental, financial, and legal problems and alcohol and drug abuse can adversely affect the job performance of employees.
- (2) Employees experiencing these and similar problems are encouraged to seek help from their supervisor or the human resources department.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to recognize faithful service to the agency by presenting service awards to eligible employees.

**COMMENT:**

- (1) All full-time and part-time employees will receive a service award after completing five (5) years of continuous service and at the end of each 5-year period of continuous service thereafter. The agency will provide the employee with a special gift as a small token of its appreciation for years served: such as a gift card, trophy, pen/pencil set, etc.
- (2) Service awards are presented by the agency's executive director.
- (3) The service award is presented to the individual at the agency's annual awards program held in the spring of the year.
- (4) The human resources director is responsible both for identifying those employees to be honored and for securing the awards.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide a safe and healthful work environment for all employees. Employees are expected to comply with all safety and health requirements whether established by the agency or by federal, state, or local laws.

**COMMENT:**

- (1) All supervisors shall be constantly alert to protect the safety and health of agency employees. The responsibilities of supervisors include:
  - (a) Inspecting their work areas;
  - (b) Familiarity with all safety and health procedures;
  - (c) Training employees in matters of health and safety;
  - (d) Identifying unsafe conditions; and
  - (e) Reporting all accidents.
  
- (2) The executive director has appointed the director of field operations to serve as the agency's safety officer. The duties of the safety officer shall include:
  - (a) Assuring compliance with agency safety rules and regulations;
  - (b) Investigating, correcting, and eliminating unsafe and unhealthful working conditions or potential hazards;
  - (c) Conducting periodic informal safety and health inspections of all work areas, machinery, equipment, warehouses, grounds, and any other potentially hazardous agency facilities;
  - (d) Representing the agency during investigations conducted by federal, state or local governments' safety, health, and insurance carrier personnel;
  - (e) Organizing the health and safety training and retraining of employees as appropriate;

- (f) Assuring compliance with the various requirements established by federal or state authorities, and insurance carriers, relating to record keeping and the retention of records;
  - (g) Posting notices and records as may be required by federal, state and insurance carrier rules and regulations;
  - (h) Establishing fire prevention and fire fighting programs;
  - (i) Organizing and conducting fire drills; and
  - (j) Investigating all accidents and fires involving agency employees or which occur on agency premises, and preparing the required reports.
- (3) All observed safety and health violations and any accidents resulting in injuries to employees or clients shall be reported immediately to the director of field operations.
- (4) All employees are encouraged to submit suggestions to the director of field operations concerning safety and health matters. Appropriate awards will be made by the agency to employees whose suggestions significantly enhance the safety of the work place.

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**POLICY:**

The INSTITUTE OF COMMUNITY SERVICES, INC. is committed to a safe-working environment. Each affected employee shall wear protective footwear during working hours in those areas where there is a danger of injury resulting from (1) falling or rolling objects; (2) slips and falls due to wet or slippery floors; and (3) exposure to electrical or other such hazards.

This policy incorporates the requirements of OSHA Standard 1910.136, Occupational Foot Protection and ANSI Z41-1991, American National Standard for Personal Protection-Protective Footwear.

**COMMENT:**

- (1) Employees are responsible for their own safe use of foot protection. They shall wear the approved foot protection as part of their daily attire.
- (2) Management/Supervisors are responsible for implementing an appropriate foot protection program for individuals, work, and areas under their direction. They shall:
  - Evaluate all work areas and tasks and assess the risk for foot injuries, plus slips and falls where footwear may have an impact.
  - Determine the need for specific foot protection.
  - Ensure appropriate, approved foot protection is being worn.
  - Ensure foot protection requirements are being followed.

The following will serve as parameters for required foot protection based on the hazards identified in the individual departments:

**Center Level Employees** will be required to wear all leather shoes with slip-resistant soles, unless otherwise instructed. Canvas shoes with appropriate slip-resistant soles can be worn. In addition, appropriate footwear should be worn during adverse weather conditions to minimize slip and fall hazards.

No flip-flops or stilettos are to be worn in the work environment.

**Center Level Supervisors/Management Staff** will be required to wear all leather shoes with slip-resistant soles, unless otherwise instructed. Canvas shoes with appropriate slip-resistant soles can be worn. In addition, appropriate footwear should be worn during adverse weather conditions to minimize slip and fall hazards.

No flip-flops or stilettos are to be worn in the work environment.

**Central Office:** Though not included in the protective footwear program, central office personnel are expected to wear appropriate shoes.

No flip-flops or stilettos are to be worn in the work environment.

In addition, appropriate footwear should be worn during adverse weather conditions to minimize slip and fall hazards.

This policy has been established to minimize the potential for injury and to provide a safe and healthful workplace for all employees. Your participation is essential to the success of our safety and health program, and is a condition of your employment. Should you have any questions, consult your supervisor for assistance.

Employee: I have read, understand and agree to comply with the established Protective Footwear policy.

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Employee Signature

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Date

**POLICY:**

The INSTITUTE OF COMMUNITY SERVICES, INC. is committed to a safe-working environment to provide and maintain a workplace/facilities/centers that are free of recognized hazards, related to the COVID-19 pandemic. Institute of Community Services, Inc., has adopted this policy to safeguard the health and well-being of its employees, enrollees, and their families, visitors, and others at its facilities, and the community at large from the risks associated with COVID-19.

This policy is intended to comply with all CDC guidelines, state and local laws. It is based upon guidance provided by the Office of Head Start dated September 9, 2021.

**COMMENT:**

(1) Information about COVID-19 Vaccines

This policy is designed for use together with, and not as a substitute for other COVID-19 prevention measures, including ICS, Inc.

- Face mask (employees are to remain properly masked at all times);
- Social distancing;
- Temperature check and health screening protocols;
- Cleaning and sanitizing;
- Health and safety protocol, and;
- Other COVID-10 prevention and protocol as required

(2) Vaccination Recommendations

ICS recommends that all employees entering the workplace/center, including substitute workers and independent contractors/consultants for whom the COVID-19 vaccine is authorized by the FDA, be/get vaccinated.

(3) Vaccine Administration

Employees are responsible for scheduling and obtaining all recommended doses of an FDA-approved COVID-19 vaccine. Employees may get the vaccine during their regularly scheduled work hours with advance notice to their immediate supervisor (if feasible). As an additional incentive to provide for a safe health working environment for employees, enrollees, families, and the community, ICS will pay

non-exempt employees, for time traveling to or spent getting the vaccine, if done during regular work hours.

(4) Proof of Vaccine

If you already have received and after you receive a vaccine, you may provide to ICS's HR Director written proof of vaccination from the vaccine administrator or a CDC-issued vaccination card, including the vaccination place, date(s) and name, before returning to the workplace/center. The information provided pertaining to proof of vaccination will be subject to the same confidentiality provisions as applicable to protected health information according to prevailing law.

(5) Testing

Anyone who has not taken the COVID-19 vaccination must present a negative COVID-19 test weekly, at their expense, in order to maintain employment and enter ICS facilities.

ICS Reserves the Right to Amend This Policy as needed.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that work areas shall be kept clean and orderly at all times.

**COMMENT:**

- (1) Cluttered work areas usually are the result of poor work habits on the part of employees which have been tolerated by supervisors. It is the responsibility of each supervisor to insure that the work area under his supervision is maintained in accordance with the requirements of this policy.
- (2) Food and beverages should be consumed in the areas designated by management for such purposes. Paper cups, soft drink bottles, and food containers, etc. should always be properly disposed of by the employees.
- (3) Smoking is prohibited in all ICS properties, including facilities and buses.
- (4) A general "clean up" of work areas in classrooms, conference rooms and office facilities shall be accomplished at the end of the work day. Supervisors shall insure that employees put away tools, equipment, and files before leaving the agency.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to assist its employees in safeguarding their personal property while at work. However, the agency cannot assume responsibility for the loss or theft of personal belongings, and employees are advised not to carry large sums of cash or other valuables with them when they come to work.

**COMMENT:**

- (1) Articles of personal property found on the premises should be returned to the owner, if known, or turned in to the human resources department or center administrator. Inquiries regarding lost property should be directed to the human resources department or center administrator.
- (2) It is expected that employees will exercise reasonable care with respect to their purses, handbags and brief cases. Under no circumstances should purses, pocketbooks or handbags be left unattended on desk tops.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to prohibit solicitations on its premises, whether made by employees or by individuals or groups not associated with the agency, except in circumstances as outlined below.

**COMMENT:**

- (1) Unrestricted solicitation on agency premises interferes with the normal operations of the organization, is detrimental to discipline and efficiency on the part of employees, is annoying to clients and employees, and poses a threat to agency security.
- (2) Certain recognized charities are permitted to solicit contributions on agency premises during specific times of the year. All other solicitations of funds or signatures, membership drives, distributions of literature or gifts, and offers for sale of merchandise or tickets by individuals or groups not associated with the agency are prohibited. Instances of such activity shall be reported immediately to the human resources director.
- (3) Solicitations for gifts or expressions of sympathy to fellow employees or their families may be permitted on certain occasions, provided the prior approval of management is obtained. Requests should be forwarded to the public relations director and approved by the executive director.
- (4) Distributions and solicitations by an employee during the employee's working time are prohibited anywhere on agency premises. However, this prohibition does not apply to times when the employee is not actually engaged in work, such as lunch and rest breaks.
- (5) Distribution of literature in work areas by an employee is prohibited, whether during the employee's working time or during his own time.
- (6) Distribution of literature in such a manner as to cause litter on agency property will not be permitted.
- (7) All activity in violation of the restrictions established in this policy shall be reported immediately to the human resources director.
- (8) The service area directors/managers shall personally insure that solicitations and distributions authorized under this policy are conducted so as not to interfere with the duties of employees, the security of the agency, and the rights of clients.

**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide security for its property, its employees, and persons visiting its premises. Security is the responsibility of all agency employees.

**COMMENT:**

- (1) The direction of all agency security programs shall be the responsibility of the director of field operations and his or her staff.
- (2) All employees will be subject to search, surveillance, and interrogation or may be required to take a lie detector test whenever management feels such action must be taken to maintain security. These activities will be conducted in as discreet a manner as possible to avoid personal embarrassment.
- (3) Visits to the agency by friends and acquaintances of employees are not encouraged, and personal visitors are not permitted in work areas. Should it be necessary for a friend or relative to see an employee during working hours, the individual must wait in the lobby or in the center administrator's office until it is convenient for the employee to see the individual.
- (4) The agency may be entered outside of normal working hours only by employees who have been authorized to do so by their supervisor.
- (5) The agency will attempt to protect employees and their property while on the agency premises. However, employees must exercise reasonable care for their own protection and that of their personal property. In addition, employees are expected to respect the property of others. Unauthorized possession of property belonging to another employee or visitor will be considered a breach of agency security and will subject the employee to disciplinary action.
- (6) The agency will assume no responsibility for employee losses resulting from robbery or theft while away from the premises on agency business. It will, however, take all proper steps to work with the authorities to obtain the release of any employee or client kidnapped or held hostage during or after working hours. Such steps do not include an obligation by the agency to pay ransom for the release of any kidnapped employee or client, or any employee or client held as a hostage.

- (7) Violations of security procedures and the loss or theft of agency property or keys must be reported immediately to the director of field operations.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to encourage good attendance habits on the part of its employees. The agency recognizes that circumstances beyond an employee's control may cause an individual to be absent from work for all or part of a day. However, unauthorized absence or tardiness is not tolerated and may result in disciplinary action.

**COMMENT:**

**KEY POINTS IN THE ATTENDANCE POLICY**

- (1) The terms "excessive" and "chronic" shall be interpreted to mean the following:
  - (a) Three or more consecutive occurrences in a consecutive seven day period; or
  - (b) Six or more non-consecutive occurrences in a calendar month; or
  - (c) Twelve or more non-consecutive occurrences in a six month period of time.
- (2) An employee reporting late for work is tardy. Tardiness occurs when the employee has not arrived within fifteen minutes after the scheduled starting time. Chronic and/or repeated late arrival for work, without acceptable reasons, may be cause for appropriate disciplinary action.
- (3) An absence is the failure of an employee to report for work prior to or within sixty minutes of the starting time the employee is scheduled to work.
- (4) An excused absence occurs when an employee notifies the supervisor of absence prior to or within sixty minutes of the employee's scheduled starting time and/or permission is granted by the supervisor for reasons of personal illness, death in the family, sickness in the employee's immediate household, vacation or other such causes as qualify for paid short-term absence.
- (5) There are no specific disciplinary procedures for excused absences until they become chronic.

- (6) An unexcused absence occurs when an employee fails to notify the supervisor of an absence prior to or within sixty minutes of the employee's scheduled starting time and/or approval is not granted by the supervisor.
- (7) Three consecutive days of unexcused absence will be cause for termination and shall be treated as voluntary termination. If unexcused absences become excessive or chronic, the employee will receive a written reprimand and the next occurrence of an unexcused absence may result in termination.
- (8) Each department head or supervisor will maintain attendance records on each subordinate employee.
- (9) Reprimands for attendance become a part of the employee's personnel record for three years from the date of the last incident.
- (10) An employee's attendance record will be used in consideration of pay increases, promotion and other types of advancement.
- (11) **REMEMBER:** Employees should check with their supervisors when reporting late for work or when it is necessary to leave early. Frequent tardiness is sufficient cause for dismissal.
- (12) ABSENCE/TARDINESS REPORTING
  - (a) Getting to work regularly and on time is part of each employee's job. However, when illness keeps an employee at home or when an employee must be absent for some other good reason, the employee should call the supervisor as soon as possible but no later than sixty minutes after his or her normal starting time. If the employee is unable to call, the employee should have someone else call the supervisor. An employee's failure to report for work may result in disciplinary action, including possible termination of employment.
  - (b) If the employee knows in advance that he or she will be absent, the employee must notify the supervisor, who will approve reasonable requests for excused, short-term absence.
  - (c) Employees are encouraged to exhibit good attendance habits. Unauthorized absence or tardiness will not be tolerated and may result in disciplinary action.
  - (d) Each department head must report to the human resources department all absences that exceed one hour. Absences of less than one hour are considered late arrivals or tardiness. Tardiness need not be reported to the human resources department but must have the approval of the employee's immediate supervisor.

- (e) Absences are recorded on time cards or on special absentee report forms according to established procedures. When an employee's absence is not consistent with agency policy, payment for the time lost will be denied and such denial indicated in the employee's personnel file.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide lunch and rest breaks during the course of each workday for refreshment and relaxation. Although breaks are permitted and encouraged, the practice is a privilege and not a right.

**COMMENT:**

- (1) Full-time employees shall be allowed a lunch break of sixty minutes near the middle of the work day, and part-time employees shall be allowed a lunch break of thirty minutes before five consecutive hours are worked. In instances where employees must remain at their work location and continue to work during their lunch period, such time shall be considered as time worked.
- (2) In most cases, employees shall not be compensated for their lunch break. The duration and time of employee lunch break shall be scheduled by management with appropriate regard for the workload.
- (3) Each eligible employee shall receive a rest break of fifteen minutes at approximately the middle of every four hours of work not broken by a meal period. Time spent on rest breaks shall be compensated, and employees are not required to sign out and in on their time sheets/cards. The time for employee rest breaks shall be scheduled by each supervisor with appropriate regard for the workload.
- (4) Rest breaks should be taken in designated non-work areas. Employees should not visit fellow employees in other departments during rest breaks. Employees who choose to remain at work during rest breaks shall not be entitled to leave before normal quitting time.
- (5) Employees whose duties do not require them to leave the building in which they work are permitted to leave the premises during their lunch breaks.
- (6) Employees should not abuse their privileges by prolonging lunch and rest periods beyond the times specified by their supervisor.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide annual leave with pay in accordance with the following guidelines. The intent of annual leave is to provide employees with pay during agency closing or in the case of an employee's request for time away from work.

**COMMENT:**

This policy applies to all full-time/part-time employees of the Institute of Community Services whose normal work schedules consist of at least 52 weeks per year. Annual leave earned by employees shall be prorated based on the usual number of daily hours they are regularly scheduled to work. Temporary employees and center level employees are not eligible to receive paid annual leave.

(1) Annual leave eligibility shall be determined in accordance with the following schedule:

a) Persons who have been transferred from the center level to a position at central office will follow entry level employment annual leave policies.

b) Year-round employees will earn paid annual leave as follows:

Persons who have been with the organization less than one year on February 1 are entitled to one day of paid leave for each full month of employment with a limit of 10 normal working days.

Employment with the agency equal to or less than 5 years: the employee shall receive 12 annual leave days for each fiscal year.

For employment with the agency equal to or more than 5 years but less than 10 years: the employee shall receive 14 annual leave days each fiscal year.

For employment with the agency equal to or more than 10 years but less than 15 years: the employee shall receive 18 annual leave days each fiscal year.

For employment with the agency equal to or more than 15 years but less than 20 years: the employee shall receive 22 annual leave days each fiscal year.



For employment with the agency equal to or more than 20 years but less than 25 years: the employee shall receive 26 annual leave days each fiscal year.

For employment with the agency equal to or more than 25 years: the employee shall receive 30 annual leave days each fiscal year.

- (2) Eligibility for annual leave time and pay for employees shall be based on the twelve-month period commencing with the employee's first anniversary date and each subsequent employment date thereafter. An employee earns annual leave from the date of employment but must successfully complete the first three months of performance probation to be eligible to take annual leave. Any unused annual leave time will not be carried forward from one fiscal year to the next.

#### SCHEDULING OF ANNUAL LEAVE

- (1) Annual leave should be scheduled subject to approval of the immediate supervisor to permit efficient operation of the department and to satisfy the employee's personal plan.
- (2) Whenever practicable, preference as to when annual leave may be taken should be given to the employee with the longest uninterrupted service.
- (3) Annual leave must be scheduled and taken during each program year. Annual leave credit not used during such period shall be forfeited unless prior written approval is obtained from the agency's executive director.

#### PROVISIONS

- (1) When a holiday falls within the annual leave period, an additional day may be taken.
- (2) Upon termination of employment after program year end January 31 of each year, the employee's pay for annual leave will be prorated based on the number of months worked after February 1 of each year.
- (3) There may be exceptional situations whereby deviations from the above policies are negotiated. To ensure equity within the organization, any deviations must be approved by the executive director.
- (4) In case of death, the employee's next of kin shall receive payment for credits for annual leave credits earned.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide ten paid holidays per calendar year for all eligible employees in the observance of recognized traditional holidays.

**COMMENT:**

This policy applies to all regular full-time and part-time employees of Institute of Community Services, Inc. whose normal work week schedules consist of at least thirty hours per week and who are on the payroll prior to observance of the holiday. Temporary and substitute employees, bus monitors, floaters and special needs teacher assistants are not eligible to receive holiday pay.

**PROVISIONS**

- (1) The following holidays are provided to all eligible employees of Institute of Community Services, Inc.

New Year's Day	Independence Day
Martin Luther King's birthday	Labor Day
President's Day	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Christmas Day

- (2) When a designated holiday occurs on Saturday, the preceding Friday shall be observed as the holiday. When a designated holiday occurs on Sunday, the following Monday shall be observed as the holiday.
- (3) If an employee desires time off to observe a holiday not listed above, such time off may be granted without pay, subject to staffing needs of the department, with the written approval of the agency's executive director.

**ELIGIBILITY REQUIREMENTS FOR HOLIDAY PAY**

An employee who is on the payroll on the day on which a holiday is observed shall be eligible for holiday pay provided the employee works the scheduled work day before and after the holiday or is absent one or both such days for one of the following reasons:

- (1) ANNUAL LEAVE. When a designated agency holiday is observed during an employee's approved annual leave period, the employee shall be eligible for additional time off with pay equal to the holiday time for which the employee is eligible, or the employee may elect to receive pay for that day if approved by the immediate supervisor and the agency's human resources director.
- (2) PAID MEDICAL ABSENCE/LEAVE. An employee who otherwise qualifies for holiday pay but who is absent and is receiving sick leave pay when the holiday is observed shall receive holiday pay for that holiday.
- (3) MILITARY/EDUCATIONAL/FUNERAL LEAVE. An employee who is on a paid military, educational or funeral leave when the holiday is observed shall receive holiday pay for that holiday.
- (4) JURY DUTY. An employee who is serving on jury duty when the holiday is observed shall receive holiday pay for that holiday.
- (5) PAID TIME OFF. The Center Staff with the exceptions of temporary and substitute employees will be paid for the following time off which includes:
  - Spring Break – 5 days
  - Easter Monday – 1 day
  - Week of Thanksgiving – 4 days & 1 holiday
  - Christmas Break – 10 days \*subject to change at the discretion of the Executive Director
  - Central office will close based on the discretion of the Executive Director
- (6) UNPAID ABSENCE. An eligible employee who is absent the day before or the day after the holiday is observed due to an authorized unpaid absence, shall receive holiday pay for that holiday.

#### INELIGIBILITY FOR HOLIDAY PAY

Employees who do not work the day before, the day of, or the day after the holiday for one of the following reasons shall not be eligible for holiday pay:

- (1) FAILURE TO WORK. An employee who agrees to work on a holiday and fails to report for and perform such work shall not receive pay for that holiday unless a reason is given which is satisfactory to the employee's immediate supervisor.
- (2) UNAUTHORIZED ABSENCE. An employee who is otherwise eligible but who is absent without approval on the scheduled work day before or after a designated holiday shall not receive pay for that holiday.
- (3) UNPAID ABSENCE/LEAVE. If a designated holiday is observed during an eligible employee's authorized but unpaid absence/leave, the employee shall not be eligible for holiday pay if absent the day before and the day after the holiday.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide a paid sick leave plan for all eligible employees for protection against undue financial loss in the event of an illness or injury. This plan is instituted on the assumption that such absences shall be minimal and is intended to serve as a type of insurance plan to protect employees from loss of pay when their absence from work is imperative.

**COMMENT:**

**APPLICATION**

This policy applies to all full-time and part-time employees of the Institute of Community Services, Inc. whose normal work schedules consist of at least twenty hours per week. Sick leave accumulated by part-time employees shall be prorated based on the number of hours they are officially scheduled to work.

**PROVISIONS**

- (1) Sick leave shall be accumulated monthly at the rate of one day for each active month of service, equivalent to twelve days per year. Cumulative sick leave shall begin on the first active day of service. If employed prior to the 15th of the month, full credit shall be given for that month.
- (2) Unused sick leave is cumulative from one grant year to another consecutive grant year. An employee shall be allowed to use sick leave for:
  - (a) Personal illness.
  - (b) Illness of a spouse, parent, or dependent child upon approval of immediate supervisor.
  - (c) Personal and family medical/dental/professional appointments.
- (3) An employee shall not be allowed to use sick leave for:
  - (a) Personal business. Any absence for personal business must be approved in advance by immediate supervisor and shall be without pay.

- (b) Family sickness. Sick leave cannot be used for family members other than those listed in subparagraph (2) (b).

NOTE: If there is a necessity of scheduling appointments during working hours, the employee shall be allowed to make up lost time during the work week in which the absence occurred, subject to the immediate supervisor's approval.

- (4) Sick leave shall not be accumulated for any calendar month in which an employee is not actively at work. Actively at work is defined as any calendar month in which the employee works any part of that month.
- (5) The employee shall notify his/her immediate supervisor or the supervisor's designated representative on or before the first day of absence.
- (6) For every approved sick leave absence, an equal amount of sick leave hours shall be deducted from the employee's account of accrued eligibility time.
- (7) If there is no sick leave accumulation or if sick leave accumulation has been exhausted, the employee's absence shall be without pay.
- (8) Medical absence requirements:
  - (a) The maximum amount of sick pay that shall be paid for any one period of absence due to an illness or injury to an eligible employee not under a doctor's care is three consecutive work days.
  - (b) If disability continues beyond three consecutive work days, a physician's report must be submitted to the employee's immediate supervisor, consisting of:
    - (1) The estimated date of any anticipated surgery, delivery, etc. as applicable;
    - (2) The approximate length of time active work status should be temporarily discontinued; and
    - (3) Any job-related limitations due to the employee's current health condition.
  - (c) The agency may request a physician's report at any time where extenuating circumstances warrant same.
  - (d) An employee should coordinate return to active employment with his/her immediate supervisor and the agency's human resources director prior to the date of return.

## RESTRICTIONS

- (1) Sick pay benefits shall not be paid while an employee is on an unpaid leave of absence.
- (2) An employee shall not be entitled to benefits under this plan where disability or absence results from felonious acts of the employee.
- (3) Accumulated sick leave shall not be paid to an employee upon termination of employment.
- (4) Sick leave benefits under this policy shall be coordinated with worker's compensation insurance benefits. The amount of sick leave benefits shall be reduced by the amount of the worker's compensation benefit to be paid an employee.
- (5) Sick leave requested the day before annual leave is taken, the day before a legal holiday, the day after approved annual leave was to end, and the day after a legal holiday must be accompanied by a doctor's statement evidencing a doctor's visit for the date requested and must state the specific nature of the illness.
- (6) Employees being terminated for any reason (voluntarily or involuntarily) will not be granted sick leave unless the request is supported in writing by a statement from the attending physician and subject to the conditions of the previous paragraph. If an employee is inadvertently paid during termination proceedings for sick leave without proper documentation, the amount paid shall be withheld from the employee's last check.
- (7) The agency reserves the right to require any employee using sick leave to report to a doctor of the agency's choice at the agency's expense to verify the employee's illness and request for sick leave.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to recognize the obligation of employees to fulfill their civic responsibility when called upon for jury duty. The agency shall pay the difference between an employee's regular salary and any jury duty pay received by such employee who serves on a jury.

**COMMENT:**

**ELIGIBILITY FOR JURY PAY**

To be eligible for jury pay, the employee shall:

- (1) Notify immediate supervisor when summons is received.
- (2) Furnish immediate supervisor with proof of the dates of jury duty service upon completion of jury duty and amount of compensation received.
- (3) Return to work immediately following completion of jury duty each day.

**JURY ABSENCE**

Jury absence shall be entered on each employee's record but shall not be counted in determining excessive absences or deducted from sick leave accumulation.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide time away from work with pay due to the death of a close relative. The funeral leave should be taken during the work week of the funeral; a maximum of three days leading up to, or immediately following the funeral.

**COMMENT:**

- (1) An employee shall be granted up to three days off due to the death of one of the following relatives:
  - (a) Father;
  - (b) Mother;
  - (c) Sister;
  - (d) Brother;
  - (e) Spouse;
  - (f) Registered same sex domestic partner;
  - (g) Child, including child of a registered same-sex domestic partner (if unborn gestational age must be 20 or more weeks);
  - (h) Grandparents and Great-Grandparents;
  - (i) Grandchild, including grandchild of a registered same-sex domestic partner;
  - (j) Biological, adopted, foster, legal ward step or *in loco parentis* relationship;
  - (k) In-law (grandmother-, grandfather-, mother-, father-, brother-, sister-, son-, and daughter-in-law), including a relative of a registered same-sex domestic partner (grandmother, grandfather, mother, father, brother, sister, son and daughter);
  - (l) Member of the employee's household;



Employees who are granted one day of paid leave for a relative other than the above who is not member of the employee's household – aunt, uncle, niece or nephew of the employee.

Relationships existing due to marriage will terminate upon the death or divorce of the relative through whom the marriage relationship exists. Current marital status will be defined in accordance with Mississippi state laws.

- (2) It is the intent of this policy to provide the employee three (3) consecutive days due to the death of a relative identified in Paragraph (1). If extenuating circumstances exist causing the employee to take time away from work in non-consecutive days for the death of a close relative identified in Paragraph (1), these non-consecutive days must be approved by the immediate supervisor and executive director.
- (3) Any additional time off from work shall be without pay unless the employee is approved for the use of accrued vacation credits. Such approval must be in writing by the immediate supervisor and authorized by the executive director.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to permit employees to be absent from work with pay on a short-term basis under certain circumstances. Eligible employees will receive compensation for authorized administrative leave if the short-term absence from work qualifies under this policy.

**COMMENT:**

- (1) Employees do not accrue any earned leave credits under this policy and both the request for and approval of administrative leave with pay is solely the responsibility of the agency's management personnel.
- (2) All requests for administrative leave with pay must be submitted by the employee's supervisor and must be approved in writing by the agency's executive director.
- (3) A short-term absence is any absence from work which continues for ten consecutive work days or less. Absences longer than ten consecutive work days, if approved, must be qualified as a leave of absence without pay, if employment rights are to be maintained.
- (4) An administrative leave with pay must be approved by the agency's executive director and may be granted only for the following reasons:
  - (a) Inclement weather;
  - (b) Training activities;
  - (c) Management discretion.
- (5) Employees are expected to make a good faith effort to get to work on time during inclement weather conditions, if the agency is operating and does not declare an emergency closing.
- (6) If the agency declares an emergency closing due to inclement weather conditions, the executive director shall specify to what extent, if any, such short-term absences may qualify for compensation as administrative leave with pay.
- (7) Employees may be required to participate in continuing education and training programs when such instruction is considered necessary for compliance with government

regulations, licensing or recertification of a license required to be held by an employee, and to develop or enhance the skills required for efficient job performance.

- (8) When employees are required to attend training activities and other educational functions related to the employee's job, employees may be granted administrative leave with pay in order to permit the employee's participation during normal working hours. The time spent in attending such training and/or related educational functions shall be considered as hours worked for pay purposes.
- (9) The agency has the right to exercise customary managerial functions, including the right to dismiss, assign, supervise, and discipline employees. When, in the exercise of legitimate management discretion, it becomes necessary to relieve an employee of his/her normal duties for such purposes and reasons as management reasonably believes justifies the action, an employee may be given administrative leave with pay, if approved by the agency's executive director, for up to three consecutive work days.
- (10) Neither the approval nor denial of a supervisor's request for administrative leave with pay by the agency's executive director shall be grounds for an employee grievance under the agency's grievance procedure policy, and the decision of the executive director is to be considered final and binding on all agency personnel.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide a means of permitting employees approved time away from work without pay for emergencies, illnesses, or other necessary reasons, while enabling the agency to plan work schedules and to maintain continuity in the employee's length of service. This policy also addresses employees' rights under the **FAMILY AND MEDICAL LEAVE ACT OF 1993**.

**COMMENT:**

Contact the Human Resources Department for instructions on completing the form for Family and Medical Leave before your leave commences.

**APPLICATION**

This policy applies to all full-time and part-time employees of Institute of Community Services, Inc. and is applicable to the following types of employee absences:

(1) **MEDICAL LEAVE**

- (a) A physician's report should be presented to the employee's immediate supervisor as soon as possible. It should consist of:
  - (1) The estimated date of surgery, delivery, etc., as applicable.
  - (2) The approximate length of medical leave requested.
  - (3) Any job-related limitations due to the individual's current health condition.
- (b) Periodic verification of the continued disability shall be required as a condition of remaining on medical leave.
- (c) Medical leaves without pay shall not exceed three consecutive months.
- (d) A doctor's release shall be required before an employee will be permitted to return to work after an unpaid medical leave of absence.

(2) **PERSONAL LEAVE**

- (a) A personal leave of absence without pay may be granted when urgent and important matters require the employee to personally attend those matters.

(b) Personal leaves shall normally not exceed ten days in any one grant year.

(c) Personal leaves shall be without pay.

(3) MILITARY LEAVE

(a) Periodic training:

- (1) Employees who are members of federal or state military units may take fifteen days each calendar year, at a time other than vacation, to fulfill their active duty training requirements.
- (2) Employees shall be paid by the agency an amount equal to the difference between regular salary and military pay, excluding travel allowances, if the employee otherwise would have been scheduled to work.
- (3) To be eligible to receive payment, the employee must give the agency prior notice of military duty and must furnish written evidence to the agency verifying the amount of military pay within three working days after returning to work.

(b) Limited active duty:

- (1) Employees who are ordered to report and perform military duty in the event of a public emergency, such as riots or natural disasters, shall be eligible to receive the difference in regular salary and military pay not to exceed two weeks per calendar year.
- (2) To be eligible for payment, the employee must notify the agency as soon as possible of being called to military duty, and must furnish written evidence to the agency verifying the amount of military pay upon completion of duty.

(c) Active duty:

- (1) Employees who enter service in the Armed Forces of the United States in accordance with existing legislation may be granted military leaves without pay for up to six months.
- (2) Re-employment Rights. Employees who leave full- or part-time jobs are guaranteed equivalent positions when they return if the agency is still operating the same or a similar grant program at such time, provided that they:

- (a) Serve for no more than four years (can be extended to five years, provided extension is at the request of and for the convenience of the federal government).
- (b) Satisfactorily complete period of active duty.
- (c) Are qualified to perform the duties of the position.
- (d) Reapply to the agency within ninety days of completion of military service.

#### (4) EDUCATIONAL LEAVE

- (a) An approved absence to continue education at the college level may be granted under the following conditions:
  - (1) Such leave shall be without pay unless required by the agency and shall not exceed six consecutive months.
  - (2) Proposed course of study must benefit both employee and employer. (b) Financial assistance, if applicable, in the cost of the course of study shall be made in accordance with the agency's Educational Assistance policy, provided that funds are available.

#### REQUESTS FOR LEAVE

- (1) A "Request for Leave of Absence" form should be completed and approved prior to the leave, except in the event of an emergency. Documentation supporting the leave should be attached to the request.
- (2) The immediate supervisor is responsible for notifying the human resources and payroll departments of the approved leave through completion of a "Change of Status" form. In order to insure administrative control and consistency, the leave request should be reviewed in advance by the agency's human resources director and approved by the agency's executive director.

#### EFFECT ON EMPLOYEE BENEFITS DURING LEAVE

- (1) Medical and Life Insurance. Group insurance shall be continued as follows:
  - (a) Medical Leave. Agency-paid group insurance benefits shall be continued for a maximum of three months. If disability continues beyond three months, employees may elect to continue benefits for the duration of the approved leave by paying the full cost of the premium at the beginning of each month. NOTE:

An employee who plans to take extended leave may be eligible for extended insurance (COBRA) at their own expense. Check with the human resources director for details.

- (b) Personal Leave. Agency-paid group insurance benefits shall be continued for a maximum of thirty days. If leave continues beyond thirty days, employees may elect to continue benefits by paying the full cost of the premium at the beginning of each month.
- (c) Military Leave. Group insurance benefits shall be suspended for leave in excess of thirty days and shall be reinstated immediately upon return to work.
- (2) Annual and Sick Leave. Annual and sick leave hours shall not be accrued for any calendar month or part thereof in which an employee's absence from work during any part of that month was due to an authorized leave of absence without pay, unless leave was requested by the agency and qualifies as administrative leave with pay.
- (3) Holidays. If a holiday occurs during an approved leave of absence without pay, the employee shall not be eligible for holiday pay.
- (4) Pension Plan. An employee may continue to participate in the pension plan during an approved leave of absence. A leave of absence shall not constitute a break in service. Contributions shall be made to the account of the employee based on his/her annual earnings for the plan year.

#### REINSTATEMENT FOLLOWING LEAVE

- (1) After expiration of approved leave of absence, the employee must return to work on the first day following expiration of leave. The employee should notify his or her immediate supervisor prior to return. Failure to return when scheduled shall be interpreted as a voluntary resignation. The effective date of termination shall be the last day of the approved leave.
- (2) The agency shall make a sincere effort to return the employee to the position held prior to leave or to a comparable position and wage level. In cases where the position has been filled, restructured, or eliminated, the employee on leave shall be notified as soon as possible, placed on a re-employment list and recalled per the provisions in the Reduction in Force policy.

#### (5) FAMILY AND MEDICAL LEAVE ACT OF 1993

The Family and Medical Leave Act of 1993 protects certain rights of employees. ICS will comply with all terms, conditions and requirements of the Family and Medical Leave Act of 1993. Employees of ICS are eligible for this protection upon satisfactorily completing their first three months of performance probationary employment with ICS.

To comply with this act, ICS will provide for 12-weeks of unpaid, job-protected leave to its employees for the following reasons:

- (a) To care for the employee's child after birth, or placement for adoption or foster care;
- (b) To care for the employee's spouse, son or daughter, or parent who has a serious health condition; or
- (c) For a serious health condition that makes the employee unable to perform the employee's job.

Employees of ICS who desire to take advantage of this benefit must:

- (a) Provide ICS with at least a two-week notice when unpaid leave is foreseeable;
- (b) Must provide ICS with medical certification to support the request for leave because of serious health conditions; and
- (c) Must submit a fitness for duty report from their medical provider before returning to work.

In certain extenuating circumstances, ICS may require a second opinion. In the event that such is required, it will be at ICS's expense.

Requests for FMLA should be made in accordance with "Requests for Leave" on page 3 of this policy.

### Job Benefits and Protection

During the approved leave period, ICS will maintain the employee's health coverage at its participation level prior to the official leave period. Employees on leave will not lose any benefits they accrued prior to the start of the leave.

Upon return from FMLA, an employee of ICS will be placed in his/her original or equivalent position with equivalent pay, benefits, and other employment terms.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that certain rules and regulations regarding employee behavior are necessary for the efficient operation of the agency and for the benefit and protection of the rights and safety of all. Conduct that interferes with operations, brings discredit on the agency or is offensive and/or abusive to clients or fellow employees will not be tolerated.

**COMMENT:**

**BEHAVIOR:**

(1) All employees are expected to conduct themselves and behave in a manner which is conducive to the efficient operation of the agency. The following types of conduct are prohibited and will subject the individual involved to disciplinary action up to and including termination.

(a) **ATTENDANCE**

- (1) Unexcused absenteeism;
- (2) Excessive excused absenteeism;
- (3) Tardiness; and
- (4) Failure to report absence to immediate supervisor within a reasonable time.

(b) **POOR PERFORMANCE**

- (1) Unacceptable quality of work;
- (2) Excessive errors;
- (3) Insufficient quantity of work; and
- (4) Too much waste of time and materials.

(c) MISCONDUCT

- (1) Violation of formal work rules;
- (2) Unacceptable appearance;
- (3) Disorderly conduct on agency premises, such as fighting, excessive practical jokes, excessive horseplay, etc.;
- (4) Damaging the agency's reputation;
- (5) Possession, use or being under the influence of alcohol or illegal drugs while on agency property or when operating agency equipment or vehicles;
- (6) Possession of firearms or other weapons on agency property without authorization;
- (7) Insubordination--the refusal by an employee to follow agency's or supervisor's instructions concerning a job-related matter;
- (8) Theft or misuse of agency property or of another employee's property;
- (9) Gambling on agency property;
- (10) Falsifying any agency record, document or report;
- (11) Willful or careless damage to any agency property;
- (12) Leaving department, job, or office premises during working hours without proper authorization;
- (13) Immoral or indecent conduct;
- (14) Threatening, intimidating, coercing, or interfering with fellow employees or agency clients;
- (15) Smoking in restricted areas;
- (16) Soliciting for contributions without authorization;
- (17) Unauthorized distribution of literature or written or printed matter of any description on agency premises;
- (18) Unauthorized or excessive personal use of telephone;

- (19) Use of abusive, profane and/or obscene language;
- (20) Using unacceptable words and/or conduct which evidence abusive behavior and/or neglect of children and others; and
- (21) Using corporal punishment and/or total isolation or extended isolation in disciplining Head Start children.
  - (a) Corporal punishment is defined as the use of physical force as a discipline measure. This includes, is not limited to, spanking, slapping, pulling of hair, etc. Isolation refers to separating the child from normal association with classroom activities as a punishment measure. Isolation includes, but is not restricted to confining the child in a small area, retaining of a child in the classroom when other children go to play, or restricting the child from lunch with his/her classmates.

(d) SAFETY

- (1) Failure to observe safety rules and regulations;
  - (2) Failure to immediately report an accident, including personal injury, and/or damage to agency equipment or vehicle; and
  - (3) Failure to report to human resources director or supervisor, any information that could endanger the safety of children, families, or employees of the agency or cause harm to the agency's reputation, i.e., knowledge or an employee's conviction for child sexual abuse, conflict of interest in hiring or purchasing, unsafe bus drivers, personal use of buses, etc.
- (2) The foregoing examples are illustrative of the type of behavior that will not be permitted. They are intended only as a guideline and are not intended to be all inclusive.

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**POLICY:**

It is the policy of the INSTITUTE OF COMMUNITY SERVICES, INC. to prohibit bullying in the workplace by any person and in any form of its employees.

**DEFINITION:**

Workplace bullying is an intentional repeated pattern of offensive, insulting and threatening behavior. It is an abuse which makes the recipient feels upset, threatened, humiliated or vulnerable.

**COMMENT:**

**BEHAVIOR:**

- (1) Each supervisor has an affirmative duty to maintain his or her workplace free of bullying. This duty includes discussing this policy with all employees and assuring them that they are not required to endure insulting, degrading, or exploitative treatment.
- (2) Specifically, no supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to bullying will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.
- (3) Other bullying in the workplace, whether committed by supervisors or non-supervisory personnel, is also prohibited. Such prohibitive conduct includes:
  - (a) Unwarranted or invalid criticism;
  - (b) Blame without factual justification;
  - (c) Being treated differently than the rest of the group;
  - (d) Being sworn at;
  - (e) Exclusion or social isolation;
  - (f) Being shouted at or being humiliated;

(g) Being the target of practical jokes;

(h) Excessive monitoring.

- (4) Any employee who believes that he or she has been the subject of workplace bullying should report the alleged act immediately to his or her supervisor. Supervisors should make every effort to ensure that complaints of workplace bullying are resolved promptly and effectively.
- (5) If the employee is not satisfied with the action taken by the supervisor, the supervisor should advise the employee to bring the complaint to the attention of the human resources director. The complaint will be investigated by the human resources director, and the employee will be advised of the findings and conclusion.
- (6) All actions taken to resolve complaints of workplace bullying through internal investigations shall be conducted confidentially.
- (7) Any supervisor, agent, or other employee who is found, after appropriate investigation, to have engaged in workplace bullying of another employee will be subject to sanctions depending on the circumstances, up to and including termination.

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**POLICY:**

It is the policy of the INSTITUTE OF COMMUNITY SERVICES, INC. to prohibit harassment in the workplace by any person and in any form of its employees.

**DEFINITION:**

Workplace harassment is any unwelcome verbal, written or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, sex, color, national origin, religion, sexual orientation, age, veteran status, political affiliation, or disability that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or (3) affects an employee's employment opportunities or compensation.

**COMMENT:**

**BEHAVIOR:**

- (1) Each supervisor has an affirmative duty to maintain his or her workplace free of harassment. This duty includes discussing this policy with all employees and assuring them that they are not required to endure insulting, degrading, or exploitative treatment.
- (2) Specifically, no supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to harassment will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.
- (3) Other harassment in the workplace, whether committed by supervisors or non-supervisory personnel, is also prohibited. Such prohibitive conduct includes:
  - (a) Use of racially derogatory words, phrases, epithets;
  - (b) Demonstrations of a racial or ethnic nature such as a use of gestures, pictures, drawings which would offend a particular racial or ethnic group;
  - (c) Comments about an individual's skin color or other racial/ethnic characteristics;
  - (d) Making disparaging remarks about an individual's gender that are not sexual in nature;

- (e) Negative comments about an employee's religious beliefs (or lack of religious beliefs);
  - (f) Expressing negative stereotypes regarding an employee's birthplace or ancestry;
  - (g) Negative comments regarding an employee's age when referring to employees 40 and over;
  - (h) Derogatory or intimidating references to an employee's mental or physical impairment.
- (4) Any employee who believes that he or she has been the subject of harassment should report the alleged act immediately to his or her supervisor. Supervisors should make every effort to ensure that complaints of harassment are resolved promptly and effectively.
- (5) If the employee is not satisfied with the action taken by the supervisor, the supervisor should advise the employee to bring the complaint to the attention of the human resources director. The complaint will be investigated by the human resources director and the employee will be advised of the findings and conclusion.
- (1) All actions taken to resolve complaints of harassment through internal investigations shall be conducted confidentially.
  - (2) Any supervisor, agent, or other employee who is found, after appropriate investigation, to have engaged in harassment of another employee will be subject to sanctions depending on the circumstances, up to and including termination.
  - (3) Retaliation—overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under this policy—is prohibited.

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**POLICY:**

It is the policy of the INSTITUTE OF COMMUNITY SERVICES, INC. to provide protection for employees who make specific disclosures, allegations or proof of wrongdoing, illegal conduct, fraud, government waste, abuse of power, etc. and to prohibit retaliation against whistleblower.

**DEFINITION:**

A whistleblower is a person who raises a concern about wrongdoing occurring in an organization or body of people. The revealed misconduct may be classified in many ways; for example, a violation of law, rule, regulation and/or direct threat to public interest, such as fraud, health/safety violations, and corruption.

Any employee who suspects or believes a co-employee, or a member of management, is engaged in a wrongful act, whether or not such a wrongful act may warrant criminal penalties, he/she should report any such activity to his/her immediate supervisor. If the employee suspects his/her immediate supervisor of wrongful behavior, or she/she is not satisfied with the immediate supervisor's response, the employee should report director to the Director of Human Resource.

**COMMENT:**

It is the policy of the INSTITUTE OF COMMUNITY SERVICES, INC. to encourage and support any employee who reports concerns about wrongdoing by a co-employee, including superiors and members of management and, further, to investigate any reported concerns.

**BEHAVIOR:**

Employees cannot be discharged, demoted or otherwise discriminated against as a reprisal for making a protected disclosure.

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**POLICY:**

It is the policy of THE INSTITUTE OF COMMUNITY SERVICES, INC. to expect courtesy at all times of its employees. Violations of the courtesy policy may lead to disciplinary action up to and including termination.

**DEFINITION:**

Courtesy is polite behavior characterized by gracious consideration toward others.

**BEHAVIOR:**

Examples of behavior which would violate the courtesy policy but are not limited to the following:

- (1) Making intentionally non-supportive statements about work related activities and/or decisions (not “constructive criticism”).
- (2) Talking in a manner that is rude or discourteous to the public, consumers, or other employees.
- (3) Disturbing or offending co-employees, staff, management, parents or children by engaging in discourteous conduct, nuisance or unreasonable behavior.
- (4) Threatening the safety or rights of any individual, including but not limited to, abusive language, violent or discourteous, or threats of violence.
- (5) Making intentionally misleading comments or statements.
- (6) Refusing to assist or being uncooperative with other staff members or divisions in meeting goals, deadlines or directives of the work directives.
- (7) Releasing agency information without authorization.
- (8) Committing a criminal offense, defined by local, state, or federal authorities.

**COMMENT:**

In some extreme instances, discourteous behavior may be considered workplace violence. Work place violence, including but not limited to abusive language, threats, fighting or any other form of disruptive action, will not be tolerated and may result in termination.

**POLICY:**

It is the policy of THE INSTITUTE OF COMMUNITY SERVICES; INC. to ensure that its services are conducted in accordance with applicable laws relating to all professional practices, third party reimbursement, and contractual and legal obligations. The agency will adhere to the False Claims Act (FCA). Violations of this policy may lead to disciplinary action up to and including termination.

**DEFINITION:**

Fraud is an act of deceiving or misrepresenting; a deception deliberately practiced in order to secure unfair or unlawful gain; one that defrauds, a cheat.

**BEHAVIOR:**

The False Claims Act is aimed at the following conduct:

- (1) Knowingly presenting or causing to be presented a false or fraudulent claim for payment to the government;
- (2) Knowingly using a false record or statement to obtain payment on a false or fraudulent claim paid by the government; or
- (3) Engaging in a conspiracy to defraud the government by getting a false or fraudulent claim allowed or paid.

The False Claims Act defines “knowing” conduct. It can include the following:

- (1) Having actual knowledge of the falsity of the claim;
- (2) Acting in deliberate ignorance of the truth or falsity of the claim; and/or
- (3) Acting in reckless disregard of the truth or falsity of the claim.

**COMMENT:**

A charge of False Claims is usually levied upon providers found to be committing fraud. The False Claims Act requires the government show that some harm has come to it as a result of the fraud. If this is determined, fines three times the government’s damage plus civil penalties of

\$5,000 to \$11,000 per false claim could be applied. All False claims violations carry a potential for imprisonment.

Examples of fraud include the following:

- (1) Billing for services not rendered;
- (2) Requesting, ordering, or receiving a kickback, bribe or rebate;
- (3) Selling or sharing an employee's or parent's social security number so false claims can be filed;
- (4) Falsifying information or applications, medical records, billing statements, and/or cost reports or on any statement filed with the government.

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**POLICY:**

It is the policy of THE INSTITUTE OF COMMUNITY SERVICES, INC., to ensure that the use of the credit cards are conducted in accordance with applicable rules and regulations of the operations of ICS. The agency will adhere to the guidelines and procedures and any violations will be subject to disciplinary action up to and including termination.

**COMMENT:**

The card holder is responsible for the safe-keeping of the credit card, and will be held accountable.

- (1) The credit card is used only for legitimate agency purchases, i.e. travel expenses, hotel reservations, registration fees, etc., or as needed with the approval of the executive director.
- (2) All expenditures pertaining to the credit card purchases are kept on file in the accounting services department.

The personal use of any agency credit card is strictly prohibited.

- (1) Any fraudulent or other unauthorized charges shall be immediately investigated by the fiscal director.

Failure to comply with any of these procedures associated with the use of credit cards, shall be subject to possible revocation of credit card privileges upon approval of the executive director.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that an employee's dress and grooming should be appropriate to the work situation. However, radical departures from conventional dress or personal grooming are not permitted, regardless of the nature of the job performed.

**COMMENT:**

- (1) Every office employee has some contact with the public and therefore represents the agency in both appearance as well as actions. The properly attired man or woman helps to create a favorable image for the agency. Accordingly, employees are expected to dress in a manner that is normally acceptable in business establishments.
- (2) The dress and grooming of Head Start employees shall be governed by the requirements of safety and comfort. Long hair that hangs loosely around the head and shoulders is not appropriate for employees who work in food service facilities. Provocative or revealing clothing should not be worn to work.
- (3) If an employee reports for work improperly dressed or groomed, the supervisor shall instruct the employee to return home to change clothes or to take other appropriate corrective action. The employee will not be compensated during such time away from work, and repeated violations of this policy will be cause for disciplinary action.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that all employees are expected to discharge their financial obligations promptly so that creditors will not have to ask for the agency's assistance in collecting amounts owed to them.

**COMMENT:**

- (1) Whenever the agency is served with a writ of garnishment or attachment, a notice of levy by the Internal Revenue Service or other taxing authority, or any other similar order requiring payment of a portion of the employee's compensation to someone other than the employee, the agency must immediately refer the matter to the payroll department for appropriate action, and notify the employee and agency's executive director in writing. Failure to act promptly may render the agency legally liable for the employee's debt.
- (2) In the event that garnishment or similar proceedings are instituted against an employee, the agency will deduct the required amount from the employee's paycheck. The amount deducted from an employee's earnings will not exceed that permitted by law.
- (3) Compliance with writs of garnishment and similar orders imposes an administrative and financial burden on the agency. In addition, the failure of an employee to meet his financial obligations does not reflect favorably on the agency and frequently has an adverse effect on the employee's job performance.
- (4) Whenever a supervisor has reason to believe that an employee is experiencing financial difficulties, the supervisor shall investigate the situation and, if circumstances require, proceed in accordance with the employee counseling procedures.
- (5) No employee will be terminated by reasons of the fact that his earnings have been subjected to garnishment for one's indebtedness. However, an employee whose earnings are excessively subjected to garnishment will be liable for disciplinary action as follows:
  - (a) Upon the first garnishment, the human resources director will counsel the employee on money management;
  - (b) On the second garnishment, an oral warning will be given to the employee by the human resources director;

- (c) On the third garnishment, an oral and written warning will be given, stating that upon a fourth garnishment, the employee may be subject to termination.
- (d) On the fourth garnishment, the employee may be terminated.
- (e) A report of all garnishments will be placed in the employee's personnel file.
- (f) The agency will not deny employment to or terminate the employment of any person solely because that person has filed a petition for bankruptcy.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to fulfill its responsibilities to the community it serves by encouraging all employees to participate in civic affairs and to practice good citizenship.

**COMMENT:**

- (1) Employees are encouraged to take an active interest in community activities of a charitable, religious, fraternal, or civic nature, and to apply for membership in service organizations. Time spent in such activities normally should be outside of the employee's working hours and will not be considered hours worked for pay purposes. However, time spent in work for charitable, public or similar purposes at the agency's request or under its direction or control shall be considered hours worked for pay purposes. Voluntary employee participation in community affairs that may involve an extended period of time away from the job shall be handled in accordance with the provisions contained in the agency's Leave of Absence policy.
- (2) Employees are encouraged to write letters to newspapers and public officials concerning issues of general interest and to accept invitations to speak before civic groups. However, if any such communication might be construed as representing the agency's position on any subject, prior approval must be obtained from the executive director.
- (3) The agency does not make contributions or expenditures in connection with any election to any political office or in connection with any primary election or political convention or caucus held to select candidates for any political office.
- (4) If any employee engages in any political activity, the employee must do so as an individual and not as a representative of the agency. Campaigning, fund raising, and other partisan political activities must be conducted on the employee's own time. Employees must obtain the prior approval of the executive director before seeking public office or accepting an appointment to public office.
- (5) Employees are reminded that they must comply with all federal and state regulations covering political activity of agency employees and they are responsible for knowing the specific provisions of all such regulations.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to provide its clients with the best possible service. Employees are expected to treat all clients, suppliers and the general public in a courteous, respectful manner at all times.

**COMMENT:**

- (1) Employees should always remember that the agency's clients come first and each one is entitled to the same thoughtful treatment that the employee would like to receive. Clients should not be treated in a condescending or impolite manner and should never be kept waiting an unreasonable amount of time.
- (2) When a client approaches an employee with a question or complaint, the employee should give the matter immediate attention. If a client or supplier becomes abusive or argumentative and the employee cannot properly handle the situation, the client should be referred to the employee's supervisor.
- (3) Employees should be particularly careful to exercise courtesy and thoughtfulness in using the telephone. The following should be observed whenever possible:
  - (a) When answering the telephone, give the name of the department and the identity of the speaker;
  - (b) If the person with whom the caller wishes to speak is on another line, ask if the caller desires to be placed on hold;
  - (c) If a caller has been placed on hold, offer to have the call returned if the person with whom the caller wishes to speak is not available within a reasonable time;
  - (d) When a caller leaves a name, number, or message, make sure it is recorded correctly and given to the appropriate individual; and
  - (e) When using the telephone, all employees should take and place their own calls, if possible.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that telephone and mail facilities shall be available during working hours for effective communication with the agency's clients and business associates. Accordingly, the agency's facilities should not be used for personal telephone calls or personal mail except in cases of emergency.

**COMMENT:**

- (1) Use of the agency's telephone lines should be confined to business calls. Personal telephone calls should be limited to those which are absolutely necessary and should be as brief as possible. This restriction on the use of telephones also applies to making unnecessary personal calls to fellow employees within the agency.
- (2) When necessity requires that an employee make a personal long distance call, the call should be placed through the telephone company operator and charged to the individual's home number, or placed collect.
- (3) In order to avoid adding to the increasing volume of mail, employees should not use the agency's address in receiving personal mail.
- (4) Agency stationery may not be used for personal correspondence since this represents misappropriation of government property for personal use. Further, any communication sent out on agency stationery might be considered an official communication.
- (5) Usage of cell phones which includes receiving or placing calls, text messaging, surfing the internet, receiving and responding to email, and checking phone messages is prohibited during working hours, except for emergencies. Employees whose job responsibilities include regular or occasional driving are expected not to use their phone for any purpose while driving. Employees who violate this policy will be subject to disciplinary actions, up to and including termination.

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**POLICY:**

It is the policy of the INSTITUTE OF COMMUNITY SERVICES, INC. that participation in personal blogs, social media or social networking sites (including, but not limited to Twitter, Face Book, My Space, etc.) is strictly prohibited while employees are working. Employees are not permitted to use agency computers, laptops, or other equipment for such purposes.

In order to protect agency assets, images, employees, students and families, employees are not permitted to represent the agency or purport to represent the agency while participating in personal blogs, social media or social networking sites. When participating in social media or on social networking sites, employees should be respectful of the agency and other employees. Employees should be aware that actions captured via images, posts, or other online comments can reflect that of the agency, and any communications which could damage or bring disrepute to the agency or any of its employees is prohibited.

Employees who violate this policy will be subject to disciplinary actions, up to and including termination.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to prohibit its employees from engaging in any activity or practice in conflict with the interests of the agency or its clients. Examples of conflicts of interest which should always be avoided are set forth below.

**COMMENT:**

- (1) No employee shall accept full-time, part-time, or temporary employment in any organization which does business with the agency or is a competitor of the agency.
- (2) No agency employee or a member of an agency employee's immediate family may have a financial interest in a firm which does business with the agency whether or not the interest is sufficient to affect the employee's decisions or actions.
- (3) No employee shall accept gifts from any person or firm doing or seeking to do business with the agency under circumstances from which it might reasonable be inferred that the purpose of the gift is to influence the employee in the conduct of the agency business with the donor. Such gifts should be returned with a note of explanation. However, employees are not prohibited from accepting advertising novelties such as pens, pencils and calendars, or other gifts of nominal value when circumstances clearly show that the gifts are offered for reasons of personal esteem and affection.
- (4) It is difficult if not impossible to describe all of the situations which may arise involving conflicts of interest. When any employee has a question concerning a possible conflict of interest, it is expected that the employee will request advice from the immediate supervisor or other top management official with the agency.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that the business affairs of the agency should not be discussed with anyone outside the organization except when required in the normal course of business.

**COMMENT:**

- (1) The operations of the agency should not be discussed with outsiders, and particularly not with competitors. Access to certain secret or sensitive agency information and operating procedures will be limited to those employees who "need to know." Unauthorized employees are prohibited from attempting to obtain or observe this information.
- (2) Information concerning the activities or operations of the agency's suppliers or clients must be treated as confidential.
- (3) Employees handling confidential information are responsible for its security. Extreme care must be exercised to insure that it is safeguarded to protect the agency, its suppliers, and its clients.
- (4) Subjects such as the costs of the agency's products and services and the names of the agency's clients should never be discussed with the directors, officers, or employees of competing companies.
- (5) In the course of performing their duties, employees may receive confidential or sensitive information about the agency or its clients. Employees are prohibited from disclosing such material inside information to anyone outside the organization unless and until such information has been made available to the public by the agency.
- (6) Nothing contained in this policy is intended to prohibit the disclosure to outsiders of information about the agency that is routinely made available to the public by advertisement or otherwise, such as the nature of the agency's services and its business hours.
- (7) Violation of this policy will subject an employee to disciplinary action, up to and including termination.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to prohibit the use, sale, or dispensing of drugs and narcotics on agency premises. This policy covers all illegal drugs, alcohol, and legal drugs including opioids, which impair an employee's ability to perform his or her job. The agency recognizes the harmful effects of drugs and narcotics on the individual user, abhors the unacceptable role-model such persons present to the clients served, and will not employ, tolerate or continue the employment of drug addicts or users.

The safety of the children that ICS serves is our top priority. We are equally concerned about the safety of all of our employees and the community at large.

Therefore, ICS will conduct pre-employment testing on all drivers and other positions that may be declared sensitive. ICS will conduct random drug testing of its employees in direct service and safety positions including, but not limited to, bus drivers, food workers, teaching staff, and medical staff. These tests will be administered with 24-hour notice, and anyone refusing to submit to said testing will be recommended for termination.

The ICS drug policy is designed to help the employee first and ICS second. Thus, employees who have a drug problem are encouraged to discuss it with the human resources director.

ICS may require medical tests of all employees as a condition of continued employment if reasonable suspicion exists that an employee's work performance or safety is impaired by the use of drugs or alcohol.

**Failure or refusal of an employee to cooperate fully with the agency's medical screening or detection procedures will result in disciplinary action, including termination.**

No employee shall be permitted to be involved in the manufacture, distribution, possession or use of a controlled substance in the work place. **THIS POLICY IS IN COMPLIANCE WITH THE DRUG-FREE WORK PLACE ACT OF 1988.**

COMMENT:

- (1) An employee reporting to work under the influence of drugs, including alcohol, will not be permitted to enter upon the agency's premises. If an employee is discovered under the influence while on the job, he or she will be required to leave the premises and may be escorted home or to a treatment facility in an emergency situation.
- (2) An employee bringing illegal drugs or narcotics to work, using them on agency premises, or dispensing or selling any illegal drugs on agency premises will be terminated.
- (3) Staff who observe unusual behavior patterns on the part of their employees which may be the result of drug use should report such individuals and their unusual behavior to the agency's executive director at once.
- (4) Employees tested will be selected at random by computer and by observation or probable cause based on behavior, accident reports, etc.
- (5) Staff should not attempt to provide counseling services to suspected drug users or addicts, since diagnosis and rehabilitation are the functions of qualified experts.
- (6) The possession, sale, or use of a controlled substance other than a drug prescribed by a physician is detrimental to the health of employees, to their job performance, and to the reputation of the agency.
  - (a) Any employee found to be selling or distributing unauthorized drugs will be subject to immediate termination.
  - (b) In other cases of drug abuse, management will consider the employee's work record and his or her willingness to undergo treatment before deciding whether termination is required.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that certain rules and regulations regarding behavior are necessary for the efficient operation of the agency and for the benefit and protection of the rights and safety of all. Conduct that interferes with operations, brings discredit on the agency or is offensive and/or abusive to clients or fellow employees is not acceptable. Rules of conduct for consultants are necessary for the benefit of the consultant and the agency.

**COMMENT:**

(1) All consultants are expected to conduct themselves and behave in a manner which is conducive to the efficient operation of the agency.

The following types of conduct are prohibited and will subject the consultant involved to termination of the contract. These are examples of the type of behavior that will not be permitted, are intended only as a guideline, and are not intended to be all inclusive.

- (a) Excessive excused absenteeism;
- (b) Insufficient quantity of work;
- (c) Unacceptable appearance;
- (d) Disorderly conduct on agency premises, such as fighting, excessive practical jokes, excessive horseplay, etc.;
- (e) Possession, use, or being under the influence of alcohol or illegal drugs while on agency property or when operating agency equipment or vehicles;
- (f) Possession of firearms or other weapons on agency property without authorization;
- (g) Theft or misuse of agency property or of another employee's property;
- (h) Gambling on agency property;
- (i) Falsifying any agency record, document, or report;



- (j) Smoking in restricted areas;
  - (k) Use of abusive, profane, and/or obscene language; and
  - (l) Using corporal punishment and/or total isolation or extended isolation in disciplining Head Start children.
- (2) Consultants are expected to:
- (a) Be a good listener but not participate in gossip or other irrelevant conversation;
  - (b) Possess the ability to communicate in a positive and tactful manner and in a pleasant tone of voice;
  - (c) Avoid argumentative and adversarial statements;
  - (d) Conduct themselves professionally in all personal interaction, avoiding any impropriety or the appearance of impropriety while under contract to ICS;
  - (e) Be knowledgeable of cultural diversity and bilingual/multicultural services;
  - (f) Be aware of relevant resources;

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that certain rules and regulations regarding behavior are necessary for the efficient operation of the agency and for the benefit and protection of the rights and safety of all. Conduct that interferes with operations, brings discredit on the agency or is offensive and/or abusive to clients or fellow employees is not acceptable.

**COMMENT:**

In order to insure the safety of the children and employees, protect the integrity of the agency, and to meet state and federal regulations, ICS will have a background check conducted on all regular volunteers. If a volunteer is found to have convictions for child abuse or other felony, that person will be barred from volunteering at ICS. The following conduct will also bar a person from volunteering at ICS:

- (a) Disorderly conduct on agency premises, such as fighting, excessive practical jokes, excessive horseplay, etc.;
- (b) Possession, use, or being under the influence of alcohol or illegal drugs while on agency property or when operating agency equipment or vehicles;
- (c) Possession of firearms or other weapons on agency property;
- (d) Theft or misuse of agency property or of an employee or other volunteer's property;
- (e) Gambling on agency property;
- (f) Willful or careless damage to any agency property;
- (g) Threatening, intimidating, coercing, or interfering with employees or agency clients;
- (h) Smoking in restricted areas;
- (I) Use of abusive, profane, and/or obscene language;

- (j) Using unacceptable words and/or conduct which evidence abusive behavior and/or neglect of children of others; and
  - (k) Using corporal punishment and/or total isolation or extended isolation in disciplining Head Start children.
- (2) The foregoing examples are illustrative of the type of behavior that will not be permitted. They are intended only as a guideline and are not intended to be all inclusive.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to maintain certain records on each employee which are directly related to the employee's job with the agency. At all times, the agency will do its best to balance the employee's right to privacy with the agency's need to collect and use information. Official personnel records for employees of Institute of Community Services, Inc. will be maintained by the agency's human resources department, and all personnel files are to be considered confidential agency records.

**COMMENT:**

- (1) Each employee's personnel file will contain only such information as is needed by the agency in conducting its business or is required by federal, state, or local law. This information normally will include:
  - (a) Notice of employment
  - (b) Application/Resume
  - (c) Conflict of interest statement
  - (d) Performance/Probationary reviews
  - (e) Salary reviews
  - (f) Change of status (e.g., promotions, transfers, demotions, salary adjustments, terminations, leaves of absence, and changes in the employee's address, marital status, number of dependents, etc.)
  - (g) Disciplinary notices
  - (h) Insurance data (e.g., type of coverage, beneficiary, etc.)
  - (i) Medical/Accident reports
  - (j) Commendatory letters
  - (k) Any training, certificates, and/or degrees received since employment.

- (2) The information contained in each personnel file will be obtained directly from the employee to the greatest extent possible. When information must be obtained from an outside source, the employee will be informed of the identity of the source and the reason the agency is obtaining the information.
- (3) Each personnel file will be reviewed, as agency funds and personnel resources permit, by the human resources department to insure that the file contains only information that is relevant to the individual's employment with the agency. Each record in the file will be examined for accuracy, timeliness, and completeness. Material that is irrelevant, inaccurate, or obsolete will be removed from the file.
- (4) The human resources department will insure compliance by the agency with applicable federal, state, and local laws which require that certain records be retained for a specific length of time.
- (5) Each employee is allowed to inspect and make copies of his or her personnel records. A written request to do so should be directed to the human resources director who will schedule a date and time for inspection that is convenient for both the employee and the human resources department. A reasonable charge to reimburse the agency for its costs will be made for any copies of records requested by the employee, and a memo will be placed in the employee's file indicating what was copied, when and by whom.
- (6) If, after inspecting his or her personnel records, the employee believes that certain material is irrelevant, inaccurate, or obsolete, he or she may submit a written request to the human resources director to remove the material from the file. The human resources director will either remove the material or inform the employee in writing why the material should remain in the file. If the employee is not satisfied with the human resources director's decision, the employee shall be permitted to place a written statement of disagreement in the file.
- (7) All requests from sources outside the agency for personnel information concerning applicants for employment, current employees, and former employees shall be directed to the human resources department. The human resources department will release information to outsiders in response to written requests only after obtaining the written consent of the individual who is the subject of the inquiry.

However, the human resources department may release the following information without obtaining the consent of the individual involved pursuant to a bona fide written request for verification of employment:

- (a) Employment dates
- (b) Position held
- (c) Wage and salary information

- (d) Location of job site
- (8) In order to guarantee the security of the agency's personnel records, all files are kept in one area of the main office. The files are locked during non-working hours or when no one from the human resources department is present. Access to the files is on a need-to-know basis. In addition to the employee's immediate supervisor, examples of individuals who would have a legitimate need to inspect personnel records include the agency's executive director, human resources director, and/or any department head who is considering an employee for promotion, transfer, or other personnel action.
- (9) In order to keep personnel records up-to-date, employees are urged to notify the human resources department in writing of any changes in the following:
  - (a) Name
  - (b) Address
  - (c) Telephone number
  - (d) Marital status
  - (e) Number of dependents
  - (f) Beneficiary designations for any of the agency's insurance plans
  - (g) Persons to be notified in case of emergency
- (10) When a change in number of dependents or marital status occurs, the employee should report to the human resources department to complete a new Form W-4 for income tax withholding purposes.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to encourage all employees to submit any constructive suggestions they may have for improving any aspect of the operations of the agency or its programs or facilities.

**COMMENT:**

- (1) A suggestion is defined as a constructive idea that might help solve a problem, improve operations or procedures, or make the agency a better place to work.
- (2) Examples of constructive suggestions include:
  - (a) A more efficient use of physical facilities or office space;
  - (b) A new source of buying parts, materials, or supplies;
  - (c) An idea for improving attendance and punctuality;
  - (d) An idea for reducing energy consumption and other costs;
  - (e) A method of making work spaces safer, cleaner, and more comfortable;
  - (f) A better way of safeguarding agency or employee's property; and
  - (g) An improvement in agency policies.
- (3) Suggestions may be submitted in writing to the employee's supervisor or human resources department, or placed in a suggestion box.
- (4) All written suggestions received by management officials should be forwarded to the attention of the agency's executive director.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. that any employee who violates any of the agency's rules and regulations or standards of employee conduct and behavior shall be subject to disciplinary action as set forth below.

**COMMENT:**

- (1) Before taking any type of disciplinary action, the immediate supervisor should:
  - (a) Counsel the employee on the need for improvement.
  - (b) Make sure the employee is properly trained (has the knowledge and skills required to do the job properly).
  - (c) Remove any obstacles that interfere with good performance and insure that the employee has all the time, tools, equipment, etc. required to do the job.
  - (d) Give employees feedback on his/her performance.
  - (e) Provide positive consequences for good performance.
- (2) When there is a violation, the immediate supervisor should conduct a thorough investigation before any action is taken.
- (3) To make sure the selected disciplinary action is appropriate, the following questions should be reviewed:
  - (a) Did the employee clearly understand the rule or policy that was violated?
  - (b) Did the employee know in advance that such conduct would be subject to disciplinary action?
  - (c) Was the rule that was violated reasonably related to the safe, efficient and orderly operation of the organization?
  - (d) Is there substantial evidence that the employee actually did violate the rule?
  - (e) Is the proposed disciplinary action reasonably related to:



- (1) The seriousness of the offense?
  - (2) The employee's record with the organization? And,
  - (3) Disciplinary action taken with other employees who have committed similar offenses?
- (4) At any investigatory interview conducted for determining the facts involved in any suspected violation of agency rules of conduct, the following procedures shall apply:
- (a) Prior to the interview, the employee who is suspected of violating the agency rules of conduct must be told in general terms what the interview is about.
  - (b) The employee may have a co-worker present at the interview provided he/she so requests and provided the employee's interview covers issues affecting other employees.
- (5) Disciplinary action should immediately follow the offense if possible.
- (6) After taking any disciplinary step, the supervisor should follow up to make sure that the problem has been corrected. If the problem has not been corrected, the next disciplinary step should be taken. If the problem has been corrected the immediate supervisor should advise the employee of the noticed improvement.
- (7) If additional violations occur within the time frames specified below, the next disciplinary step should be taken. If no other violations occur within the time frames specified, the previous disciplinary action becomes inactive as regards the progressive disciplinary steps.
- (a) Oral reminder - 3 months
  - (b) Written reminder - 6 months
  - (c) Decision-making leave - 12 months
- (8) The rules of conduct are divided into four different areas: Attendance, Poor Performance, Misconduct, and Safety. Employees can receive more than one oral or written reminder if the problems come from different areas; however, an employee can receive only one "decision-making" leave.
- (9) Each disciplinary step should be documented and should include:
- (a) Employee's name;

- (b) Step of disciplinary process;
  - (c) Date of discipline;
  - (d) Specific offense or rule violation;
  - (e) Specific statement of expected performance; and
  - (f) Any explanation given by employee or other information of significance.
- (10) Any documentation concerning discipline may be removed from the employee's personnel file after three years.
- (11) On the occasion of the first violation the supervisor shall take the following action:
- (a) Meet with the employee to discuss the matter;
  - (b) Inform the employee of the nature of the problem and the action necessary to correct it; and
  - (c) Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place.
- (12) Should a second violation occur, the supervisor shall hold a second meeting with the employee at which the following action shall be taken:
- (a) Issue a reprimand to the employee
  - (b) Warn the employee that a third violation will result in more severe disciplinary action; and
  - (c) Prepare and forward to the human resources department a written report describing the first and second violations and summarizing the action taken during the meeting with the employee.
- (13) Should additional violations occur, the supervisor shall take progressive disciplinary action as follows:
- (a) Issue a written reprimand or warning;
  - (b) Suspend the employee without pay for up to five working days; or
  - (c) Suspend the employee indefinitely and recommend termination. After taking action as appropriate under the circumstances, the supervisor shall prepare and forward to the human resources department a written report describing the

violations, indicating the timing between the violations, and summarizing the action taken and its justification.

- (14) In cases involving serious misconduct and/or major violations, such as violation of law, the procedures contained in comments (11), (12), and (13) above may be disregarded. The supervisor may recommend immediate suspension of the employee, and, if appropriate, recommend termination of the employee.
- (15) If a supervisor recommends that an employee be terminated a complete investigation of the situation shall be conducted by the human resources department and the employee shall be granted a direct appeal to the personnel committee of the Policy Council before a final termination decision is effective.
- (16) No employee benefits shall be paid or accrued to any employee while he or she is suspended from work.
- (17) Employees who believe they have been disciplined severely or without good cause may utilize the appeal procedure.
- (18) A period of three years during which an employee experiences no disciplinary problem shall nullify any previous violations for purposes of implementing the disciplinary procedures contained in this policy.

#### TYPES OF VIOLATIONS

##### (1) Minor Violations

- (A) These types of problems are usually correctable through training and counseling. However, they have a tendency to intensify into more serious problems if they are not corrected promptly. These types of problems do not:
  - (1) Involve questions of honesty;
  - (2) Constitute a significant threat to the operation of the business; or
  - (3) Pose a threat to the safety and well-being of the individual or other employees.
- (B) These types of violations shall result in the following action:
  - (1) First offense: Immediate supervisor shall bring the problem to the employee's attention in an informal, casual conversation.
  - (2) Second offense: Oral reprimand. Immediate supervisor shall bring the problem to the employee's attention in a friendly but serious manner.

- (3) Third offense: Written reprimand. Immediate supervisor shall discuss in a formal conversation with the employee the discipline or performance problems. The supervisor then summarizes the conversation in a memo to the employee.
- (4) Fourth offense: Decision-making leave. Immediate supervisor gives the employee a leave without pay to decide if he/she wants to come back to work and observe the rules of conduct established by the agency.
- (5) Fifth offense: Discharge. Discharge is not a part of the discipline process. It represents the failure of disciplinary action to produce change and shall occur after the employee has been through the appropriate disciplinary steps.

## (2) Serious Violations

- (A) These types of problems constitute a threat to the:
  - (1) Operation of the business, or
  - (2) Safety and well-being of the individual or other employees.
- (B) These types of violations shall result in the following action:
  - (1) First offense: Written reprimand or decision-making leave without pay, depending on:
    - (a) The severity of the offense;
    - (b) The employee's previous work record;
    - (c) Previous action for similar offense; and
    - (d) The supervisor's judgment about which step would be more effective in bringing about a change in the employee's performance.
  - (2) Second offense: Decision-making leave without pay if written reprimand was given for the first offense, otherwise discharge.
  - (3) Third offense: Discharge.

## 3. Major Violations

- (A) These types of problems present a serious and immediate threat to the operations of the agency or the safety and well-being of the individual or fellow employees. They represent actions which cannot be tolerated in any organization.
- (B) These types of violations shall result in the following action:
  - (1) First offense: Discharge.

#### SCHEDULE OF OFFENSES AND DISCIPLINARY ACTIONS

An employee who violates any of the agency's rules, regulations or standards of conduct and behavior is subject to disciplinary action, and these procedures have been established:

- (a) To be cumulative and corrective in nature;
- (b) To inform the employee that his/her conduct or performance is below standard;
- (c) Expected;
- (d) To provide appropriate documentation in the personnel record.

The agency's disciplinary system is designed for equitable and consistent administration. The following schedule is provided for purposes of illustration only and is not designed to be all inclusive or exclusive.

(A) Group I Offenses

Generally these offenses are less severe and may be corrected by oral and/or written reprimands. The commission of three Group I offenses within a six-month period may result in suspension without pay not to exceed three working days. A fourth Group I offense may result in dismissal.

Group I includes but is not limited to the following offenses:

- (1) Unsatisfactory attendance or excessive tardiness;
- (2) Abuse of time, such as unauthorized time away from work area, or failure to notify supervisor promptly of anticipated absence or tardiness;
- (3) Obscene or abusive language;
- (4) Conviction of a moving traffic violation while operating agency or government vehicles; and

- (5) Inadequate or unsatisfactory job performance.

(B) Group II Offenses

Acts and behavior in this group are generally more severe than Group I offenses. Corrective action may include written reprimand and suspension not to exceed five working days. Commission of two Group II offenses may result in dismissal. Accumulation of one Group II offense and three Group I offenses may result in dismissal.

Group II includes but is not limited to the following offenses:

- (1) Failure to follow supervisor's instructions, perform assigned work or otherwise comply with applicable agency policy;
- (2) Violation of safety rules in the absence of a recognizable threat to life;
- (3) Leaving the work site without permission during working hours;
- (4) Failure to report to work without giving proper notice to supervisor; and
- (5) Unauthorized use or misuse of agency or government property or records.
- (6) Violation of the Fair Labor Standards Act with regard to deductions from salary or leave bank and garnishment deductions.

(C) Group III Offenses

Acts and behavior in this group are of such a serious nature that the first occurrence may result in dismissal or immediate removal from the agency during formal investigation, with or without pay, based upon the recommendation of supervisor. These include but are not limited to the following offenses:

- (1) Absence or leave from work in excess of two consecutive days without satisfactory explanation and agency approval;
- (2) Use of alcohol or unlawful possession of controlled substances while on the job;
- (3) Falsification of agency records, including but not limited to: vouchers, reports, time and attendance records, leave records, or other official agency or government documents;
- (4) Willful or negligent defacement of agency or government records or property or another employee's property;
- (5) Acts of physical violence or fighting;

- (6) Violation of safety rules where there exists a threat to life or human safety;
- (7) Unauthorized possession or use of firearms, dangerous weapons, or explosives;
- (8) Reporting to work under the influence of, or when ability is impaired by, alcohol, or the unlawful use of controlled substances;
- (9) Threatening or coercing clients, employees or supervisors;
- (10) Criminal convictions for felonies or other acts or conduct occurring on or off the job which are plainly related to job performance, or reflect adversely upon the agency or its operations, or are of such nature that to continue the employee in the assigned position could constitute negligence in regard to the agency's duties to its clients, employees and to the general public;
- (11) Engaging in prohibited activity on agency premises or during working hours;
- (12) Stealing or unauthorized removal of government and/or agency property; and
- (13) Using corporal punishment and/or total isolation or extended isolation in disciplining Head Start children.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to encourage employees to bring to the attention of their supervisors their grievances about work-related situations. Employees will be provided with an opportunity to present their grievances and appeal decisions by management through a formal complaint and grievance procedure. All grievances will be resolved fairly and promptly.

**COMMENT:**

- (1) A grievance is defined as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by management, supervisors, or other employees. Examples of action which may be causes of grievances include:
  - (a) Application of agency policies, practices, rules, regulations, and procedures believed to be to the detriment of an employee;
  - (b) Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;
  - (c) Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, or any other non-merit factor; and
  - (d) Improper or unfair administration of employee benefits or conditions of employment such as annual leave, fringe benefits, promotions, holidays, performance review, salary, or seniority.
- (2) Employees must not under any circumstances be penalized for using the grievance procedure. Supervisors are responsible for insuring that the grievance is fully processed until the employee is satisfied with the decision or until the employee's right of appeal is exhausted.
- (3) Whenever an employee believes that he or she has a work-related problem, the employee should bring the matter to the attention of his or her supervisor. It is the responsibility of the supervisor to investigate the grievance, to attempt to resolve the grievance, and to communicate a decision to the employee within a reasonable time. If the employee is not satisfied with the supervisor's decision, then the employee should follow the appeal procedures as outlined in Policy 905:1.

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REFERENCE: YOU MUST FIRST FOLLOW EITHER THE DISCIPLINARY OR GRIEVANCE PROCEDURE SECTIONS IN THIS MANUAL BEFORE REFERRING TO THESE APPEAL PROCEDURES.

**POLICY:**

The purpose of an adverse personnel action is to correct unacceptable employee conduct or performance, or if this fails, to remove the employee from the program.

Adverse actions may range from an oral reprimand to termination of the employee. It is extremely important for program managers to understand the purpose of each type of adverse action and the different situations in which each type of adverse action will be used. In taking an adverse personnel action against an employee, the burden of proof always sits with the supervisor taking the action.

The purpose of grievance appeal procedures is it allows and encourages employees to bring to the attention of their supervisor their grievances about work-related situations and to afford a formal appeal procedure for necessary resolution.

Supervisors must understand the meaning of "reasonableness of punishment." This means that the punishment must be tailored to the offense. For example, an oral reprimand, the mildest form of disciplinary action, may be all that is needed to correct a relatively minor conduct or performance inadequacy, whereas termination may be appropriate in such cases as child abuse in the classroom.

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC.

- (a) To insure that employees receive fair and equitable treatment;
- (b) To provide employees with an easily accessible procedure for expressing dissatisfaction; and
- (c) To foster sound employee-supervisor relations through communication and ultimate reconciliation of work-related problems.

The employee appeal procedure described herein has been established as a primary means of meeting these policy objectives.

Department heads and supervisors are responsible for making certain that employees under their jurisdiction have knowledge of and understand the appeal procedures and that employees feel free to use the procedures without fear of criticism or action being taken against them affecting their job security, wage progression opportunity, or chance for job advancement.

## APPLICATION

This policy has application to all regular employees.

## PROCEDURAL PROCESS

- (1) All time limits specified herein are working days. In the interest of prompt resolution of employee complaints, the action at each step on the appeal procedure should be taken as rapidly as possible, but no later than the prescribed time limit. In the event of extenuating circumstances, a time limit may be extended if notice is given to the employee that a time period cannot be followed.
- (2) Appeal hearings will be scheduled at mutually satisfactory times for Steps 1 through 5. Step 6 appeal will normally be scheduled the evening before the regularly scheduled Policy Council meeting. Step 8 appeal will normally be scheduled for the regularly scheduled Board meeting. Appeal hearings during regular work hours are considered compensable hours worked except in cases where the employee has been placed on suspension or terminated. When heard at times outside of the employee's scheduled working hours, appeal hearings are exempt from compensable hour rules.
- (3) An employee may have the assistance of the human resources department in preparing and processing a grievance at any step.
- (4) New grievance issues that were not raised in Step 1 may not be raised by either party to Steps 2 and 3.
- (5) A written summary of the complaint and facts and information accumulated should be made by the representative at each step and forwarded to the human resources department and to the next higher level in the appeal procedure, together with copies of the appeals and responses.
- (6) Information or testimony must be treated in a most discreet and confidential manner by all persons involved.
- (7) Due process requirements of notice and an opportunity to be heard shall be afforded to all staff. (See Due Process Procedures at the end of this section.)

## APPEAL PROCESS

Every reasonable effort should be made by supervisors and employees to resolve any questions, problems and misunderstandings that have arisen. Accordingly, employees should first discuss any complaints or questions they may have with their immediate supervisors, and are urged to initiate such discussions at the time the dissatisfaction or question arises. Supervisors, in turn, should take positive and prompt action to answer employees' questions and resolve complaints presented to them. Employees may also meet (or phone from centers or areas) with the human resources department prior to initiating a grievance to receive guidance and assistance.

Supervisors should confront employees with disciplinary problems first and attempt to resolve these issues with the employee. Supervisors should also forward to the attention of their immediate supervisor all cases that cannot be resolved with an oral reprimand.

**NOTE: THE NUMBER OF STEPS FOLLOWED IS DETERMINED BY THE NUMBER OF SUPERVISORY LAYERS IN THE ORGANIZATION IN RELATION TO EACH JOB POSITION.**

### Step 1: THE IMMEDIATE SUPERVISOR

The employee or the immediate supervisor will bring the situation to the attention of the other party within 10 working days of the occurrence of the problem, explaining the nature of the problem and the suggested solution if he/she has one.

After the problem has been discussed verbally, the supervisor will investigate and provide a solution or an explanation to the employee within 10 working days.

**GRIEVANCE:** In the event the supervisor fails to respond to the grievance infraction within 10 working days, the employee with the grievance may proceed to Step 2.

**DISCIPLINARY:** In disciplinary infraction cases, the supervisor should respond within 10 working days; however, for good cause shown, a supervisor will be allowed additional time to formalize the recommended course of action. The employee shall be informed in writing of the extension in time.

### Step 2: THE SECOND LEVEL SUPERVISOR

If the recommended settlement proposed by the immediate supervisor does not clear the situation, an employee will be allowed five working days from the date the immediate supervisor gives his recommendation to refer his appeal in writing to the second level supervisor. The employee should obtain an appeal report form from the human resources department where he may also obtain assistance in preparing the written presentation of his problem.

The second level supervisor will provide an answer to the employee within 10 working days of his written presentation of the appeal. In the event the second level supervisor fails to respond to the appeal within 10 working days, the employee will proceed to Step 3.

### Step 3: THE THIRD LEVEL SUPERVISOR

If the answer or settlement the second level supervisor gives the employee does not clear the situation, the employee will be allowed five working days to refer his problem in writing to the third level supervisor. The third level supervisor arranges a meeting with the employee to discuss the complaint, develops all the available facts and information relative to the appeal, meets with the second level supervisor of the employee's primary work area and meets or converses with the department head of the employee's primary work area, and issues a decision within 10 days after receiving the appeal. (In cases where an oral response has been given the employee, a memorandum summarizing the response should be prepared and forwarded to the human resources department.)

The third level supervisor will provide an answer to the employee within ten working days of his written presentation of the appeal. In the event the third level supervisor fails to respond to the appeal within 10 working days, the employee will proceed to Step 4.

### Step 4: THE HUMAN RESOURCES DEPARTMENT

If the employee is dissatisfied with the solution provided by the third level supervisor, he will have an additional five working days to appeal to the human resources department. When the human resources department receives the appeal report, the department will determine if Steps 1, 2, and 3 were followed.

After collection of all the facts, the human resources department will forward to the executive director the file for a decision.

### Step 5: THE EXECUTIVE DIRECTOR

If a satisfactory resolution of the appeal is not reached in Step 3, the employee may request that the appeal be processed for review at Step 4. The request must be in writing and presented to the human resources department within five working days after receiving the Step 3 decision. The appeal is considered settled on the basis of Step 3 decision if such a request is not presented.

In cases where the employee has appealed the decision in Step 3 to the executive director, the human resources department will arrange for a hearing to be conducted within 10 days after receiving the Step 3 appeal. The executive director will review all the available facts and information and issue a written decision within ten days following the hearing.

In the event the executive director fails to respond within 15 working days, or if the employee decides to appeal the recommended decision, the employee will proceed to Step 6 under adverse appeal process to the personnel committee. Disciplinary actions, such as termination, must be presented to and approved by the Policy Council.

#### Step 6: THE PERSONNEL COMMITTEE

If a satisfactory resolution of the appeal is not reached in Step 5, the employee and/or executive director may request that the matter be processed for review by the personnel committee. The request must be in writing and presented to the human resources department within five working days after receiving the Step 5 decision of the appeal process. The appeal is considered settled on the basis of the Step 5 decision if such a request is not presented. Note, however, that all recommendations for termination must be presented to the personnel committee and approved by the Policy Council.

The personnel committee meets with the employee, his representatives (not to exceed 3) and/or his counsel (expenses to be borne by employee), conducts a thorough and objective review and analysis of the appeal, and develops a proposed decision for review by the agency's Policy Council, which will accept or reject the proposed decision based on the available facts and information. In the event the personnel committee is unable to issue a decision within its scheduled time limits, the committee will refer the appeal back to the human resources department to conduct a thorough investigation of the conditions that led to the appeal and/or provide additional documented information. The investigation report or a written request to extend the investigation must be provided at the next regularly scheduled meeting of the personnel committee. The committee will review the information and develop a proposed decision to the agency's Policy Council.

#### Step 7: THE AGENCY'S POLICY COUNCIL

The agency's Policy Council will consider the recommendation made by the personnel committee but is not bound to vote to uphold the personnel committee's decision. After the Policy Council's review of the record, they shall vote to affirm or reject the personnel committee's recommendation, and their vote is final.

#### Step 8: THE BOARD OF DIRECTORS

There shall be no appeals to the Board of Directors of a Policy Council decision relative to an appeal except in cases where an employee alleges and proves in writing a procedural violation.

An allegation of a procedural error must be in writing and presented to the human resources department within five days after receiving the Policy Council decision. The appeal is considered settled on the basis of Step 7 if such a request is not presented.

If the Board of Directors votes that a procedural error exists, they shall forward their ruling to the Policy Council for implementation. The Board of Directors can only review

and remand for further action. The merits of all appeal decisions rest with the Policy Council, not the Board.

NOTICE OF SETTING TIME FOR HEARING THROUGH APPEAL PROCESS

When a hearing is granted for any appeal, it shall be the responsibility of the employee requesting the hearing to be present and on time for the hearing. If the employee requesting the hearing fails to be present or to have representative present at the hearing, this shall relieve the agency of any further responsibility in terms of trying to resolve the problem that necessitated the request for the hearing.

NOTE: IF AN EMPLOYEE FAILS TO APPEAL WITHIN THE STATED TIME FRAMES, ALL RIGHTS TO SAID APPEAL ARE CANCELED.

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**POLICY:**

It is the policy of INSTITUTE OF COMMUNITY SERVICES, INC. to address grievances or complaints by parents or community people that are related to Head Start in a timely manner. Parents or other residents of the community will be provided an opportunity to present their grievances or complaints to management and the policy groups as the appeal procedure permits.

**COMMENT:**

A grievance is defined as dissatisfaction expressed by parents or community residents with the manner in which the Head Start program is delivering services to children and families we serve. Examples of such actions may be the closing and relocating of Head Start centers, selection of target areas to be served, and alleged discrimination in selection and enrollment because of race, sex, creed or national origin.

Step 1: Center Director

Whenever parents or community residents believe they have reasons to be dissatisfied, they should bring this matter to the attention of the center director who will investigate the grievance, discuss it with the appropriate parties involved, and attempt to resolve it. After a grievance has been registered, it is the responsibility of the center director to advise the parent of the process for getting their grievance addressed if they are not satisfied with the resolution proposed by the center director.

Step 2: Parent Involvement Director

If the parents or community residents are not satisfied with the proposed solution by the center director, the parent may request that the parent involvement director hear his/her grievance. The parent involvement director will investigate the grievance, discuss it with the appropriate parties involved, and attempt to resolve it.

Step 3: Executive Director

If the parents or community residents are not satisfied with the proposed solution by the parent involvement director, the parents or community residents may request that the executive director hear their grievance. The request must be in writing and submitted to the executive director. The grievance is considered settled on the parent involvement director's level if such a request is not presented to the executive director by the dissatisfied parent.

The executive director will hear the grievance, review all available facts and information, and issue a decision within ten days following the hearing.

#### Step 4: Policy Council Grievance Committee

If the dissatisfied parent or community resident is not satisfied with the solution reached by the executive director, they may request a hearing before the ICS policy council grievance committee. The request must be in writing and presented to the chairperson of the grievance committee within two weeks following the decision of the executive director. The appeal is considered settled on the basis of step 3 if such a request is not presented to the grievance committee. The grievance committee will meet with the dissatisfied parent or community resident, hear the grievance, conduct a thorough review or analysis of the appeal, and develop a proposed decision for review and action taken by the agency's policy council which will accept or reject the grievance committee's recommendation. Their vote is final.

In the event the grievance committee is unable to reach a decision within one month, the committee will advise the dissatisfied parent or community resident of the status of their grievance and a possible time line for reaching a solution to the grievance.

#### Step 5: Policy Council

The agency's policy council will review the record as presented by the grievance committee. The policy council will consider the recommendation made by the grievance committee but is not bound to vote to uphold the grievance committee's decision. After the policy council's review of the record, they will vote to affirm or reject the grievance committee's recommendation, and their vote is final.

#### Step 6: Board of Directors

There shall be no appeals to the board of directors of a policy council decision relative to an appeal except in cases where it is alleged and proven in writing that the agency violated its grievance procedures.

Allegations of a procedural error must be in writing and presented to the board chairperson within two weeks after receiving the policy council's decision.

If the board of directors votes that a procedural error exists, they shall forward their ruling to the policy council for implementation. The Board of Directors will only review and remand for further action. The merits of all appeal decisions rest with the policy council, not the board.

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**POLICY:**

It is the policy of the ICS BOARD OF DIRECTORS AND POLICY COUNCIL to perform their governance responsibility in an environment that is fair, responsible, and effective. It is our policy to carry out our duties and responsibilities without encountering internal conflicts and disputes.

**COMMENT:**

In the unlikely event that unresolvable conflicts or disputes should arise between the policy council and board of directors, the procedures as contained herein shall apply for resolving the conflict or dispute. These procedures shall apply in cases of unresolvable conflicts or disputes resulting from differences regarding the grant application, program plans, Head Start center location, the hiring or firing of the Head Start director, budget revisions, and any other disputes that may from time to time occur that would jeopardize the funding and successful operation of ICS.

- (1) An objective and unbiased committee of three shall be designated by the board of directors from its membership, and an objective and unbiased committee of three from the policy council shall be designated from its membership.
- (2) The committee shall be empowered to meet at a time and place mutually agreed upon by the committees of the policy council and board of directors. The committees will be required to approach and resolve the conflict in a manner such that it would be in the best interest of the agency and the children and families we serve.
- (3) The decision of the committees in their joint meeting will be final and binding on the policy council and board of directors and will not require ratification.

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