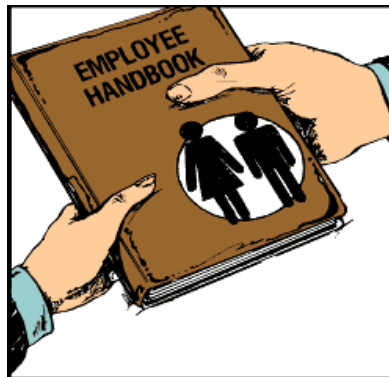




New River
Community Action
Serving Since 1965

Personnel Policies



*Revised and Effective as of
Board April 20, 2017*

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I. GENERAL

A. The purposes of the following personnel policies and practices are:

1. To insure proper and fair management of all employees and applicants for employment.
2. To insure that the best-qualified people are employed for positions and that the low-income and elderly are given maximum opportunity for employment.
3. To insure that all employees of the agency know their rights and responsibilities as employees of the agency.
4. Subject to change at any time with approval of the Board of Directors. These provisions replace all other existing policies and practices and may not be changed or added to without the express written approval of the Board of Directors of New River Community Action, Inc.
5. Intended to provide guidance for the management of personnel and are not intended to create a binding contract of employment. The policies should not be construed to constitute contractual obligations of any kind or a contract of employment between New River Community Action, Inc. and any employee. The provisions in the handbook have been developed at the discretion of management and, except for the policy of employment-at-will, may be amended or cancelled at any time, at the sole discretion of New River Community Action, Inc.
6. All employees of NRCA are employees at will. "At will" means that employees are free to resign at any time, with or without cause. Likewise, "at will" means that New River Community Action, Inc. may terminate employment at any time, with or without cause or advance notice, as long as NRCA does not violate any applicable federal or state law.

B. Procedures for Amendment of Personnel Policies and Practices:

Final authority for establishing and amending the personnel policies and practices of the agency rests with the Board of Directors. The Personnel Committee's function is to recommend changes and additions to the Board of Directors. The Board (or Committee) will also consider changes and/or additions submitted to it by an employee of the agency. Any changes and/or additions to the Personnel Policy will also be submitted to the Head Start Policy Council for review.

C. Distribution of Personnel Policies and Records:

1. Copies of the agency's personnel policies and practices will be furnished to all personnel and a signed statement of receipt of the policies will be retained in the employee's personnel file.
2. A record of all personnel actions will be maintained by the agency. (See section XIII for content, authorized access, and confidentiality.)

D. Job Descriptions:

All agency job descriptions must be approved by the Board of Directors. The Board will request, as appropriate, recommendations for approval from the Board's Committees, the Head Start Policy Council (PC), and Agency Advisory Bodies. Revisions to existing job descriptions require Board approval with recommendations, as appropriate, from Board Committees, Head Start PC, and/or Agency Advisory Bodies. All employees will be furnished copies of their job descriptions. Copies of all job descriptions may be obtained from the Human Resources Manager.

II. EMPLOYEE CLASSIFICATIONS

Categories of Employees:

1. a. Permanent: At-will employees without a predetermined termination date who have successfully completed their provisional period.
b. Temporary: At-will employees with a predetermined termination date or employees who are hired for a specific purpose, which may be short-term in nature.
c. Provisional: At-will employees who have not completed provisional period.
2. a. Full-time: Employees regularly working forty or more hours per week.
b. Part-time: Employees regularly working less than forty hours per week.
3. a. Hourly: wage, non-exempt
b. Administrative: salaried, exempt
c. Professional: salaried, exempt
d. Executive: salaried, exempt

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Each position in the agency is assigned a classification from each of the above categories. Classifications and position on the salary/wage scale are noted on the job description. Head Start ten-month staff are recognized as permanent employees. Administrative, professional, and executive positions are exempt from compensation for overtime to the extent allowed by law.

III. NON-DISCRIMINATION POLICY:

It is the Agency's policy to recruit, employ, retain, promote, compensate, terminate, and otherwise treat any and all employees and job applicants on the basis of merit, qualifications, and competence. This policy shall be applied without regard to any individual's sex, race, religion, pregnancy, childbirth or related medical conditions, national origin, age, marital status, political affiliation, creed or color, or disability.

NRCA complies with the provisions of the Americans with Disabilities Act (ADA). NRCA will not discriminate against any qualified employee or job applicant with respect to any term, privileges, or conditions of employment because of a person's physical or mental disability.

NRCA will make reasonable accommodations as necessary for all employees or applicants with known disabilities, provided that the individual is qualified to safely perform the essential duties of the position and provided that the accommodation would not result in an undue hardship to New River Community Action.

If any employee thinks his/her rights have been violated, he/she should follow the established grievance procedure as outlined in the Agency's Affirmative Action/Equal Opportunity Employment Discrimination Complaint Procedures. (ref. XVIII.) Any employee found illegally discriminating will be subject to disciplinary action, up to and including termination of employment.

NRCA promotes cultural awareness by which individuals and the agency respond respectfully and effectively to people of all cultures, languages, socio-economic classes, races, ethnic backgrounds, religions, and other diversity factors in a manner that recognizes, affirms, and values the worth of individuals, families, and communities and protects and preserves the dignity of each.

IV. RECRUITMENT AND SELECTION

A. STANDARDS:

1. Priority will be given to qualified low-income persons (for Head Start Program vacancies, qualified parents will be given priority consideration) and to qualified persons over 55 years of age.
2. Formal education is desirable for certain positions; however, unless required by law, experience may be substituted.
3. If qualifications are equal, priority will be given to the candidate residing in the area to which he/she will be assigned.
4. No person will hold a job at the agency while an immediate family member serves on an agency board, advisory board, or supervises that position. Immediate family will include any of the following: wife, husband, father, mother, brother, sister, son, daughter, grandfather/mother, in-laws and step-relatives (for those relatives noted previously above), or anyone living in the immediate household.

No NRCA agency staff (or members of their immediate family) may serve on Head Start Policy Council. The only exception would be a parent/guardian who works as an occasional Substitute in a Head Start Center. Occasional is defined as less than three days per month. This individual should abstain from voting on issues that present a conflict of interest.

5. Employees are prohibited from outside work or other means of employment in conflict with agency programs or in violation of any pertinent state or federal regulation.

No outside employment may:

- a. interfere with efficient performance of duties;
- b. involve conflict of interest or duties;
- c. be a part of duties included in the employee's job description;
- d. be a part of agency work hours or interfere with the job requirement to be available evenings or weekends.
- e. interfere with the completion of Child and Adult Care Food Program (CACFP) responsibilities and duties. In addition, any employment outside of the CACFP responsibilities and duties may not constitute a real or apparent conflict of interest with the CACFP. Any employee with duties for the CACFP must seek approval from the Program Director before obtaining outside employment.

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- f. NRCA Employees may not be paid, outside of their approved salary and benefits, for any professional or consulting services provided to NRCA.
6. Prospective employees are required to sign appropriate declarations conforming to pertinent state or federal regulations.
7. Immigration Law Compliance
New River Community Action, Inc. is committed to employing only people who are United States citizens or who are aliens legally authorized to work in the United States. We do not illegally discriminate because of a person's citizenship or national origin.
As NRCA complies with the Immigration Reform and Control Act of 1986, every new employee at New River Community Action, Inc. is required to complete the Employment Eligibility Verification (Form I-9) and show documents that prove identity and employment eligibility.
Employees who leave and are rehired, must complete a new Form I-9. Completed Employment Eligibility Verification forms are kept separate from personnel files in a binder in the personnel office.
For questions or information on the immigration laws, contact Human Resources Manager.
8. A state and federal criminal record check will be conducted on all potential employees upon offer of employment. Additionally, a state Child Protective Registry Search will be conducted on any staff member who may be in a position to be left alone with children, aged or incapacitated adults. In addition, agency administrative staff will also screen new employees through the State Sexual Offender Registry. An arrest, pending conviction or conviction of certain felony or misdemeanor crimes or a pending or founded child, aged or incapacitated adult abuse or neglect investigation may prohibit employment eligibility with NRCA. Potential employees will not be allowed to start employment until criminal record check results are received and determined satisfactory by NRCA. Employees who have a pending child, aged or incapacitated adult abuse or neglect or criminal investigation initiated at any time during employment may be subject to immediate suspension and/or termination.
9. Each Head Start staff member must have an initial physical health examination and a re-examination every two years, or as directed by physician, if a Commercial Driver's License holder. If the employee is not a CDL holder re-examination should occur every four years or as directed by a physician.
10. Head Start staff are required to have a tuberculosis test for initial employment and every two years thereafter.
11. Any employee whose responsibilities may include driving is required to provide Department of Motor Vehicles (DMV) driving record information at time of employment. NRCA's insurance company continues to monitor the agency's driving pool on an ongoing basis. Any questionable driving record will warrant further investigation with NRCA's insurance company to determine full eligibility for employment. Any driver convicted of a moving violation received while driving an agency vehicle is subject to disciplinary action, up to and including termination, depending upon severity of charge. Defensive Driving training is also required during the first year of employment and every three years thereafter if driving is an essential function of the position. If driving is not an essential function of the position Defensive Driving training is required every 5 years. NRCA will cover the costs of DMV checks and driver training.
12. New employees may not start work until the employee meets with the Human Resources Manager and fiscal staff, if applicable, to complete employment and benefit forms before or on the first day of employment. First paycheck will not be issued until tax forms are completed.
Paperwork required pursuant to employment (including, but not limited to, receipt of personnel policies, training plans, proof of personal car liability insurance, employment physicals, etc.) shall be completed and turned in to the Human Resources Manager no later than 30 calendar days after initial employment. Employees may be subject to disciplinary action for employment paperwork not turned in by deadline (this includes initial employment paperwork and paperwork required for personnel reasons throughout employment).
13. It is important that NRCA have accurate personal information about employees in our records. Employees must inform Human Resources Manager as soon as there is any change to employee mailing address, telephone numbers, marital status, dependents' information, educational accomplishments, and other related information. NRCA also needs to have emergency contact information.
14. New employees are not eligible to be considered for another position within the agency until the initial provisional period (of at least six months) has been completed successfully.

B. RECRUITMENT:

1. Applications will be accepted for a reasonable period of time, which shall be a minimum of five (5) days after advertisement, whether internal or external recruitment.
2. Every effort will be made to fill vacancies by promoting qualified employees; therefore, it is policy of NRCA to initiate internal recruitment to fill vacancies that may arise through the departure of existing employees or the creation of new positions. Position openings will be announced to all NRCA staff. NRCA reserves the right to hire applicants from outside NRCA staff when it determines, in its sole discretion, that hiring outside applicants is necessary or desirable. Employees who wish to be considered for an open position must submit an Internal Application to Human Resources by deadline as posted. External recruiting may be undertaken concurrently. Hiring supervisors will review and examine all applications and follow same proper hiring procedures with internal recruitment as practiced with external recruitment. When qualifications are equal, employees with seniority will be given priority. This policy is not a guarantee that a current staff member will be hired.
3. Reclassification of employees due to internal restructuring including job title and salary changes does not require advertisement.
4. If an applicant selection decision is not made from among internal candidates who have applied during the internal recruitment process, external candidates may be considered. Vacancies will be listed with the Virginia Employment Commission and advertised with news media in the area where the vacancy exists.
5. Agency "Application for Employment" forms will be completed by each applicant and kept on file for a period of one (1) year. Unsolicited resumes will be kept on file for a period of one (1) year.
6. All position vacancies and new positions will be posted in Area Offices, Head Start Centers, and other Agency program locations. Notices will be sent to Head Start parents of the centers in which a Head Start vacancy occurs, when the Head Start program is in session.

C. SELECTION:

1. The Board of Directors is responsible for selecting and hiring the Chief Executive Officer.
2. The Chief Executive Officer has the responsibility for selecting and hiring Program Directors.
3. The Human Resource Manager has responsibility for all other employees who have been previously screened, interviewed, and recommended by the Program Director concerned.
4. The supervisor in charge of the hiring process and the Interview Committee (as selected by the supervisor), where applicable, will screen applications and develop a list of candidates for interviews. Screening criteria will be those specified in the position job description and Agency Personnel Policies.

D. INTERVIEWING:

1. The supervisor responsible for the hiring process, in consultation with the Interviewing Committee (as selected by the supervisor), sets the time, date, and place for the interviews.
2. All applicants interviewed for a position will be asked a uniform set of questions to assure an adequate basis for comparison but follow-up questions based upon individual responses can be used.
3. Upon completion of the interviews, the supervisor responsible, and when applicable, the Interview Committee will evaluate interviewees to arrive at a consensus decision. If a consensus cannot be reached, the final recommendation will be made by the Program Director and Human Resource Manager.
4. The Program Director will submit to the Human Resource Manager the Hiring Authorization Form with Applicant's name *for approval*.
5. Once a selection is made, the Human Resource Manager will be responsible for notifying applicants in writing of non-selection or, if selected, of starting salary, date, and time and place to begin work.
6. For the Director of Early Childhood and Family Services position, interviewers will include the Chief Executive Officer and any additional interviewers chosen by the CEO.
7. In emergency situations requiring timely recruitment and hiring for staff positions, to provide for continuity and stability of the program, the Director of Early Childhood and Family Services, may hire a qualified applicant without interviewing subject to the approval of the Chief Executive Officer.

V. INITIAL REVIEW AND WORK SCHEDULE

- A. New employees will receive an initial review on job performance by their supervisors no later than twenty-nine (29) days from the date of employment. Written performance evaluations will be made at the end of the six (6) months period of employment.
- B. All employees are to call their supervisors or persons designated in their job descriptions if they are to be late or unable to come to work as scheduled.
- C. It is the policy of New River Community Action to comply with state and federal laws regarding meals and breaks. All employees are permitted a 15-minute rest break for each four-hour work period. Breaks should not be permitted at either the beginning or end of the work day to offset arrival and departure times. Exempt employees who voluntarily work through their break periods will not be permitted additional compensation. Break times for employees are rotated to ensure coverage of the program operations at all times.

Employees who work an eight-hour day or more are permitted a non-compensable meal break of 30 minutes. Meal breaks are not counted toward worked hours. Non-exempt employees are to be completely relieved from duty during their meal break. If a non-exempt employee is required to perform any work duties while on his or her meal break period, the employee must be compensated for the time spent performing work duties. The time spent working during the meal break will be counted toward the total hours worked.

Failure to return on time from breaks or lunch will subject the employee to disciplinary action.

D. LACTATION/BREASTFEEDING BREAKS

NRCA supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child.

- 1. For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby.
- 2. Breaks of more than 22 minutes in length will be unpaid, and the employee should indicate this break period on her time record. Employees may use personal time for the time exceeding 22 minutes.
- 3. Each NRCA facility will designate a room for this purpose. Employees who work offsite or in other locations will be accommodated with a private area as necessary.
- 4. Nursing mothers wishing to use the designated room must request/reserve the room by contacting their supervisor.
- 5. A small refrigerator reserved for the specific storage of breast milk will be made available.
- 6. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of.
- 7. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering.

E. FLEXIBLE AND ALTERNATE WORK SCHEDULE POLICY

New River Community Action, Inc. (NRCA) will, to the extent possible, establish work schedules to meet the mutual needs of participants, staff, and Board. Staff Directors may authorize work hours that do not conform to the standard if program workload necessitates.

This policy applies to full-time employees.

Supervisors are responsible for applying this policy consistently within their respective programs. Supervisors may elect not to participate if it is determined that the best interests of the program would not be served by the implementation of a flexible/alternate work schedule. Cooperation between supervisors is expected.

I. The following definitions apply:

- 1. **Workweek:** The workweek commences at 12:01 am Saturday and ends at midnight the following Friday. Full-time non-exempt employees shall work schedules that provide for 40 hours per week in paid time and/or approved leave hours. For those positions within the agency that are less than 40 hours, schedules would reflect the number of hours required for the position.
- 2. **Flexible Work Schedule:** A flexible work schedule offers employees staggered starting and stopping times. Starting times should be between 7:00 am and 10:00 am and ending times should be no later than 7:00 pm. This is an eight (8)

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hour-a-day, five (5) day-a-week schedule. For those programs operating on a different schedule, starting and stopping times would vary.

3. **Alternate Work Schedule:** An alternate work schedule represents an extension in hours to the established standard work schedule on a daily basis permitting the accrual of the required 40 hours per work week (may be 30 hours for some positions) in less than five (5) work days. These are examples of alternate work schedules available to employees:
 - Four (4) 10-hour days per work week;
 - Four (4) 9-hour days and one 4-hour day per work week;
 - Four (4) 10-hour days and five (5) 8-hour days in an established two-week period;
 - Eight (8) 9-hour days and one 8-hour day in an established two-week period. *

* This scheduling arrangement is an option only for those employees in classified positions that are considered to be exempted from conditions set forth by the Fair Labor Standards Act.
4. Temporary modifications or adjustments to an employee's work schedule can be made by the supervisor at any time to meet program needs. Further, supervisors may also initiate permanent modifications to meet program needs. When possible, the employee will be given a notice of three (3) working days to comply with a schedule change directed by the supervisor.

II. Procedures:

1. Hourly employees, on the individual's time sheet, will indicate the actual number of hours worked each day.
2. A work schedule change must be requested in writing and approved by the employee's supervisor and then placed in the employee's personnel file.
3. Employees who are on approved Paid Time Off leave will be charged hours appropriate to the alternate schedule arrangement. (For example, if an employee works a four 10-hour day schedule and is on approved leave, the time charged will be 10 hours for each day of absence.)
4. When a holiday falls on a full-time employee's regular day off, she will be given the holiday at some other point during the respective pay period. When a holiday occurs on an employee's regularly scheduled workday, the employee must use leave hours proportionately to the alternate work schedule in order to meet the total hours required. (For example, an employee scheduled to work a 9-hour day on a holiday would be given 8 hours for the holiday and would be required to use one hour of leave; an employee scheduled to work a 10-hour day on a holiday would be given 8 hours for the holiday and would be required to use two hours of leave.)
5. Exempt employees who must attend meetings or finish necessary tasks on a day off should consider this part of their responsibility.

VI. COMPENSATION

A. Payroll:

1. The agency will have semi-monthly pay periods for which time sheets will be prepared. Work weeks begin on Saturday 12:01 a.m. and end on Friday at midnight. Pay periods begin on the first and the sixteenth day of each month. Time sheets will be submitted by employees to their supervisors by 5 p.m. two working days after the pay period ends unless otherwise specified. Supervisors then have two working days to forward to payroll.
2. Employees will be paid on the fifteenth and last day of the month. In the event that payday falls on a holiday or weekend, paychecks will be disbursed on the last business day before the regular payday.
3. Mandatory deductions (FICA, FITW, and SITW) will be made from employee's salaries.
4. Voluntary deductions (insurance, etc.) may be made when requested, in writing. Employees are encouraged to minimize these deductions.
5. When an active employee dies and has earned income and/or accrued Paid Time Off, the check will be given to the Administrator of the Estate or the legal equivalent.

B. Gifts and Gratuities

Employees are prohibited from receiving gifts or gratuities which benefits the employee from contractors, vendor/contractors, or persons providing goods or services to NRCA. Violations of this policy may be subject to disciplinary action up to and including termination.

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C. Salary Levels:

1. All salaries and increases will conform with funding source regulations (e.g., US Department of Health and Human Services, CSBG); and, will be subject to review and approval by the Personnel Committee of the Board of Directors and, where Head Start positions are involved, the Head Start Policy Council.
2. Efforts are made to set salaries according to prevailing local comparable positions and as possible by funding sources.
3. Cost of Living Allowance (COLA) increases result in a percentage change to the wage/salary table and are not related to individual employee performance. The Board of Directors may apply COLA increases to all agency positions or to a specific program(s) only.
4. A one step salary increase will be given to current and new employees for each degree received over and above the minimum entry requirements of the position they hold. Formal degrees include: Associates; Baccalaureate; Masters; and Doctorate.
5. One step salary increase will be given at beginning of employment for every three years of *related* experience, up to a maximum of 20 years.
6. A one step increase will be given to current employees for each additional three years of *related* experience as of May 31 for Head Start staff and June 30 for all other staff. If a current employee accepts a new position within the agency all related experience will be taken into consideration at that time. The one step increase for each additional three years of experience resets at this point.
7. NRCA employees promoted to new NRCA positions shall be placed on the salary/wage table at levels no lower than those resulting in at least an 8% pay increase.
8. Non Head Start classroom employees who are asked to step into a managerial position due to the absence or vacancy of a position will receive a 10% (2 grade) temporary increase while serving in that role.
9. Head Start classroom employees temporarily moved up in position due to the absence of a Teacher, Assistant Teacher, Family Educator/Teacher or Family Educator/Assistant Teacher will receive a temporary increase in pay equal to Step 1 on the grade of the position that they are temporarily filling in for, if the absence is expected to be more than four (4) weeks. If the absence duration is greater than four (4) weeks, retroactive pay will be calculated and paid from the starting date of the temporary position.
10. Fluency in English and a second language may be a job requirement for certain positions. Bilingual staff with fluency in a second language applicable to their position will be placed one step higher on the salary scale at time of employment.

D. Overtime Pay for Hourly Employees:

1. Overtime work (more than 40 hours per week) for hourly employees must be authorized in advance by the Program Director.
2. Overtime worked will be recorded by the employee on the time sheet and initialed by the Program Director.

Voluntary overtime work for NRCA for hourly employees is not allowed under any circumstances. Work performed but not recorded on timesheets will be subject to disciplinary action, up to and including termination.

E. FLSA Compliance

It is the policy of NRCA to comply with the Fair Labor Standards Act and all other laws regarding the payment of wages. Improper pay deductions of exempt employees as set forth in 29 CFR 541.602 are prohibited. Employees will be reimbursed if any improper deductions are made.

F. Travel Expenses:

New River Community Action shall reimburse travelers only for business-related costs that are reasonably incurred.

1. Employees are to make use of an agency vehicle if available. When required to use a privately owned vehicle, reimbursement is based on submitted odometer or trip-o-meter readings at the established agency rate as approved by the Board of Directors. This rate is compensation for gasoline mileage, wear and tear and insurance costs associated with the business use of the vehicle. NRCA is not responsible for any damage to employees' vehicles while on company business.

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2. Travel outside of the normal area of employment must be requested in advance to the supervisor and Program Director. If a travel advance is needed, the Travel Authorization and Request Form Part I must be submitted seven (7) days before the date of the travel.
3. Reimbursement to cover housing, mileage and incidentals will be on an actual cost basis substantiated by receipt or at a rate approved by the Board of Directors.

The following guidelines shall apply to out of area travel:

- a) Suites and other upgraded rooms at hotels shall not be allowed. Travelers should stay in standard rooms.
 - b) Employees should request any available discounts – nonprofit, government or corporate rates.
 - c) An analysis must be performed to determine whether renting a vehicle or using a personal vehicle is most beneficial. If renting is the best option only midsize cars can be rented. Any exceptions must be approved by the Chief Executive Officer in advance. Employees do not need to purchase insurance as the agency has a policy to cover hired/non-owned autos. Staff should share rental cars whenever possible.
 - d) When traveling out of area and departing from the employee's residence, time and mileage is reimbursed only to the extent that the amount which is incurred exceeds the employee's daily commuting time and distance.
 - e) When an employee is traveling out of area overnight all work related mileage is reimbursable.
 - f) When out of area, hours spent in work related duties (including conference meal meetings), plus work related travel time, is considered work time.
 - g) Reimbursement rates when traveling to General Service Administration designated high rate geographical areas will be adjusted accordingly. Foreign travel charged to Federal grants must be approved in writing by the funding source prior to travel.
4. Meals will be reimbursed on a per diem basis at current rate approved by the Board of Directors to include the cost for food, tax and tip.
 - a) Breakfast will only be reimbursed if the employee is away from his/her residence prior to 7:00 am on the day of the claim.
 - b) Lunch will only be reimbursed if the employee is out of the office between the hours of 11:00 am and 1:00 pm. If the employee is in the office for any portion of this time, he/she will not receive the lunch reimbursement.
 - c) Dinner will only be reimbursed if the employee is away from his/her residence later than 6:00 pm on the day of the claim.
 - d) If a meal is provided during a conference or the hotel provides a complete breakfast the employee will not be reimbursed for that particular meal. If the only foods available for breakfast are donuts or other sweet treats and beverages, this is not considered a complete breakfast; therefore, this meal is reimbursable if the employee chooses to purchase a complete breakfast.
 - e) No receipts are required for meals.
 - f) No expenses for alcohol will be reimbursed.
 5. Additional expenses (taxi, telephone, etc.) may be reimbursed as noted:
 - a) Business-related long-distance telephone calls while away on business travel are permitted, but should be kept to a minimum. The Travel Authorization and Request Form Part II should explain long-distance charges.
 - b) A one-time \$2 reimbursement for personal long-distance calls while away on business will be permitted for each trip requiring overnight stay. Personal calls in excess of this amount shall not be reimbursed. No receipt is required.
 - c) Reasonable tips for baggage handling, valet parking, taxi service, shuttles and maid service shall be reimbursed. No receipts are required.
 6. Employees must attach all required receipts to the Travel Authorization and Request Form Part II after returning from the trip. Any personal mileage claimed must be recorded on this form. Staff must submit the completed form to the Program Director within three working days following the return.

G. Incentive Compensation:

1. Performance awards are to recognize and reward those employees who display continuing high quality performance. Employees will be granted a step increase if they receive an overall rating of "EXCEEDS PERFORMANCE PLAN" or "EXCEPTIONAL".

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2. Incentive compensation to employees based on cost reduction or efficient performance may be granted by the Board of Directors in accordance with funding source regulations.

VII. BENEFITS

Benefits may not be used to receive multiple compensation from different sources for same time period (i.e. cannot use PTO if paid by worker's compensation insurance or short-term disability insurance for that same date).

In order to be eligible for benefits, an employee must be hired to work 25 or more hours per week with an anticipated period of employment being 6 months or longer.

1. All employees scheduled to work 25-29 hours per week will be required to maintain a minimum of at least 25 hours a week. If employee does not work the minimum hours per week, payroll will use any accrued PTO to make hours equal 25 hours per week.
2. After two consecutive pay periods of not working an average of 25 hours per week, or not having the PTO to use to make up the difference, employee will lose benefit eligibility the first of the month following that period and remain ineligible until the next open enrollment period.

A. Holidays:

1. The following days will be observed as paid holidays:
 - a. New Year's Day
 - b. Lee-Jackson Day
 - c. Martin Luther King, Jr. Day
 - d. Presidents Day
 - e. Good Friday
 - f. Memorial Day
 - g. Independence Day
 - h. Labor Day
 - i. Columbus Day
 - j. Veterans Day
 - k. Thanksgiving Day and the Friday after
 - l. Christmas Day
 - m. Additional days as determined by the Governor of Virginia or the NRCA Board of Directors
2. In order to be eligible for holiday pay, an employee must be hired to work 25 or more hours per week with an anticipated period of employment being 6 months or longer.
3. Full Year employees will receive holiday pay based on their regular budgeted hours each week:
 - 25-29 hours/week – 5 hours holiday pay
 - 30-34 hours/week – 6 hours holiday pay
 - 35-39 hours/week – 7 hours holiday pay
 - 40 hours/week – 8 hours holiday pay

Part-year Head Start employees will receive the following hours for holiday pay:

- 25-34 hours/wk-6 hours holiday pay
- 35+ hours/wk-8 hours holiday pay

4. Part-time employees may not receive any combination of holiday pay and work pay that will exceed their regularly scheduled work hours for any given pay period.
5. If the holiday falls while employee is on a paid absence, such as Paid Time Off leave, employee will receive holiday pay instead of using leave.
6. Holiday pay is not counted as hours worked when calculating overtime.
7. When a holiday falls on a Sunday, Monday will be observed; when on Saturday, the preceding Friday will be observed.
8. If a situation necessitates an employee working on a holiday, the employee may take another day as a holiday with permission of the supervisor.
9. Holidays must be used in entirety (not broken out in hourly increments).

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10. As staff are required to be in the classroom during Lee-Jackson Day, Columbus Day, and Veteran's Day, Head Start center staff are required to work these holidays. Head Start center staff will be compensated for the holidays mentioned during the mandatory Christmas break. If a Head Start center staff employee works one of these holidays and then resigns or is terminated before the holiday has been used that holiday will be paid on their final paycheck. The Lee-Jackson holiday is allowed to be used by Head Start center staff before the day actually occurs. If a Head Start center staff employee who has used the Lee-Jackson holiday resigns or is terminated before the occurrence of this holiday that day will be deducted from the final paycheck.

B. Excused Absences:

Excused absences will not be charged against leave. Excused absences will be recorded by the employee on the time sheet. The employee will reimburse the agency any money received during the absence, minus incurred expenses, except in instances when the employee is taking Paid Time Off leave or leave without pay.

Occasions may occur whereby NRCA staff are asked to speak or conduct trainings for various associations or groups either within or outside the NRCA scope of services. Honorariums might be offered for such services. If the employee is providing such services on agency time and as a representative of NRCA, compensation in the form of an honorarium or otherwise shall be reimbursed to NRCA, minus incurred expenses not covered by NRCA. Excused Absence leave cannot be used to put wage employees over regular scheduled hours.

1. Supervisors shall excuse employees for such purposes as:
 - a. court in response to subpoena or jury duty (*personal court appearances must be charged to leave*).
 - b. active duty with a National Guard or Military Reserve Unit in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA)
 - c. reasonable time in which to vote.
2. Supervisors may excuse employees for voluntary attendance of conferences, meetings, or other activities related to the employee's work at no cost to the agency. Any such approval by supervisors must be secured in advance of the employee attending the conference, meeting or other activity.
3. **Inclement Weather** (part or full day)

In order to be eligible for inclement weather pay, an employee must be hired to work 25 or more hours per week with an anticipated period of employment being 6 months or longer.

a. Determination of Schedule and Staff Notification

In case of inclement weather, the Chief Executive Officer shall determine the operating schedule of New River Community Action offices. Options may include delayed opening, early closing, or closing of NRCA offices.

Staff are notified by "One Call" system if closed, opening late or closing early due to inclement weather.

Head Start centers do not operate classes when schools are closed in that jurisdiction. However, the regular work schedule is in force for those days.

In case of inclement weather, staff members must call their supervisors for the day's schedule in their area.

b. Recording of Hours

When the office is closed:

- Staff will NOT be charged Paid Time Off leave.
- Absence should be recorded in the "Other Leave" column specifying "I" for inclement weather.

If offices are open but staff expects to be late or unable to report to work due to the weather:

- Staff is required to notify their supervisor accordingly.
- Employees who do not report to work on site even though their office is open WILL BE charged Paid Time Off leave or leave without pay if no Paid Time Off leave is available.
- Staff may not use the hours the office is open to work at home and count this as work time. For work case emergencies (i.e. grant deadline), an exception may be made with prior approval from their supervisor but only for the time worked.
- Hours off should be marked on timesheets in either "Paid Time Off leave" or "Leave without Pay" column.

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- Staff who takes Paid Time Off leave on such days take 8 hours of Paid Time Off leave, or whatever number of hours is equal to a usual work day for that day.
- Staff already scheduled off for Paid Time Off leave must take leave as scheduled regardless if office was closed.

If offices open on time:

- Staff are expected to arrive on schedule for their regular start time, however, staff are allowed up to 2 hours to report to work in inclement weather that will not be charged to Paid Time Off leave
 - Wage Time Sheet should reflect in the Hours Worked column the hours actually worked plus inclement weather time (Number of Hours - up to 2) in the "Other Leave" column specifying "I" for inclement weather.
- c. If sites are closed after site standard opening time, staff must have arrived at work when announcement is made in order to receive IW paid time.
- d. Employees may not receive any combination of inclement weather pay and work pay that will exceed their regularly scheduled work hours for any given pay period. Inclement Weather pay is not counted as hours worked when calculating overtime.

3. **BEREAVEMENT LEAVE**

Time off with full pay is allowed in the event of a death of a family member, according to the following schedule:

- **Five working days** in the event of the death of spouse or child (including step and foster child/ren).
- **Three working days** (or five working days when the deceased relative actually lived in the employee's home or if the employee is responsible for funeral arrangements) in the event of the death of mother, father, guardian, step-mother, step-father, brother, sister, step-brother, step-sister, grandparent, grandchild, aunt, uncle, niece, or nephew.
- **Two working days** (or three working days when the deceased relative actually lived in the employee's home or if the employee is responsible for funeral arrangements) for the death of current father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandparents-in-law.
- If Bereavement Leave is requested for any other relative not listed above, employee must use any available paid time off leave benefits employee has.
- An additional **two working days** may be granted upon request for travel beyond 300 miles, with supervisor's approval.

Employees must notify supervisor as soon as possible in the event of absence on account of family death.

If employee needs additional time off, employee must use any available paid leave benefits employee has, such as Paid Time Off leave, with supervisor's approval.

Bereavement leave days are to be recorded on time sheets with the letter "B" in the "Other Leave" column and a notation at the bottom of the sheet giving the relationship of the deceased (i.e., B = mother).

C. PAID TIME OFF (PTO) LEAVE:

PTO allows the employee to be absent from the workplace when he/she deems it necessary for personal reasons. Employees are expected to use their personal time off responsibly, and to maintain a sufficient PTO leave balance to cover unanticipated illnesses or emergencies. Use of PTO should not disrupt program services and should not place an unreasonable burden on other employees. The granting of PTO is at the discretion of the employee's immediate supervisor. PTO (except in the event of an emergency or illness) must be requested in advance and approved prior to its use.

In order to be eligible for PTO leave, an employee must be hired to work 25 or more hours per week with an anticipated period of employment being 6 months or longer. PTO leave will begin to accrue on the first day of the first full calendar month of employment for full year employees. Upon resignation or reduction in force, the employee must work through the last working day of the pay period in order to accrue PTO leave for that pay period. Leave accrues at the end of each pay period. Leave does not accrue on a daily basis and leave cannot be used until it has been accrued. Part-year Head Start center employees will be granted leave of their first workday of the program year or on the first day of employment for new hires.

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1. Full-time, full-year (12-month continuous paid status) employees will accrue PTO leave at the rate of 8 hours each completed pay period of employment through the fifth year of employment. For six (6) to fourteen (14) years of continuous employment, the rate increases to 10 hours for each completed pay period of employment. Fifteen years and more (15+) of continuous employment increases the rate to 12 hours for each completed pay period of employment.
2. Part-time, full-year employees accrue PTO leave at the following rate:
 - Employees working 30-39 hours per week will accrue PTO leave at the rate of 6 hours each completed pay period of employment through the fifth year of employment. For six (6) to fourteen (14) years of continuous employment, the rate increases to 8 hours for each completed pay period of employment. Fifteen years and more (15+) of continuous employment increases the rate to 10 hours for each completed pay period of employment.
 - Employees working 25-29 hours per week will accrue PTO leave at the rate of 5 hours each completed pay period of employment through the fifth year of employment. For six (6) to fourteen (14) years of continuous employment, the rate increases to 7 hours for each completed pay period of employment. Fifteen years and more (15+) of continuous employment increases the rate to 9 hours for each completed pay period of employment.
3. Part-year (less than 12 months' continuous work schedule and paid status) Head Start center staff whose weekly budgeted hours are 35 hours or greater will be granted 48 hours of PTO per program year from zero (0) through five (5) years of continuous employment; 64 hours will be granted for six (6) through fourteen (14) years of continuous employment; 80 hours will be granted for fifteen (15) or more years of continuous employment.
4. Part-year (less than 12 months' continuous work schedule and paid status) Head Start center staff whose weekly budgeted hours are 25-34 hours will be granted 36 hours of PTO per program year from zero (0) through five (5) years of continuous employment; 48 hours will be granted for six (6) through fourteen (14) years of continuous employment; 60 hours will be granted for fifteen (15) or more years of continuous employment.
5. All part-year Head Start center staff will be granted half of their PTO allowance on their first day after returning from summer break. The other half will be granted on January 1 of each year.
6. Part-year Head Start staff whose employment starts between August 1 and November 1 will be granted 16 hours of PTO if weekly budgeted hours are 35 or more or 12 hours if weekly budgeted hours are between 25-34 to be used during that calendar year. On January 1 of the next calendar year PTO will follow the same schedule as Part-year Head Start staff who were employed at the beginning of the program year. Part-year Head Start staff whose employment starts between January 1 and April 1 will be granted 16 hours if weekly budgeted hours are 35 or more or 12 hours if weekly budgeted hours are between 25-34 to be used during the remainder of that program year.
7. All employees must prepare and submit the required Request for Leave form to their immediate supervisor **prior** to taking leave, except in the case of unforeseen emergency or illness. Written requests to the immediate supervisor will be made ten (10) days before extended leave (more than 3 consecutive days) is taken. Leave may be granted or denied at the discretion of the immediate supervisor and/or Program Director, depending on program operation and needs. At the discretion of the immediate supervisor and/or the Program Director, leave may be restricted. Restrictions may include specific requirements as to the use and length of leave.
8. In order to provide quality program services, consistently meet staff/child ratios, and to provide stability in services to clients, it is necessary that staff utilize leave responsibly. Employees who fail to follow established procedures for use of leave — or who fails to make responsible use of leave — may, at the discretion of their immediate supervisor and/or Program Director, be subject to corrective action and/or conditional or restricted leave.
9. Early notification allows for advance planning to reduce the burden on co-workers while staff are away, and to minimize the backlog of work when staff returns. Except for unforeseen emergency or illness, leave must be pre-approved by the employee's immediate supervisor. Approval of leave is indicated by the signature of the immediate supervisor or designated individual on the Request for Leave form. Leave is not considered authorized until the immediate supervisor approves the request even if sufficient leave balances exist to cover the absence.
10. In the event of unforeseen emergency or illness, employees are responsible for contacting their immediate supervisor as early as possible. Employees should contact their immediate supervisor personally, except where circumstances exist that prevent employees from making personal contact with their supervisor. If the immediate supervisor cannot be contacted, the employee should contact the supervisor's designated backup person. Supervisors may require a doctor's certification in accordance with the FMLA including but not limited to an absence that is more than three (3) days, to certify that an employee is no longer contagious or to certify that an employee is physically able to perform his/her job.

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11. Leave taken must be accurately reflected on employee time sheets/activity logs and leave records will be maintained through the payroll system. Wage, non-exempt staff should record leave in no less than 15 minute increments on time sheets. Exempt, salaried staff should record leave in no less than 1 hour increments on activity logs.
12. Deficit PTO balances are not allowed.
13. Paid time off is not counted as hours worked when calculating overtime.
14. Full year employees may not carry forward into a new agency fiscal year more than one (1) year's accumulated leave. Part-year employees may not carry forward any PTO each program year. The PTO granted for these employees must be used during the program year in which it was granted.
15. In case of termination by resignation or reduction in force, all accrued leave will be paid in one lump sum in a separate check along with the employee's last paycheck. In cases of termination by resignation without appropriate notice (as referenced in Section XI.A) or termination due to disciplinary action, no leave time will be paid.
16. Upon separation from employment, the maximum amount for accrued but unused PTO paid out to the employee will be 1 week for employees with 0-5 years of service, 2 weeks for employees with 6-14 years and 3 weeks for employees 15 years or more. A week will equal the position's regularly scheduled, budgeted weekly hour total. Employees who have 25+ years of service and have reached full retirement age (based on Social Security guidelines) will be paid their PTO balance as of the last day worked, not to exceed 288 hours (the maximum one year's accumulated leave).
17. Leave will not be charged when a holiday occurs during a period of leave.
18. Staff who leave NRCA's employ and return within one year, will be reinstated with their previous rate of PTO accumulation.

D. Family and Medical Leave:

In accordance with the Family and Medical Leave Act of 1993, eligible employees of NRCA may take up to 12 weeks (or 26 weeks for military) of leave ("FMLA" leave) in a 12-month period.

Leave will be measured by a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave for any one of more FMLA-qualifying reasons. Each time an employee takes FMLA leave, the remaining leave entitlement will be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

Eligibility: An eligible employee is any employee who:

1. has worked for NRCA for a 12-month period (not necessarily consecutive months)
2. works at least 1,250 hours during the 12-month period immediately preceding the need for leave,
3. is employed at a worksite where 50 or more employees are employed within 75 miles of the worksite.

FMLA leave is available for **up to 12 weeks of leave in a 12-month period for any of the following:**

1. the birth of a child of the employee and in order to care for that child, ("child" includes biological, adopted or foster child, step-child, legal ward, or a child for whom the employee is acting in the capacity of a parent);
2. the placement of a child with the employee for adoption or foster child;
3. the employee has a serious health condition that makes the employee unable to perform the essential function of his/her position; or
4. the employee's spouse, child, or parent has a serious health condition and the employee is needed to care for the spouse, child, or parent

Under FMLA regulations, "child" is defined as a son or daughter who is: 1) under the age of 18; or 2) age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA is to commence. Two factors must be present before an employee can take FMLA leave to care for his/her adult son or daughter: the child must be incapable of self-care and have a disability as defined by the Americans with Disabilities Act.

5. Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

Definition of a "qualifying exigency": A qualifying exigency is defined as a non-medical activity that is directly related to the covered military member's active duty or call to active duty status. For an activity to qualify as an exigency, it must be one of the following: short-notice deployment (leave permitted up to seven days if the military member receives seven or less days' notice of a call to active duty); military events and related activities; certain temporary childcare arrangements and school activities; financial and legal arrangements; counseling by a non-medical

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counselor (such as a member of the clergy); rest and recuperation (leave permitted up to five days when the military member is on temporary rest and recuperation leave); post-deployment military activities; and additional activities not encompassed in the above but agreed to by NRCA and the employee.

Up to 26 weeks of unpaid family and medical leave during the designated 12-month period is available to care for the employee's spouse, son, daughter, parent, or next of kin who is a covered military service member and incurred a serious injury or illness in the line of military duty.

Further, because of the change in definition of "child", parents of adult children who have been wounded or sustained an injury or illness in military service may be allowed to take more leave than the 26 work weeks provided for under the FMLA. Noting that the service member's injury or illness may last beyond the 12-month period covered by the military caregiver leave entitlement, the family member is entitled to take additional FMLA leave in subsequent FMLA leave years due to the child's serious health condition, so long as the adult child is unable to care for him or herself due to a disability.

Definition of Serious Health Condition:

A serious health condition is generally defined as any illness, injury, impairment, or physical or mental condition that involves:

1. In-patient care in a hospital, hospice or residential medical care facility or any subsequent treatment in connection with such in-patient care; or
2. A period of incapacity of three (3) or more consecutive calendar days requiring continuing treatment by a health care provider; or
3. Any period of incapacity due to pregnancy or for prenatal care; or
4. Any period of incapacity or treatment due to a chronic serious health condition which requires periodic visits for treatment, continues over an extended period of time and may cause episodic incapacity; or
5. Any condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment; or
6. As provided under the FMLA

Worker compensation injuries and short and long term disability will be counted as FMLA leave if the injury or illness qualifies as a serious health condition.

An eligible employee is allowed up to 12 weeks (or 26 weeks for qualified military care) of leave during any 12-month period. Normally, no position will be held for more than 12 weeks. Any extension beyond the 12 weeks requires the approval of the Chief Executive Officer and the Human Resources Manager. In case of Chief Executive Officer and the Human Resources Manager, the Board of Directors' Executive Committee would make that decision.

Employees must provide sufficient information for NRCA to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

Employees also must inform NRCA if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Scheduling Leave/Intermittent Leave: Employees have a duty to attempt to schedule leave, as practicable, so as not to disrupt operations. For example, doctors' appointments should be scheduled, if possible, on an employee's day-off or at the beginning or end of an employee's normal work day. Thus, leave may be taken on a reduced or intermittent leave schedule (a day or hour on scattered dates) or reduced leave (i.e. half days) only when medically necessary.

Reduced or intermittent leave cannot be taken to take care of a new born child or for adoption or foster care. NRCA reserves the right to assign an employee to an alternative position with equivalent pay and benefits to better accommodate the reduced leave schedule as allowed by law.

Time taken off for part of a workday on a reduced leave basis will not count as an entire day of leave for exempt employees. In this special case, employees will be denied pay for time not worked (i.e. partial day absences) if they have no leave time accrued. This will not affect the employee's exempt status under the Fair Labor Standards Act.

In order to prevent disruption of operations, the employee should provide advance notice of at least 30 days for the need to take leave where the need for leave is foreseeable, such as birth of a child, etc. Where the need for leave is not foreseeable, the employee should provide notice as soon as practicable complying with normal call-in procedures. Failure to provide notice may lead to delay of leave being granted and may result in discipline, including termination, as provided by law.

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An employee's entitlement to leave for the birth of a child, to take care of a newborn child, or for the placement of the child for adoption or foster care expires one year after the birth of a child or the placement with the employee of a child for adoption or foster care. Husbands or wives employed by NRCA will be limited to a combined total of 12 weeks of leave in a 12-month period for the birth of a child, etc.

For any FMLA qualifying leave, the employee must use all accrued paid leave as part of the FMLA leave period until such leaves have been exhausted. Additionally, if the employee is absent due to their own serious health condition or the serious health condition of a spouse, child or parent (including a covered military service member), the employee must use all accrued paid leave as part of the FMLA leave period until such leave have been exhausted. The remainder of any FMLA leave period (after exhaustion of paid leaves) will be unpaid. Employees on FMLA leave are not allowed to work other jobs outside of NRCA except as otherwise allowed by law.

Medical Certification: The employee is required to provide medical certification for leave to care for the employee's seriously ill spouse, child or parent as well as the employee's own serious health condition (including for serious injury or illness in the line of military duty or qualifying exigency). A completed Certification of Health Care Provider form is required at least 15 days after leave is designated Family and Medical Leave. Re-certification may also be required during the period of the leave.

If NRCA questions the certification or re-certification, it reserves the right to seek a second opinion at NRCA's expense.

NRCA will inform employees requesting leave whether they are eligible under FMLA. If eligible, notice will specify any additional information required as well as the employees' rights and responsibilities. If not eligible, NRCA will provide a reason for the ineligibility.

NRCA will inform employees that leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If NRCA determines that the leave is not FMLA-protected, NRCA will notify the employee.

Employees must complete the Family and Medical Leave Form and immediately forward to the Human Resource Manager.

Benefits: NRCA will continue the employee's group health coverage during the leave period under the same terms and conditions as prior to leave. Thus, employees will be required to only pay those premium payments for health insurance they were making prior to the leave during the leave. Failure to make premium payments within the applicable grace periods could lead to termination of benefits. Other insurance benefits paid by New River Community Action will continue during the period of absence.

Holiday pay, Paid Time Off leave benefits will not accrue each month during the leave of absence without pay.

NRCA will not interfere with the employee's rights under the FMLA, retaliate, or discriminate against any eligible employee who seeks the benefits of this Act. NRCA will also comply with certain record keeping requirements concerning its compliance with the law.

Notice of Return: For scheduling reasons, employees should provide NRCA at least two weeks' notice of the date they intend to return to work or, if two weeks is not practicable, as soon as circumstances allow. NRCA may require, at its sole discretion, that an employee who has taken leave because of his/her own serious health condition obtain medical certification that he/she can return to work and perform the essential functions of the job without risk of injury to the employee or co-workers prior to allowing the employee to return to work. Where it questions the return-to-work certificate, NRCA reserves the right, at its sole discretion, to seek a second opinion at NRCA expense. Failure to provide the necessary return-to-work certification or failure to cooperate with second opinions will prohibit reinstatement and may result in termination as provided by law.

Reinstatement after Leave: An employee taking FMLA leave will be returned to the same position or to an equivalent position with equivalent pay and benefits unless:

1. The employee is not medically released to perform the essential functions of his/her job without risk of injury to the employee or co-workers; or
2. The employee is determined to be a "key" employee and the return would cause substantial and grievous economic injury; or
3. Business circumstances have changed in that irrespective of the leave, the employee would not have been employed at the time of reinstatement – i.e., layoff, change in operations, etc;

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4. As provided by law, the employee fails to return to work after the FMLA leave or employee tells NRCA that he/she will not return to work.
5. as otherwise allowed by law.

E. Leave without Pay for Reasons Other Than Family and Medical Leave:

Proposed changes in work schedule which will result in Leave without Pay must be approved by immediate supervisor. Written requests to the immediate supervisor will be made ten (10) days before extended leave (more than 3 consecutive days) is taken. Approval will depend on program requirements.

Leave of absence without pay for reasons other than FMLA may be granted for a maximum of two months. Any time more than two months requires the approval of the NRCA Board of Directors Personnel Committee. For Head Start employees, review by the PC Personnel Committee is also required.

Holiday pay and Paid Time Off leave benefits will not accrue each calendar month during the leave of absence without pay. Insurance benefits will not be paid by New River Community Action during the period of absence. COBRA continuation coverage may be offered to employees, if applicable.

F. Fringe Benefits:

1. The fringe benefits, required by law, to which the agency contributes are:
 - a. 50% of social security (FICA) for amounts up to that established by law
 - b. 100% of Worker's Compensation Insurance
 - c. 100% of State Unemployment Insurance
2. The fringe benefit plans approved by the Board of Directors for those employees who qualify are:
 - a. A portion of health and dental insurance as determined by the Board of Directors annually is paid by NRCA, whether single or with dependent coverage
 - b. 100% of the premium for life, accidental death and dismemberment insurance.
 - c. 100% of the premium for dependent life insurance
 - d. 100% of the short-term disability insurance
 - e. Retirement plan contribution as approved by NRCA Board.
3. To be eligible for insurance benefits, an employee must be hired to work 25 or more hours per week. Enrollment is subject to individual insurance company eligibility requirements for minimum number of work hours and anticipated period of employment of 6 months or longer. Life insurance is not provided to temporary employees.
4. Employees may recommend to the Board of Directors fringe benefit plans they wish adopted; however, the Board of Directors must approve any plan to which the agency contributes all or part.
5. Dental and Health insurance coverage is canceled the end of the month following the last day worked or any subsequent date NRCA lists as the employee's termination date. Coverage may be continued by eligible employees under either the federal law known as COBRA or applicable state law at the employee's expense. Employees will be provided with information regarding these rights by the COBRA administrator for NRCA.

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) helps employees and their dependents to continue their health insurance even if they are no longer eligible under our health plan.

COBRA lets an eligible employee and dependents choose to continue their health insurance when a "qualifying event" happens. Qualifying events include the employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance.

To continue insurance under COBRA, the employee must pay the full cost of the insurance at NRCA's group rates. NRCA provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under NRCA's health insurance plan. This notice contains important information about employee's rights and obligations.

6. Employee Assistance Program
For any organization to function properly its employees should be free from major personal problems which can adversely affect job performance, cooperation and attendance. In fulfilling our mission to support and develop our employees, New River Community Action has as a commitment to providing an Employee Assistance Program from which our employees may obtain competent professional assistance in resolving their personal problems.

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7. For the benefit of NRCA employees, NRCA has in place a Section 125 Plan which allows employees who contribute toward the cost of their health insurance to pay on a pre-tax basis. This has the potential to reduce actual out-of-pocket costs, depending on employee particular tax bracket. Election forms for the 125 Plan are available every plan year renewal, and employee must maintain this election for one full year. There are certain changes in family circumstances that the IRS will consider as valid reasons to make mid-year plan changes. For questions or more information on NRCA's Section 125 Summary Plan Description, staff may contact NRCA's Payroll/ Benefit Administrator.
7. As a participant of New River Community Action, Inc.'s retirement plan, NRCA employees are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan members shall be entitled to:
 - a. Examine all plan documents, at the plan administrator's office, without charge. This includes insurance contracts and copies of all documents filed by the plan with the U.S. Department of Labor. Examples of this include detailed annual reports and plan descriptions.
 - b. Obtain copies of all plan documents and other plan information upon written request to the plan administrator. The administrator may make a reasonable charge for the copies.
 - c. Receive a summary of the plan's financial report.

The plan administrator is required by law to furnish each member with a copy of the summary annual report. In addition to creating rights for plan members, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate NRCA's plan, called "fiduciaries" of the plan, have a duty to do so prudently and in the interest of employees and other plan members and beneficiaries. No one, including NRCA, may terminate an employee or otherwise discriminate against an employee in any way to prevent the employee from obtaining a welfare benefit or exercising the employee's rights under ERISA. If an employee's claim for a welfare benefit is denied in whole or in part, the employee must receive a written explanation of the reason for denial. Employees have a right to have the plan reviewed and the claim reconsidered. For questions or more information about NRCA's Plan, contact the Plan Administrator. For questions about this statement or about employee rights under ERISA, contact the nearest Area Office of the U.S. Labor-Management Services Administration, Department of Labor.

9. HIPAA - The Health Insurance Portability and Accountability Act of 1996 (HIPAA) was signed into law on 8/21/96. HIPAA's provisions limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; guarantee renewability and availability of health coverage to certain employers and individuals; and protect many workers who lose health coverage by providing better access to individual health insurance. NRCA's Group Insurance Carrier will handle most of HIPAA's rules and regulations.

HIPAA Special Enrollment (Federal Register Section 54.9801-6T) - The special enrollment rights apply without regard to the dates on which an individual would otherwise be able to enroll under the plan. Special Enrollment periods are to apply to eligible employees and/or their spouse and/or child/ren for a new dependent as a result of marriage, birth, adoption or the placement for adoption. Under these rules, a group health plan is required to provide a special enrollment period for these individuals should they request enrollment within 30 days after a special enrollment event has occurred.

HIPAA Special Enrollment for Declining Enrollment - If an employee declines enrollment for the employee or their dependents (including spouse) and stated in writing that the employee and/or dependents have coverage under another group health plan or health insurance coverage as the reason for declining to enroll, then special enrollment rules may apply to employee and/or their spouse and/or child/ren in the event employee and/or their dependents have lost this other coverage due to the loss of eligibility.

HIPAA Annual Open Enrollment - Employee plan may offer an Annual Open Enrollment giving employee the opportunity to enroll employee and/or their dependents if employee have previously declined/waived coverage for employee and/or dependents.

Additional information and forms may be obtained from NRCA's Payroll/Benefits Administrator.

H. Staff Recognition:

Employee recognition or appreciation activities and awards may be granted by the Board of Directors through approval of budgets and in accordance with funding source regulations.

VIII. TRAINING AND CAREER DEVELOPMENT

- A. All new employees will receive orientation training by their supervisor, fiscal staff, Human Resources Manager, and EEO/AA Officer. At a minimum, it will consist of:
1. the corporate structure of the agency
 2. the mission and goals of the agency
 3. the agency's relationship to Federal/State departments and the community
 4. EEO/AA policy

Every new employee is required to review the agency personnel policies and the job description of position for which (s) he was hired. The new employee and supervisor will implement the agency training plan specific to that position.

- B. The Chief Executive Officer will insure that all possible resources for employee continuation training to improve agency service to the community are utilized. Such training opportunities are subject to budgetary and scheduling constraints.
- C. Any employee who utilizes training and career development funds will be required to maintain employment with the agency for a period of time (assuming satisfactory job performance) after completion of training or repay any training funds that were paid by the agency. The length of time that an employee will be required to maintain employment will be one year from the completion date of training. The employee and the agency will enter into a contract governing the repayment of training funds. If the employee is laid-off or there is a reduction in work caused by funding constraints, repayment is not required. If the employee is terminated or resigns for any other reason prior to the expiration of the required time, then the employee must repay the funds. Program Directors/Coordinators will have discretion in determining which trainings apply to this rule. The employee will be given reasonable notice of any training for which repayment will be required in the event of separation of employment within the required year.

IX. NRCA ADVANCED TRAINING POLICY

While New River Community Action, Inc. (NRCA) is supportive of continuing education/ training, monetary resources available for such endeavors are limited. Supervisors will work with staff, to the degree possible, to allow the flexibility within the work schedule to pursue advanced training.

Advanced Training is defined as formal education, through an institution of learning, related to an employee's current position or possible promotion.

1. Time Flexibility

- a. Allowable time to be determined by the employee's supervisor.
- b. Requests must be made to supervisor and Program Director three months in advance of the desired start date, if possible
- c. Employees may request flextime. Interference with job requirements will not be allowed, i.e. Community Service Worker not being in the office during emergency assistance hours if that is their primary responsibility.
- d. Employees may request dividing one position into two positions for a period of time.
- e. Paid Time Off leave may be used to subsidize time.
- f. Approval of requests for flextime to take course work not related to the employee's position is at the discretion of the Program Director or Chief Executive Officer.
- g. Employees may request a leave of absence, not to exceed one year.

2. Designated Funds

- a. Each Program will attempt to designate a portion of its training budget to be used for advanced training.
- b. Each Program advanced training budget will be related to availability of funding and allowable expenses for the Program.
- c. Advanced training funds may be used for the cost or partial cost of a class(es) and/or the purchase of required books.
- d. Any book(s) purchased with advanced training funds will become the property of NRCA after the completion of the course. Such books purchased by the agency will remain in the NRCA Lending Library and will be accessible to all employees. Employee may choose to purchase with personal funds books they wish to keep.
- e. Program Director will determine the appropriateness of the purchase of a book(s).
- f. Any employee who utilizes designated advanced training funds will be required to maintain employment with the agency for a period of time (assuming satisfactory job performance) after completion of coursework or repay any

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advanced training funds that were received on a pro-rated basis. The length of time that an employee will be required to maintain employment will depend on the type of training and the funds used but will generally be between one and three years. Each situation will be evaluated and the employee and the agency will enter into a contract governing the repayment of the training funds. If employees are laid-off or there is a reduction in work caused by funding constraints, repayment is not required. If the employee is terminated or resigns for any other reason prior to the expiration of the required time, then the employee must repay the funds on a pro-rated basis. The employee will be give reasonable notice of any training funds for which repayment will be required in the event of separation of employment within the specified one to three years.

3. Application

- a. The employee is expected to pursue all sources of financial assistance before applying to NRCA and show the agency evidence thereof.
- b. The employee will submit request in writing. This request will be submitted, along with a recommendation from the employee's supervisor to the Program Director.
- c. The Program Director will screen each application and make a decision to approve or deny the request.
- d. Assistance will be provided on a first-come, first-served basis.
- e. Any employee denied assistance may appeal the decision to the NRCA Board of Directors' Personnel Committee. The Personnel Committee decision will be final.

X. PERFORMANCE EVALUATION AND EMPLOYEE CONDUCT

A. Provisional Period

A provisional period of six months is established for all employees in full-time and part-time positions. Employees being promoted shall serve a six (6) month provisional period.

The provisional period is designed to give both employees and the agency a trial period in which to determine whether the employment decision is appropriate. During this time employee must demonstrate the ability to perform essential job functions and suitability as NRCA employees.

During this period, employees may decide that the particular job is not what they desire. If this is the decision, employees may resign without harm to their employment record. Likewise, during the provisional period, the agency may decide that employees are not suited for the particular position and may terminate employment for that reason, or may extend the provisional period.

The provisional period begins when employees begin work in a new position and ends on the last day of the sixth working month. This provisional period cannot be waived.

Employees may be dismissed at any time during the provisional period with no right of appeal, except where discrimination is claimed. Employees with charges of discrimination have the right of appeal through the grievance procedure (reference XVIII. E.)

New staff on provisional status is not eligible for any pay increase for performance.

Provisional employees accrue PTO leave which may be used after leave has accrued.

With the approval of the Program Director and Human Resources Manager, the supervisor may extend the provisional period for as much as six additional months. The provisional period may be extended when the employee's ability to meet essential job functions is questionable or when the duties of the job require additional training.

After successfully completing the provisional period, employment will continue on an at-will basis.

B. Performance Evaluation:

The performance evaluation should be conducted as a part of an ongoing process of communication between an employee and her/his supervisor. The evaluation should clarify job duties and responsibilities; provide a record of performance; promote and strengthen understanding between the employee and the supervisor; emphasize the employee's strengths and ways to utilize them fully; and identify areas in need of improvement and objectives to accomplish necessary changes in performance. In order to accomplish these goals, the following procedures have been determined by the agency:

1. The immediate supervisor will evaluate permanent employees under her/his supervision. This evaluation will then be reviewed and endorsed by the next higher supervisor. Evaluations will be in accordance with the standard evaluation form and procedure as approved by the Board of Directors.
2. Written performance evaluations will be made at the end of the first six (6) months of employment and subsequently according to the schedule outlined in the agency Performance Evaluation Process. Supervisors will also establish a

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procedure for ongoing feedback/communication with the employees they supervise. For employees on provisional status, the supervisor has the option during the six-month evaluation to recommend to the Program Director and Human Resource Manager that the provisional status be ended, extended for an additional period up to six months, or that the employee be terminated (dismissed).

3. Evaluations will be discussed with the employee by the supervisor and his/her concurrence/non-concurrence obtained by signature. Permanent employees shall have the right to appeal any performance rating using the Grievance Procedure (ref. XII A). Performance evaluations can be used as a basis for determining eligibility for performance awards or as a framework for disciplinary action.
4. Employees rated Exceptional will receive two additional days of PTO equivalent to holiday pay as outlined in Section VII. Benefits A. Holidays.
5. Evaluations will be kept in the personnel records. Employees will be given a copy.

C. Employee Conduct:

1. No acts will be committed either on/off the job which will reflect discredit on the agency and fellow employees. Violators of this policy may be subject to disciplinary actions up to and including termination.
2. Employees will not bring up grievances or administrative decisions for the Board of Directors to consider at regular meetings. If employees are dissatisfied, the grievance procedure will be followed.
3. No employee will issue a statement to the press including letters to the editor, as a spokesman of the agency without prior clearance by the Program Director or the Chief Executive Officer.
4. Only the Chief Executive Officer may enter into a contract or an agreement on behalf of NRCA.
5. Any employee who intentionally enrolls ineligible families is subject to immediate termination.
6. If questions arise on issues which confront the agency or which could be of a controversial nature, the Chief Executive Officer will be consulted to determine agency policy.
7. *Social Distancing:* Staff of NRCA will maintain a professional relationship with clients of the organization and avoid the appearance of any inappropriate boundary violations.

8. Dress Code:

Employees are considered fully capable of exercising discretion as to what constitutes proper dress. At a minimum it should be commensurate with counterpart positions within the community.

Employees contribute to the feeling and reputation of NRCA in the way they present themselves. A professional appearance is essential to a favorable impression with clients and the community. Good grooming, cleanliness and appropriate dress reflect employee pride and inspire client confidence. Personal appearance can also impact the morale of employee co-workers.

Managers have the discretion to determine appropriateness in appearance. Employees who do not meet a professional standard may be sent home to change, and will not be paid for that time off. Basic essentials of appropriate dress include the need for clothing to be neat and clean. A reasonable standard of dress excludes tight pants, tank tops, halter tops, showing midriffs or any extreme in dress, accessory, fragrances, or hair. An employee unsure of what is appropriate should check with the manager or supervisor.

Business Casual is defined as follows:

Casual shirts: Shirts include casual shirts and blouses, golf and polo shirts.

Inappropriate: T-shirts with inappropriate slogans, tank tops, muscle shirts and crop tops, tight (form fitting), low-cut or those that allow chest/back/stomach skin to be exposed. T-shirts are not appropriate for staff meeting the public.

Pants: Casual slacks and trousers. Jeans must not be faded and without holes, frays, etc.

Inappropriate: any type of shorts, athletic or sweat pants, pants that drag the floor or that allow stomach and/or lower back to be exposed, tight jeans, or mini-skirts.

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Footwear: Depends on the position. Shoes must be worn at all times. For safety reasons, employees are required to wear closed-toe shoes with slip-resistant soles at Head Start Centers, on playgrounds, and home visits.

Summer Dress Policy: All employees are expected to comply with the above dress code. However, during the summer months, starting the week in which Memorial Day is observed and ending the week in which Labor Day is observed, employees may wear walking shorts at non-air conditioned sites or on home visits only. Shorts must be longer than fingertips when arms are stretched straight down sides. Employees wearing shorts not meeting this length requirement will be sent home to change, and will not be paid for that time off.

Some programs may require specific guidelines. Non-exempt staff who need to leave work to change clothes for meetings may take Paid Time Off leave to do so. **Business attire is required for all settings beyond internal NRCA staff meetings.** Where necessary, NRCA may make a reasonable accommodation to this policy for a person with a disability or religious requirement.

- 9 If any staff member shall be convicted while an employee of this agency of a felony or a misdemeanor related to abuse, neglect, or exploitation of children or adults, such shall be grounds for immediate dismissal.

10. Political Campaigns

Employees are prohibited from participating in political campaigns while on duty or as part of a job duty, on agency premises or in the name of New River Community Action. Staff are prohibited from providing transportation to participants to the polls or any similar assistance in connection with elections while on duty.

Staff may be prohibited from assisting with voter registration in accordance with federal and state contracts while on duty.

11. CONFLICT OF INTEREST IN PROCUREMENT OF AGENCY GOODS AND SERVICES

All employees and directors of NRCA owe a duty of loyalty to the organization. This duty necessitates that in serving the organization they act solely in the interests of the organization, not in their personal interests or in the interests of others.

The persons covered under this policy shall hereinafter be referred to as "interested persons." Interested persons include all employees, as well as persons with the following relationships to directors or employees:

1. Spouses or domestic partners
2. Brothers and sisters
3. Parents, children, grandchildren, and great-grandchildren
4. Spouses of individuals listed in 2 and 3
5. Corporations, partnerships, limited liability companies (LLCs), and other forms of businesses in which an employee or director, either individually or in combination with individuals listed in 1, 2, 3, or 4, collectively possess a [35%] or more ownership or beneficial interest

Conflicts of interest arise when the interests of an interested party may be seen as competing with those of the Organization. Conflicts of interest may be financial (where an interested party benefits financially directly or indirectly) or non-financial (e.g., seeking preferential treatment, using confidential information).

A conflict of interest arises when a director or employee involved in making a decision is in the position to benefit, directly or indirectly, from his/her dealings with NRCA or person conducting business with NRCA. (A potential conflict of interest exists when the director or employee, or his/her immediate family {wife, husband, father, mother, brother, sister, son, daughter, grandfather/mother, in-laws, and step relatives} owes/receives more than 1% of the benefiting business/profits.)

Examples of conflicts of interest include, but are not limited to, situations in which a director or employee:

1. Negotiates or approves a contract, purchase, or lease on behalf of NRCA and has a direct or indirect interest in, or receives personal benefit from, the entity or individual providing the goods or services;
2. Negotiates or approves a contract, sale, or lease on behalf of NRCA and has a direct or indirect interest in, or receives personal benefit from, the entity or individual receiving the goods or services;

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3. Employs or approves the employment of, or supervises a person who is an immediate family member of the director or employee;
4. Sells products or services in competition with NRCA;
5. Uses NRCA's facilities, other assets, employees, or other resources for personal gain;
6. Receives a gift from a vendor if the director or employee is responsible for initiating or approving purchases from that vendor.

If, at any time during employment, staff members become involved in, or intend to become involved in, or become aware of an existing, related-party transaction, any activity or transaction prohibited by this Policy, or any other actual or apparent conflict of interest, the staff member shall promptly notify their Program Director who will notify the Chief Executive Officer. Likewise, the Chief Executive Officer shall disclose any transactions, prohibited conduct under this policy and/or actual or potential conflicts of interest to the Chairperson of the Board of Directors

The Program Director shall address all related party transactions and actual and potential conflicts of interest by first determining if the transaction or conflict of interest is prohibited by this policy or by any other applicable laws, regulations, and requirements.

If the transaction or conflict of interest is prohibited, then the Chief Executive Officer shall determine the appropriate course of action, consistent with legal requirements and NRCA Personnel Policies, to eliminate the prohibited conflict or conduct.

If the transaction or conflict of interest is not prohibited, then the Chief Executive Officer shall determine whether, all factors considered, the transaction under consideration is fair and reasonable to, and is in the best interests of, NRCA. The Chief Executive Officer and/or designee(s) shall review, where appropriate, information concerning alternatives to the transaction; comparable transactions entered into by other parties and organizations; and/or any other relevant factors.

If the Chief Executive Officer has a potential conflict, the Board Chairperson shall follow the same procedures that the Chief Executive Officer follows when a staff member discloses his or her involvement in a transaction and/or actual or potential conflict of interest.

12. Employees must report immediately to the local Department of Social Services any suspicion of child or adult abuse/neglect, sexual abuse or molestation. The employee must file a report by law within twenty-four (24) hours even if someone makes a statement of suspicion other than the alleged victim.
13. NRCA staff and Board of Directors recognize the right of participants and employees of NRCA to have personal information held in confidence. Employees of NRCA must agree to abide by the terms of the **NRCA Confidential Information Policy and Procedures**. In the performance of the employee's duties as a staff member of New River Community Action, Inc., staff will observe this right of confidentiality, and understand that any violation thereof may result in dismissal.

Employees must:

- a. Keep confidential the names of all participants, all information learned during the performance of any NRCA job, and any information learned incidentally while performing duties unless that person has granted permission with their signature on a NRCA Consent to Exchange Information Form.
 - b. Refrain from discussing or disclosing, except privately with NRCA supervisor or other NRCA employees who have a need to know, information that might in any way identify or be linked to a particular individual.
 - c. Take precautions to prevent access by unauthorized persons to participant information in their possession. Take all other actions within their power to safeguard the privacy of participants and protect the confidentiality of information.
 - d. Understand their obligation to keep information confidential remains in effect after their employment with NRCA ends.
 - e. Employees are prohibited from taking pictures of clients or children on their personal camera, cellphone or other personal electronic device.
14. NRCA employees are expected to be reliable and punctual. Employees should report for work on time and as scheduled. If employee cannot come to work or will be late for any reason, employee must notify his/her supervisor as soon as

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possible or as determined by supervisor.

Unplanned absences can disrupt work, inconvenience other employees, and affect productivity. If an employee has a poor attendance record or excessive lateness, employee may be subject to disciplinary action, up to and including termination of employment.

15. Employees may be subject to disciplinary action for paperwork not submitted by deadline.

16. Policy on Suspected Misconduct

This policy communicates the actions to be taken for suspected misconduct committed, encountered, or observed by employees and volunteers. NRCA is committed to establishing and maintaining a work environment of the highest ethical standards. Achievement of this goal requires the cooperation and assistance of every employee at all levels of NRCA.

For purposes of this policy, misconduct includes, but is not limited to:

1. actions that violate NRCA's policies and Code of Conduct;
2. fraud, as defined in NRCA's Code of Conduct;
3. and abuse, neglect, molestation or exploitation of children or adults.

Reporting Responsibilities

Every employee is responsible for immediately reporting suspected misconduct to their supervisor, or the Chief Executive Officer. When supervisors have received a report of suspected misconduct, they must immediately report such acts to their supervisor or the Chief Executive Officer.

Whistleblower Protection

NRCA requires all employees to observe high standards of business and personal ethics in the conduct of their responsibilities. Employees are encouraged and enabled to raise serious concerns internally, without fear of retaliation, so that NRCA can address and correct inappropriate conduct and actions. It is against the values of NRCA to retaliate against any employee who in good faith reports a violation.

1. A whistleblower is one who reports an activity that he/she considers to be illegal or dishonest. It is the responsibility of all NRCA representatives to report such activities.
2. Examples of illegal or dishonest activities include, but are not limited to:
 - a. Violations of federal, state or local laws or regulations.
 - b. Violations of NRCA's code of ethics.
 - c. Billing for services not performed or for goods not delivered.
 - d. Other fraudulent financial reporting.
3. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures.
4. If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or the Chief Executive Officer.
 - a. The employee must exercise sound judgment to act in good faith and avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.
 - b. NRCA will make every reasonable effort to conduct all proceedings in a manner that will protect the confidentiality of all parties. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.
 - c. NRCA will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Manager immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.
5. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Chief Executive Officer, who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor or the Chief Executive Officer.

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6. Once a complaint has been accepted for review, an investigation will begin. The investigation may include, but is not limited to, review of written statements from both parties, witness interviews, obtaining witness declarations, review of documentation, and on-site investigation. Any person conducting an investigation will maintain a written record of all witness interviews, evidence gathered, the outcome of the investigation, and any other appropriate documents. Records of such an investigation will not be maintained in personnel files unless they are part of a formal corrective action.
7. Results of the investigation will be shared with the appropriate people. When there is sufficient evidence to support the complaint, written notification of investigative findings will be sent to the complainant and the respondent.
8. If it is concluded that a violation has occurred, a determination will be made as to the appropriate sanctions or corrective action.

XI. STATUS CHANGES AND DISCIPLINARY ACTION

A. Voluntary Termination:

All employees making a voluntary termination shall submit a written notice of such action in advance of the termination date. It is expected that Administrative employees, Head Start Teaching Staff (Teachers and Assistant Teachers), Head Start Family/Health Advocates and Head Start Family Educators shall provide four (4) weeks working notice prior to termination. All others should provide a minimum of two- (2) week's working notice.

1. Upon receipt of written resignation notice, the supervisor shall submit the resignation letter immediately to the Human Resource Manager.
2. The Human Resources Manager shall send a copy of the letter to payroll. The original shall be maintained in the employee's personnel file.
3. Following the submission of an employee's resignation notice, the employee is expected to contact payroll. The purpose of this contact is to clear up matters relating to retirement refund, Paid Time Off leave, health, dental, and life insurance and to have a forwarding address for mailing W-2 forms.
4. Head Start classroom staff resignations occurring while centers are closed during the summer are considered working notice provided sufficient notice as indicated in Section A. is submitted before the scheduled return to work day.

B. Reduction in Force:

NRCA highly values the contributions of employees and attempts to provide regular employment. However, in the event it becomes necessary for the agency to reduce the work force because of economic conditions, reorganization, changes in needs or technologies, programmatic considerations, or other circumstances, this policy establishes procedures to ensure fair and equitable treatment. A reduction in force (layoff) may take the form of elimination of jobs, reduction in hours, and/or reduction in salary.

1. The decision to retain or separate an employee due to a reduction in force will follow from a fair and systematic consideration of the current and future needs of the agency relative to the employee's skills, knowledge, performance, and productivity. Length of service will be considered but may receive less weight in the determination, depending on the needs of the Agency. Consistent with the at-will employment practices and policy, nothing in this policy negates the Agency's right to terminate any employee for any reason or for no reason.
The Agency will ensure that there is full compliance with EEO commitments, laws, and Agency policy when implementing a reduction in force. Race, color, gender, age, religion, creed, national origin, marital status, Vietnam Era veteran status, disabled veteran status, or disability are never a consideration in identifying an employee for reduction in force.
2. All management decisions which may result in reductions in personnel must be fully coordinated among appropriate Program Directors, Chief Executive Officer, and the Personnel Committee of the Board, to assure sufficient lead time to effect all necessary actions in accordance with these instructions. All such decisions must be approved finally by the Board of Directors and, where Head Start staff are involved, the Head Start Policy Council.
3. The necessary reductions in personnel strength will be effected with a minimum disruption of work and dislocation of employees. Termination due to a reduction in force will be considered a final separation from that position at NRCA. An employee who loses his/her position during a reduction in force will have no recall rights to the same or similar position. Whenever possible, reductions will be through normal attrition by reassigning surplus employees to other

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vacant positions for which they may qualify. Employees who leave the agency in good standing will be eligible for rehire. Consistent with normal recruiting and staffing practices, affected employees will be considered for any openings, should they apply. Past performance will be considered when a former employee applies for rehire.

4. RIF Notification: Employees affected by reduction-in-force action will be given notice thirty (30) calendar days prior to the effective date of the action except for those affected by shortage of funds. In those situations involving budget restraints and depletion of funds, employees will receive a two week notice. The entire 30 days will be in work status consistent with the employee's normal work schedule and status.
5. BENEFITS
 - a. In accordance with agency policy (ref. Section IIV. Benefits C. PTO) in case of reduction in force, all accrued leave will be paid in one lump sum in a separate check along with the employee's last paycheck.
 - b. All agency benefits will be continued through the remainder of the calendar month in which the layoff occurs.
 - c. Insurance coverages may be continued in accordance with COBRA, which in general allows for coverage continuation for 18 months beyond the termination date at the expense of the employee.
 - d. Retirement plan benefits will be provided according to the terms of the retirement plans.
 - e. Employees terminated as a result of reduction in work force may be eligible for unemployment insurance benefits. Eligibility is determined by the applicable state agency, not NRCA.
 - f. A NRCA employee who is receiving tuition benefits for advanced training (ref. Section IX: Advanced Training Policy) prior to the day of separation will not be required to repay the tuition.

C. Demotions:

NRCA may find it necessary or in the employee's best interest to transition an employee through demotion. NRCA strives to provide a fair and equitable process in addressing demotion.

1. A demotion occurs when an employee moves into a lower pay grade level or into a position with significantly less job responsibilities.
2. A demotion may occur when:
 - a. An individual is unable to perform satisfactorily in the higher-level position.
 - b. The employee's request for a demotion is approved.
 - c. There is a restructuring of NRCA.
 - d. As a result of disciplinary action.
3. All demotions must be discussed with the Human Resources Manager prior to communicating any information to employees.
4. If the demotion is at the employee's request, a written letter from the employee requesting the demotion action will be required.
5. Supervisors will work with the Human Resources Department to ensure efforts are made to provide proper training and development opportunities via the corrective action process before demotion is considered.
6. The employee's applicable work experience and educational level will be reviewed by the hiring Supervisor and the Human Resources Manager to determine an appropriate new rate of pay in the applicable job description.

D. Transfers

NRCA provides opportunities wherein an employee may transfer, or may be transferred, when the employee meets the job qualifications and when the transfer will benefit both the employee and NRCA.

1. An employee who is transferred temporarily, at the request of NRCA, to a lower paying position continues to be paid at his/her existing rate for as long as the temporary transfer is in effect.
2. Employees transferred at their request to lower paying positions are paid at the lower grade of the new position, based upon qualifications placement on salary table per VI. C.
3. Refer to Section VI. C. Salary Levels for compensation during temporary transfer assignments.

E. Restructuring:

NRCA is committed to an ongoing process of quality improvement to achieve best practice in all of NRCA's functional areas. Organizational restructuring may become a necessary component of this commitment.

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Any restructuring procedures include the following principles:

- Restructuring proposals should reflect the broad objectives of agency policy to maximize NRCA effectiveness and positive outcomes for NRCA clients.
 - Principles of merit, equal opportunity, and fairness will apply in developing and implementing restructures.
 - Managers will work cooperatively to minimize disruption to individuals and the work of the area affected, as much as possible.
 - Directors and managers are responsible for developing and implementing structures, including processing Board approval of structural proposals, providing management and employees with advice on grading and structures and the administrative action associated with training, transfers, and any associated reduction-in-force.
1. If any restructuring results in a promotion, the placement on salary scale will be at 8% or based upon experience/education placements per VI. Compensation. C. Salary Levels, whichever is greater.
 2. If a position is eliminated due to restructuring, reductions will be through normal attrition by reassigning surplus employees to other vacant positions for which they may qualify whenever possible. Consistent with normal recruiting and staffing practices, affected employees will be considered for any openings for which they qualify. Past performance will be a consideration. If the employee chooses to accept another vacant position, the employee will be placed on the salary scale grade for the new position according to qualifications per VI. C.
 3. If an employee is required to move to another position at a lower position grade, there will be no loss in current pay to the employee. The employee will be placed on the grade for the new position, based upon placement procedures per VI. C. or at the step closest to current pay, whichever is greater.

F. Disciplinary Action: Supervisors are encouraged to refer staff to the Employee Assistance Program (EAP) for aid in addressing personal problems that might affect performance.

Depending on the nature and circumstances of an incident, discipline will normally be progressive and bear a reasonable relationship to the violation. The types of discipline that may occur are as follows in general order of increasing formality and seriousness. In some situations, some types of employee problems, such as failure to follow agency policies and procedures, may be subject to disciplinary action without going through the usual progressive discipline. NRCA, therefore, expressly reserves the right to skip any of the steps of the progressive discipline depending on the issues involved. The Chief Executive Officer may choose to implement the services of a trained staff CRITICAL REVIEW TEAM prior to any disciplinary action.

1. Formal Coaching

Coaching is the process of resolution created between the supervisor and the employee. Coaching looks at the core issues that could be causing a problem and allows the employee to get help resolving the issue. Employees will be given two coaching opportunities to correct the issue. It becomes the employee's responsibility to find ways to resolve the issue under the guidance of the supervisor and with the knowledge that failure to improve may result in more serious actions. All coaching must be documented with dates, acknowledged by the employee, witnessed by the supervisor, and placed in employee personnel file.

2 Verbal Reminder

A verbal reminder shall be given and documented by the immediate supervisor. All supervisors throughout the chain of command must be notified immediately. A verbal reminder points out unsatisfactory elements of job performance previously discussed in coaching and is intended to be corrective or cautionary. It should define the area of needed improvement, and set up goals to improve the issue, while creating an understanding of the consequences if improvement is not met within the specified timeframe. All verbal reminders must be documented with dates, acknowledged by the employee, witnessed by the supervisor and placed in the employee personnel file.

3. Written Warning

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A written warning is a clear restatement including specifics that describe the deficiency in performance or conduct. It should also include discussions from previous coaching and verbal reminders if previously given. A written warning will inform the employee that failure to improve immediately will result in progressive additional disciplinary action up to and including termination. Prior to the meeting with the employee, the supervisor will schedule a meeting with HR and the supervisor's supervisor. All supervisors throughout the chain of command must be notified immediately. All written warnings must be documented with dates, signed by the employee, witnessed by the supervisor and placed in the employee personnel file.

4. *Decision-Making Leave of Absence*

- a. The decision-making leave of absence is used as a final resort in helping an employee decide if they wish to continue employment with NRCA. Prior to the meeting with the employee, the supervisor will schedule a meeting with their supervisor up the chain of command through the Program Director and including Human Resources and or their designee.
- b. The employee will meet with their supervisor, Program Director (or designee) & Human Resources to review all prior documentation of the issue(s) that led to this step in the progressive disciplinary process. All decision-making leave of absence meetings must be documented with dates, signed by the employee, witnessed and placed in the employee personnel file.
- c. Following this meeting, the employee will be granted one paid day off to reflect on the problem(s) addressed. If the employee decides he/she wishes to continue employment with NRCA, the employee will need to develop a satisfactory performance improvement plan to present to the supervisor, Program Director and Human Resources or their designees on the first workday immediately following the decision-making leave of absence. The performance improvement plan is a written summary of the issues surrounding their conduct and behavior, as they understand it. The employee must outline how they are going to change their behavior and conduct to ensure that it will no longer be an issue in the agency and that they understand termination will occur if the plan is not followed. The employee must provide the written plan in the scheduled follow up meeting. NRCA will review the plan with the employee and will change or modify the plan as it deems appropriate. The plan and the timeframe including any changes made by NRCA, must be agreed upon by all parties in attendance before the employee is allowed to return to work.
- d. The signed performance improvement plan will remain active in the employee's file for two years from the date all parties sign the plan. During the two years which the performance improvement plan remains active in the employee's file, if another instance related or similar to the performance matter occurs, NRCA, at its discretion, may immediately move to step 5, termination of the employee. If the employee has no more occurrences while the plan is active during the two-year period, the performance plan becomes inactive. Any future occurrences of the same nature will result in the process starting again at step one.
- e. If the employee chooses not to provide a plan that is agreed upon between all parties at the scheduled meeting, NRCA will accept this as their resignation.

If an employee receives disciplinary action including a Verbal Reminder, Written Warning, or the Decision-Making Leave of Absence, the employee will not be eligible to receive an Exceeds or Exceptional on his/her next annual performance evaluation.

The employee has the right to appeal any of the progressive disciplinary action steps within five (5) working days, in writing and with documentation. If the appeal is considered by the CEO to be justified, the disciplinary action will be withdrawn or modified. In addition to the right to appeal a progressive disciplinary action step, employees shall have the right to request a formal appeal according to the agency grievance procedures (ref. XII A).

5. *Termination:*

- a. Termination may be imposed by the immediate supervisor with the approval of the Program Director and the Chief Executive Officer. A written notice of termination, signed by the Chief Executive Officer, will be issued to an employee stating clearly and concisely the reason(s) for such action.
- b. In addition to the right to reply to termination, permanent employees shall have the right to request a formal appeal according to agency grievance procedures (ref. XII A).

6. *Dismissal for Cause:*

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- a. Dismissal for cause is employment termination on a formal charge(s) of misconduct, malfeasance, or other causes deemed to adversely affect agency operation. This action may be accomplished immediately and without prior notice by the Chief Executive Officer, and without prior disciplinary action.
- b. The unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance is prohibited in the agency workplace, during any Head Start or other agency activity. Accusation or reasonable suspicion of such use of drugs at an agency work site will result in immediate suspension, with pay also suspended. A trained staff Critical Review Team will be called immediately by the Chief Executive Officer for an investigation after any accusation. If the investigation, as conducted by the trained staff Critical Review Team, substantiates the accusation or suspicion to the satisfaction of the Chief Executive Officer, termination will result. If the allegations are found to be false and the employee is fully exonerated of any wrongdoing, the employee will be reinstated and paid for the period of suspension.
- c. In the event that an investigation is deemed necessary by the CEO, Program Director and Human Resources, the employee will be suspended without pay pending the outcome of the investigation. If the allegations are found to be false and the employee is fully exonerated of any wrongdoing, the employee will be reinstated and paid for the period of suspension.

G. Exit Procedures:

Upon terminating employment with NRCA, all NRCA employees are required to return all NRCA property to include: identification badges, keys, cell phones, pagers, computer equipment & disks, electronic files, software, fax machines, petty cash accounts, uniforms, employee handbook/agency information, files, documents, and any other NRCA property as applicable to their supervisor before or on their last date of employment.

Employees shall not erase, delete, modify, change any electronic files, software or hardware prior to returning such information to NRCA. Further, employees shall not retain and shall permanently erase or destroy any electronic files located on personal electronic devices that contain NRCA business and/or confidential information.

Employees who do not fully comply with the foregoing will be required to reimburse NRCA for the cost of any unreturned property and may forfeit some or all of their accrued paid time off that they are otherwise eligible to receive.

XII. MANAGEMENT RELATIONS

A. Grievance and Complaint Procedure:

1. The grievance procedure covers such matters as:
 - a. working conditions and environment
 - b. relationships with supervisors, other employees or officials
 - c. any disciplinary action
 - d. any adverse personnel action
2. The grievance procedure shall not cover the following that have been approved by the NRCA Board:
 - a. reduction-in-force
 - b. salary scales
 - c. job classifications
 - d. discrimination/sexual harassment – Employees wishing to file a discrimination and/or sexual harassment complaint shall follow the procedure outlined in the agency Affirmative Action/Equal Employment Opportunity Policy/Discrimination Complaint Procedure.
3. **Informal Complaint Procedures:** Employees are encouraged to bring forward any complaints and grievances they may have so that these may be reviewed and settled by someone in a supervisory position.

In the event of a complaint, employees are to use the informal complaint procedures first. A formal appeal may not be made until the informal procedures have been used, except in the case of employees receiving written notices of disciplinary action, who may immediately use the formal appeal process (see XII A 4 below).

Under the informal procedure, the employee is not required to put the complaint(s) in writing, but may do so if she/he wishes.

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It is the responsibility of the supervisors to hear promptly and courteously all complaints registered by employees under their supervision and to make every effort to clarify misunderstanding and make reasonable adjustments of unsatisfactory circumstances that arise in day-to-day relationships.

No employee shall be denied the opportunity of meeting with the Chief Executive Officer on any matter at any time.

- a. STEP ONE: Under the informal complaint procedure, the employee should inform his/her immediate supervisor and, if necessary, the Program Director of the employee's desire to initiate the informal complaint procedure, within fourteen (14) business days of event or circumstances that prompt the complaint.

The immediate supervisor or the Program Director hearing the complaint shall resolve the matter within thirty (30) business days of the date of the complaint.

The supervisor or Program Director hearing the complaint shall prepare a simple, written statement of the meeting and the resolution which shall be signed by the employee and the supervisor or Program Director preparing the statement. The purpose of this statement is to set forth whether the discussion was, in fact, an "Informal Complaint". A copy of this statement shall be submitted to the Chief Executive Officer. A copy of this statement shall also be maintained in the personnel files of involved employees.

- b. STEP TWO: If the employee is not satisfied with the immediate supervisor's or Program Director's resolution of the matter at Step One, the employee should then refer the matter to the Chief Executive Officer by notifying the Chief Executive Officer within five (5) business days of receiving his/her immediate supervisor's or Director's resolution.

Upon notification by the employee, the Chief Executive Officer may choose to implement the services of a trained staff Critical Review Team.

The Chief Executive Officer shall resolve the matter within fourteen (14) business days of the date of the employee's referral of the matter to the Chief Executive Officer.

4. **Formal Grievance Procedure:** Should the complaint or problem not be resolved through the informal procedure; the employee may make a formal appeal to the Chairperson of the Personnel Committee of the Board of Directors.

- a. STEP ONE: To make a formal appeal, the employee shall make a full statement of her/his grievance in writing. The employee shall present this written statement to the Personnel Committee of the Board of Directors within five (5) business days of receiving the resolution of the Chief Executive Officer in response to the informal complaint or written notice of disciplinary action.

- i. The Chairperson of the Personnel Committee shall furnish a copy of the written statement to each member of the Personnel Committee and one copy to the Chief Executive Officer.
- ii. The Chair of the Personnel Committee shall schedule a hearing of the employee's grievance before the Personnel Committee to be held no later than fourteen (14) business days after receipt of the employee's written statement.
- iii. The Chief Executive Officer shall supply a written statement in reply to the employee's grievance to both the Personnel Chairperson and the employee at least seven (7) business days prior to the hearing.
- iv. At the hearing, the employee, or his/her chosen representative, shall have an opportunity to present evidence, to call witnesses, to be represented by counsel, and to cross examine witnesses. The Chief Executive Officer, or his/her chosen representative, shall have an opportunity to present evidence, to call witnesses, to be represented by counsel, and to cross examine witnesses.
- v. The Chair of the Personnel Committee shall prepare a written summary of the hearing.

The purpose of a formal grievance hearing is to consider the grievance being brought forward by an employee. The Personnel Committee shall conduct such hearings and confine its inquiry to the stated grievance.

- vi. The decision of the Personnel Committee shall be delivered in writing to the employee and the Chief Executive Officer within five (5) business days after the hearing. The decision shall specify the grounds relied upon by the Personnel Committee in reaching the decision.
- b. STEP TWO: The employee or the Chief Executive Officer shall have the right to appeal to the Board of Directors any decision reached by the Personnel Committee.
 - i. To appeal the decision of the Personnel Committee, the employee or the Chief Executive Officer shall notify the Chairperson of the Board of Directors in writing within five (5) business days of receiving the decision of the Personnel Committee.

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- ii. The Chairperson of the Board of Directors shall schedule a hearing of the appeal before the Board of Directors to be held no later than fourteen (14) business days after notification of appeal.
- iii. At the appeals hearing, the employee, or his/her chosen representative, shall have an opportunity to present evidence, to call witnesses, to be represented by counsel, and to cross examine witnesses. The Chief Executive Officer, or his/her chosen representative, shall have an opportunity to present evidence, to call witnesses, to be represented by counsel, and to cross examine witnesses.
- iv. The Chairperson of the Board of Directors shall prepare a written summary of the hearing.
- v. The decision of the Board of Directors shall be delivered in writing to the employee and the Chief Executive Officer within five (5) business days after the appeals hearing. The decision shall specify the grounds relied upon by the Board of Directors in reaching the decision. The decision of the Board is binding and exhausts all internal mechanisms for resolving the grievance.

B. Suggestion Program:

Employees should submit suggestions for consideration in writing to the immediate supervisor who will forward them through organizational channels to the Chief Executive Officer. The Chief Executive Officer and Program Directors will evaluate those suggestions adopted (annually in December) for quality, i.e. program improvement, cost saving, etc. A \$100 award may be given to the employee whose suggestion has made the greatest contribution.

C. Reference Policy:

Responses to written or verbal requests for references for former NRCA employees will consist of employment dates and the positions held only. These calls will be forwarded to the Human Resources Manager (or Chief Executive Officer in absence of Human Resources Manager) for correct dates. Once documentation has been disposed (ref. Section XIII. G.), employment dates cannot be verified.

Letters of reference for current employees may be provided as approved by the Program or Chief Executive Officer.

D. Staff Eligible for NRCA Services

NRCA employees applying for NRCA services will be shown respect and confidentiality as provided to all NRCA clients. NRCA employees in need of services offered by NRCA and desiring to apply to NRCA for services will be required to apply and meet all eligibility requirements of the program to which they are applying. If the program is an ongoing program, NRCA employees who are approved for services will be required to comply with the program's requirements for continued assistance or participation with that program. NRCA employees who have applied for services may be placed on a waiting list if the program is full or out of funds and must meet the same guidelines for priority as any other applicant. Employees of NRCA who are denied services will be afforded the same privilege to file an appeal as any other applicant or client of NRCA.

If NRCA employees wish to apply for an NRCA service, their Senior Management Supervisor must approve their application. Head Start is an exception to this, as the Head Start Eligibility Committee makes the determination of which children are accepted into Head Start. Ongoing case management or service delivery related to the service will be provided by their supervisor unless the employee receives services at a site other than where they work. It may be necessary, for example, for NRCA Head Start employees or immediate family (which includes any of the following: wife, husband, father, mother, brother, sister, son, daughter, grandfather/mother, in-laws and step-relatives or anyone living in the immediate household) who have a child enrolled in Head Start to be placed to work at a center other than where their child is enrolled.

In the event that immediate family (see above) or close friend of a NRCA employee applies for a program or service for which the NRCA employee works, eligibility must be documented by and services delivered by someone other than the NRCA employee.

Staff receiving services from NRCA may choose to use an alias for client data entry into the NRCA Management Information System. Those choosing to use an alias must use the same alias each time requesting services. At least two staff (in the situation where there is only one employee in an office, then it must be the employee plus their supervisor) in the office where the service was provided will have knowledge of the alias and the correct name of the staff. In addition, the Senior Manager of the program and Database Manager will be provided the name, identification number, and alias of the staff receiving service.

XIII. PERSONNEL RECORDS

- A. A personnel file for each employee will be maintained by Human Resources. File maintenance shall be restricted to the Human Resources Manager and persons he/she designates to keep the file updated. A separate "health file" will be kept for employee physicals and related health material. Files will be secured in locked cabinets. Office doors shall be closed

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and locked in the evenings and whenever the personnel staff are vacant. The personnel file shall include the following documents as applicable to position requirements:

- the original NRCA application for employment
- job description
- a copy of the written notice of employment, showing the position title, salary, employment date, and location of employment.
- record of all addresses, names, titles, and salary changes during employment period
- interview questions
- performance evaluation reports
- personal/previous employment reference letters (because of the confidential nature of reference letters, these will be maintained in a "confidential" envelope and the employee will not be permitted to see the contents)
- certification of car liability insurance
- emergency contact form
- signed statement of receipt of Personnel Policies and Code of Conduct
- resignation or termination letters containing separation date
- driving record transcript
- criminal record checks

Where appropriate and necessary, the following items shall also be contained in the employee's personnel file:

- school transcripts and/or certifications
 - declaration form
 - cautionary letters, reprimands, or other disciplinary action records unless an appeal was sustained
 - grievances submitted and action taken
 - other forms, letters, and data pertaining to the employee
- B. The confidentiality of this folder limits review to the employee, employee's supervisor, Program Director concerned, Chief Executive Officer and appropriate funding sources. The folder will only be reviewed in the presence of the Human Resources Manager or his/her designee. No one other than the Chief Executive Officer may remove the personnel file from the personnel office. The Chief Executive Officer is the only one authorized to remove anything from the personnel file and then removal of material will be with the knowledge and approval of the employee. If copies are needed, the Human Resource Manager or designee will make copies for the employee.
- C. Medical information on any employee is confidential. NRCA will take reasonable precautions to protect medical information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing medical information is subject to disciplinary action, up to and including termination of employment.
- D. Materials placed in the personnel folder which are averse to the employee, such as letter of admonition or reprimand, will become a permanent portion of the folder, unless such charges are cleared and the records withdrawn by the Chief Executive Officer.
- E. Any grievance letter filed will become part of the personnel folder. This folder will be made available to the Personnel Committee and/or PC Personnel Committee for the grievance hearing. The Personnel Committee(s) will determine the deposition of grievance material according to the outcome of the hearing.
- F. The fiscal office will maintain for each employee:
- intake/payroll information form
 - Federal and State tax exemption form
 - time and attendance forms
 - a summary leave record for each permanent employee.
 - retirement insurance and any other fringe benefit documents
- G. The personnel folder may be reviewed annually by the employee and acknowledged by signature on review sheet.
- H. When an employee terminates employment from the agency, the Personnel file must be retained for at least seven years from the date of separation. The file will be shredded after seven years.

XIV. DRUG AND ALCOHOL FREE WORKPLACE POLICY

POLICY

New River Community Action (NRCA) is dedicated to providing a safe drug free workplace, and safe and dependable transportation services to the clients serve. Our employees are valuable resources and it is our goal to provide a healthy, satisfying working environment, which promotes personal opportunities for growth. It is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful use, possession, dispensing, manufacture, , or distribution of controlled substances; and (4) encourage employees to seek professional assistance anytime personal problems, including alcohol or drug use, adversely affect their ability to perform their assigned duties. This policy also applies to off-site lunch periods or breaks when an employee is scheduled to return to work.

Any employee in violation of this policy is subject to disciplinary action, up to and including termination and/or legal action as appropriate.

PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect our employees and clients from the risks posed by the misuse of alcohol and use of prohibited drugs. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the workplace. The U.S. Department of Transportation has published 49 CFR Part 653 and Part 654, as amended, that mandate urine drug testing and breath alcohol testing for all employees with Commercial Driver's Licenses who drive agency vehicles. The U.S. Department of Transportation (DOT) has also published 49 CFR Part 40, as amended, which sets standards for the collection and testing of urine and breath specimens. In addition, the Federal government published 49 CFR Part 29, The Drug-Free Workplace Act of 1988, as amended, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the Federal Transit Administration (FTA). This policy incorporates those requirements for employees.

APPLICABILITY

NRCA reserves the right to require an alcohol or illegal substance test of all employees before and during employment.

PROHIBITED SUBSTANCES

"Prohibited substances" addressed by this policy include the following:

Illegally Used Controlled Substances or Drugs are defined as:

Any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S. C 812), and as further defined by 21 CFR 1300.11 through 1300.15. This includes, but is not limited to: marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

Legal Drugs

The appropriate use of legally prescribed drugs and non-prescription medications is allowed. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills or judgment may be adversely affected must be reported to supervisory personnel and medical advice must be sought by the employee, as appropriate, before performing work-related duties. Failure to report this to the supervisor shall be just cause for appropriate disciplinary action up to and including termination.

A legally prescribed drug means that the individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing agency business is prohibited. Employees who violate this provision may be subject to termination.

Alcohol

The use of beverages containing alcohol or substances including any medication, mouthwash, food, candy or any other substance such that alcohol is present in the body while performing Agency business is prohibited.

PROHIBITED CONDUCT

Manufacture, Trafficking, Possession, and Use

New River Community Action agency employees are prohibited from engaging in the unlawful use, possession, dispensing, manufacture, or distribution of prohibited substances on agency premises, in agency vehicles, or while on agency business. Employees who violate this provision will be subject to termination. Law enforcement shall be notified, as appropriate, where improper activity is suspected.

Intoxication/Under the Influence

Employees who are reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance, shall be suspended without pay (Ref. XI. C. 4) from job duties. An investigation and verification of condition will be conducted immediately. Employees found to be under the influence of prohibited substances or who fail to pass or refuse a drug or alcohol test shall be subject to disciplinary action, up to and including termination. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body.

Alcohol Use

Employees shall not report for duty under the influence of alcohol or use alcohol while on duty. Violation of these provisions is prohibited and punishable by disciplinary action up to and including termination.

Use of Alcohol for NRCA Conferences & Meetings

Staff attending events representing NRCA shall not consume any alcoholic beverages during the event. This includes all functions sponsored by agencies holding trainings (ex: VACAP dinner/mixer; Head Start Gala, etc.) partner functions (MCEAP Board meetings, Chamber of Commerce mixers, etc.) or any other function in which the staff person represents NRCA.

Compliance with Testing Requirements

Employees will be subject to drug testing and alcohol testing. Employees will be required to sign consent forms before the testing is performed. Employees who refuse to comply with a request for testing shall be removed from duty and their employment terminated. Refusal can include an inability to provide a sufficient urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test. Employees who are suspected of providing false information in connection with a test, or who are suspected of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an observed collection. Verification of these actions will result in the employee's removal from duty and his/her termination of employment.

Treatment

Employees experiencing a substance abuse problem are encouraged to seek assistance from New River Community Action's Employee Assistance Program. Participation in a rehabilitation program does not preclude disciplinary action or termination.

Notifying NRCA of Alcohol or Drug Conviction

Employees are required to notify the Human Resources Department of NRCA of any drug or alcohol conviction within five days after such conviction. A criminal drug or alcohol statute conviction other than DUI (as noted below) will warrant termination of employment.

Any employee convicted of driving under the influence or any other related offenses (collectively referred to as "DUI") will not be allowed to drive on agency business. The employee may, at the discretion of the Chief Executive Officer, regain driving responsibilities after a minimum of two years if (1) driving is not an essential function of the job, (2) the employee does not have another arrest or conviction for any alcohol or drug related offenses in that two-year period, and (3) the employee is insurable. If driving is an essential function of an employee's position, the employee may be terminated if convicted of a DUI. Additionally, if driving is an essential function of an employee's position, NRCA reserves the right to take appropriate disciplinary action up to and including termination, even if a DUI arrest does not result in a conviction, at the discretion of the Chief Executive Officer.

Proper Application of the Policy

NRCA is dedicated to assuring fair and equitable application of this policy. Therefore, supervisors and managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor or manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

Employees of NRCA must agree to:

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- Abide by the terms of this policy; and
- Notify the Human Resources Department of NRCA of any current drug policy violation or criminal drug statute conviction immediately.

TESTING PROCEDURES

Analytical drug testing and breath testing for alcohol may be conducted when circumstances warrant or as required by Federal regulations. Employees shall be subject to testing upon offer of employment, random testing, testing for reasonable suspicion, and testing following a vehicular accident.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities, which have been approved by the U.S. Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40, as amended.

The drugs that will be tested for include but are not limited to marijuana, cocaine, opiates, amphetamines and phencyclidine. An initial drug screen will be conducted on each urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. In instances where there is a reason to believe an employee is abusing a substance other than the five drugs listed above, NRCA reserves the right to test for additional drugs under NRCA 's own authority using standard laboratory testing protocols.

Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved evidential breath-testing device (EBT) operated by a trained breath alcohol technician (BAT). If the initial test indicates the presence of alcohol, a second test will be performed to confirm the results of the initial test. Any concentration of alcohol will be considered a positive alcohol test and in violation of this policy.

Employees who fail to pass a drug or alcohol test shall be removed from duty, and shall be subject to disciplinary action, up to and including termination.

New River Community Action affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process.

Employee Requested Testing

Employees who question the results of their own required drug test may request that an additional test be conducted. This test must be conducted at a different DHHS-certified laboratory. The test will be conducted on the split sample that was provided by the employee at the same time as the original sample. The employee pays all costs for such testing unless the result of the split sample test invalidates the result of the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the laboratory's Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

Pre-Employment Testing

All staff shall undergo urine drug testing and breath alcohol testing immediately following the offer of employment. Receipt by New River Community Action of a negative drug test result is required for employment.

Reasonable Suspicion Testing

Employees will be subject to drug/alcohol testing when there are reasons to believe that drug or alcohol use is occurring. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances, which are consistent with the short-term effects of substance abuse or alcohol misuse.

Examples of reasonable suspicion include, but are not limited to the following:

1. Suspected prohibited substance or alcohol use.
2. Suspected substance or alcohol use is adversely affecting job performance.
3. Physical signs and symptoms consistent with prohibited substance use or alcohol use.
4. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances.
5. Occurrence of a vehicular accident or other non-vehicular accident that may have been caused by substance or alcohol use. .
6. Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operating procedures.

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Reasonable suspicion referrals must be made by a supervisor trained to detect the signs and symptoms of drug and alcohol use, or who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance or alcohol use. The supervisor shall consult with another supervisor regarding his or her observations and if they both agree that the employee appears to be under the influence of a drug and/or alcohol, they shall relieve the employee from duty, refer and transport the employee to current laboratory facilities contracted by NRCA for testing. If another supervisor is not immediately available, the next level supervisor should be contacted. Exceptions to this process may be approved by the HR Manager.

Post-Accident Testing

Employees will be required to undergo urine and breath testing if they are involved in a vehicular accident on-the-job. This includes all employees that are on-duty in any vehicle(s) and any other whose performance could have contributed to the accident.

Following a vehicle accident, employees will be tested as soon as possible, but not to exceed eight hours after the accident for alcohol testing and 32 hours for drug testing. Employees involved in an accident must refrain from alcohol use for eight hours following the accident or until they undergo a post-accident alcohol test. Employees who leave the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. Employees tested under this provision will include not only the driver, but also any other employee whose performance could have contributed to the accident.

Random Testing

Employees are subject to random, unannounced testing. The selection of employees for random drug and/or alcohol testing will be made using a scientifically valid method that ensures all NRCA employees will have an equal chance of being selected each time selections are made. The random tests will be unannounced and spread throughout the year.

USE OF ALCOHOL AND TOBACCO IN FUNDRAISING

NRCA shall not serve alcohol at any agency sponsored fundraising event.

On NRCA Property: It is against policy to possess any alcohol or tobacco products on NRCA facilities.

Selling: NRCA employees or volunteers may not sell, handle or serve alcoholic beverages or tobacco products while working or representing NRCA.

Consumption: NRCA Board members, staff or volunteers attending events in capacity representing NRCA shall not consume any alcoholic beverages or tobacco products during the event.

Purchase: Under no circumstances may NRCA funds be used to purchase alcoholic beverages or bottles of alcohol or tobacco products.

Alcohol at Fundraising activities not on NRCA Property:

NRCA's name shall not be used in the connection with any fundraiser sponsored or produced by another organization if alcohol or tobacco is the primary focus of fundraiser (i.e., beer garden or wine tasting).

If another organization sponsors & produces an event *on behalf of* NRCA, then alcohol may be served as an accent of activity (ie: wine served as part of a dinner or fashion show or included as an item in a silent auction). Any alcoholic beverages must be provided and served by a licensed establishment/organization or catering company that has the appropriate permits and insurance. If alcohol/tobacco is served by establishment/venue as an ongoing part of business, then sales may be continued during event as usual. However, if NRCA is given option to remove alcohol/tobacco sales during the NRCA fundraising event, then staff must always choose the option to not have alcohol/tobacco served.

Alcohol/Tobacco may be included at annual silent auctions and dinners as fundraisers, at which bottles and/or cases of alcohol or cigar or other tobacco products are donated for use as auction items. These donated products may be used as auction items provided the auction is not held on NRCA property.

SYSTEM CONTACT

Employees who have questions regarding this policy or any other aspect of the drug-free and alcohol-free program should contact their supervisor.

XV. EMPLOYEE HEALTH AND SAFETY POLICY

NRCA will make every effort to provide working conditions that are healthy and safe, and employees are expected to be equally conscientious about workplace safety, including proper work methods, reporting potential hazards, and abating known hazards. Unsafe work conditions in any work area that might result in an accident should be reported immediately to a supervisor. The Agency's safety policy or practices will be strictly enforced, including possible termination of employees found to be willfully negligent in the safe performance of their jobs.

1. Required safety practices will include, but are not limited to: wearing seat belts and use of age-appropriate child safety seats (staff and participants) at all times while traveling on agency business in both agency and non-agency vehicles; lifting so that legs instead of back receive most of the strain; complying with OSHA fall protection guidelines, if appropriate. No more than nine (9) passengers, including driver, will be allowed to travel in any van used for agency business or activities. Administrative staff will provide written safety guidelines and training annually to all staff.

NRCA employees are expected to drive responsibly at all times and to obey all traffic laws. This includes adherence to all speed limits, traffic signals and signs.

2. New River Community Action, Inc. provides a comprehensive Workers' Compensation insurance program to our employees at no cost to the employee. The Workers' Compensation program may cover injuries or illnesses that arise out of and during the course of employment.

If an employee is injured in connection with employment, regardless of severity of the injury, the employee must immediately notify the supervisor, who will see necessary medical attention is provided and complete required reports within three (3) working days.

When an employee is injured on the job, NRCA will use a return-to-work process to assist the employee in returning to work as soon as medically feasible. NRCA will arrange for immediate, appropriate attention for employees who are injured on the job. NRCA will attempt to create opportunities for injured employees to return to safe, transitional work assignments as soon as medically authorized.

The ultimate goal is to return injured employees to their original positions. If an injured employee is unable to perform all tasks of the original job, NRCA will endeavor to provide a transitional work assignment that meets the injured worker's capabilities.

3. The transfer of any bodily fluid (blood, saliva, urine, etc.) may transmit diseases. Employees should use caution to avoid contact with these body fluids. Each first aid kit contains plastic gloves; employees are required to use them. Employees must follow the Blood borne Pathogens clean-up process.
4. Employees of NRCA have certain rights regarding the use of hazardous materials in the workplace. NRCA will provide employees with information regarding the following:
 1. What chemicals are used in the workplace by Material Safety Data Sheets (MSDS).
 2. Where the chemicals are located.
 3. Physical and health hazards associated with the chemicals.
 4. Protection measures that must be taken to prevent exposure.
 5. What to do in case of exposure to the chemicals.

Employees should consult their supervisor for additional information on hazardous materials at their site.

XVI. NRCA PROPERTY POLICY

NRCA reserves ownership of all company property, including, but not limited to locks and keys, documents, computers, data files, computer passwords, address files, filing cabinets and contents, scheduling calendars, desks, lockers, and cabinets on its facilities or grounds, or temporary work sites and agency vehicles.

NRCA prohibits the following items at its facilities, temporary work sites or vehicles at any time:

- firearms
- weapons of any sort,
- contraband,
- illegal drugs,

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- or alcohol.

NRCA reserves the right to search any and all agency property as well as personal property on NRCA sites at any time management deems necessary to assure safety and security.

It will be the responsibility of the staff person in charge of an agency vehicle to have an extra set of keys in the event that keys become locked in the vehicle. If staff locks keys in the vehicle, it will be their responsibility to pay for the unlocking of the vehicle. Extra keys should also be provided to the administrative office. Extra keys must be kept in a secure, locked place.

Staff will be responsible for paying any fines they incur while on agency business.

It will be the responsibility of staff to keep their office keys in a secure location. If staff lose their key(s), they must pay for the cost of replacing the key, and in some cases, for replacing the lock. Staff in charge of agency buildings and offices must furnish the administrative office with an extra set of keys to their buildings.

Supervisors and managers are responsible for issuing agency property to employees and ensuring its return at the proper time. Agency property may not be taken home by an employee without the consent of the individual's supervisor. Any individual with custody of agency property is responsible for exercising reasonable and prudent care to ensure that loss or damage does not occur. (For purposes of this paragraph, agency property includes, but is not limited to: identification badges, keys, office equipment, petty cash, uniforms, cellular phones, pagers, etc.) When an employee terminates, all items of agency property must be returned or properly accounted for. Agency property that is lost or damaged due to employee negligence shall be replaced at the employee's expense.

NRCA is not responsible for personal property of the employees while at NRCA locations. This includes personal packages that may be delivered to an NRCA location. Personal property may not be covered under NRCA insurance policy. Employees should understand that all personal property brought onto NRCA's property may be inspected with the purpose of enforcing NRCA policies and to protect against theft.

XVII. TOBACCO-FREE POLICY AND PROCEDURE

Program Instruction:

As per the Program Instruction #ACYF-PI-95-04 ("Establishing a Smoke-Free Environment in Head Start Programs"), all Head Start grantees and delegate agencies are required to create tobacco-free environments and to eliminate exposure to tobacco smoke by children, staff, and parents in the Head Start program.

Policy:

Due to the acknowledged health hazards, arising from exposure to environmental tobacco smoke, it shall be the policy of New River Community Action (NRCA), Inc. to provide a tobacco-free environment for staff, children, and participants. This policy covers the use of any tobacco product and applies to both employees and non-employee participants of NRCA.

NRCA will serve as an example to other child care and community agencies. NRCA staff will serve as role models by not using tobacco in the presence of children, parents, and participants.

Definition: For purposes of this policy: "Tobacco use" will include electronic cigarettes. Electronic cigarettes—also known as electronic nicotine delivery systems (ENDS), vaporizers or e-cigarettes—are battery-operated products that turn certain chemicals into an aerosol that is inhaled by the user.

1. There will be no tobacco use in any NRCA facility or property any time.
2. There will be no visible tobacco or tobacco used in any NRCA vehicle.
3. There will be no tobacco use in personal vehicles when transporting persons on NRCA authorized business.
4. There will be no smoking by staff when children are present. This includes both indoor and outdoor activities.

Field trips, walks, and other off-site activities will be tobacco-free to the fullest extent possible. There will be no tobacco use by staff during off-site activities. Because of the need to maintain a high staff/child ratio during field trips, staff will not leave the children for a tobacco use break.

Staff, parents, and participants will not use tobacco during on-site conferences. Staff will not use tobacco and will request that parents not use tobacco during home visits. Parents will be informed of the tobacco-free request prior to the home visit.

5. NRCA's tobacco-free policy shall apply to all off-site activities and functions.

Procedure:

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1. Staff will be informed of this policy through signs posted in NRCA facilities and vehicles and during New Hire Orientation
2. Volunteers, parents, and participants will be informed through the following methods:
 - a. The policy will be stated in the parent and volunteer handbooks.
 - b. Signs will be posted in Agency facilities and vehicles.
 - c. Signs will be posted on parent bulletin boards. d. Announcements will be made during parent orientation, center committee meetings, and Policy Council training.
 - f. Other communication mechanisms deemed appropriate by the director.
3. NRCA will assist staff who wishes to quit using tobacco by facilitating access to recommended tobacco use cessation programs and materials.
4. Any violations of this policy will be handled through the Disciplinary Action Procedure.

XVIII. AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY POLICY DISCRIMINATION COMPLAINT PROCEDURE

Policy

New River Community Action, Inc. (NRCA) shall provide equal employment opportunity to all employees and applicants for employment on the basis of fitness and merit without regard to race, color, creed, religion, sex, pregnancy, childbirth or related medical conditions, marital status, handicap or disability or use of Family and Medical Leave Act (FMLA), national origin, political or union affiliation, or age; except where age or sex is a bona-fide occupational qualification related to the job. This policy shall be followed in all NRCA's employment transactions including recruitment, selection, promotion, position classification, compensation, benefits, transfer, layoff; return from layoff, demotion, termination, training, and leave. Managers and supervisors employed by NRCA who fail to comply with this policy are subject to disciplinary action.

Harassment-Free Workplace

NRCA is dedicated to a work environment that is free of harassment and discrimination of all types. NRCA does not and will not tolerate words, jokes, pictures, gestures or comments to any employee, volunteer, vendor or client related to an individual's sex, race, ethnicity, age, religion, disability, national origin or any other legally-protected characteristic.

NRCA also does not tolerate sexual harassment. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors or other verbal and physical conduct of a sexual nature where:

- Submission to such conduct is made a term or condition of employment, either explicitly or implicitly; or
- Submission to or rejection of such conduct is used as a basis for employment decisions; or
- Such conduct unreasonably interferes with work performance or creates an intimidating, hostile, or offensive work environment.

Sexual harassment may include vulgar language, jokes, teasing, flirtation, graphic or degrading comments, intimidation, ridicule, insult, inappropriate physical contact and sexually suggestive objects or pictures. Sexual harassment does not refer to compliments or other actions of a nature reasonably acceptable in society.

All employees must be sensitive to their own behavior toward others as what one person may consider being appropriate behavior may be offensive to others. Any inappropriate conduct, as determined by NRCA, whether it rises to the level of harassment or discrimination under applicable law or not, will not be tolerated by NRCA.

Staff who observe or are subject to any inappropriate conduct, including harassment, discrimination or sexual harassment, by anyone, including employees, supervisors, volunteers, clients or vendors, have a responsibility to bring it to NRCA's attention. NRCA can only help solve such problems if NRCA is aware of its existence. Employees may inform NRCA of the problem immediately by following XVIII. E. Discrimination Complaint Procedure. NRCA will thoroughly investigate all complaints and take appropriate action as necessary. Confidentiality will be maintained as practicable in that only people with a need to know will be apprised of the nature and substance of the allegations. NRCA will not retaliate against any individual who, based on a good faith belief that such conditions exist, makes an allegation of harassment, discrimination, or inappropriate conduct under this policy or assists in a complaint investigation.

Violation of this policy or any conduct which in the judgment of NRCA is harmful to its employees, volunteers, clients or vendors, or NRCA's reputation in the community may result in disciplinary action, up to and including discharge.

Requests made for reasonable accommodation should be referred to the AA/EEO Officer.

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A. Legislative References

This affirmative action policy is designed to conform with federal affirmative action policies contained in the following federal laws. NRCA will adhere to these laws, and any subsequent amendments or additions to them. It is our policy to comply with all applicable state and federal laws.

1. Title VI of the Civil Rights Act of 1964.
2. Title VII of the Civil Rights Act of 1964, as amended in 1991.
3. Equal Pay Act of 1963.
4. Age Discrimination of Employment – Act of 1967.
5. Vocational Rehabilitation Act of 1973.
6. Americans with Disabilities Act of 1990.
7. Family and Medical Leave Act of 1993.

B. Responsibilities

1. AA/EEO Officer – An Affirmative Action/Equal Employment Opportunity (AA/EEO) Officer will be appointed by the Chief Executive Officer with the approval of the Board of Directors and will report directly to the Personnel Committee (see below). The AA/EEO officer's primary function is to ensure that NRCA is in compliance with this policy and to assist in rectifying problems resulting from violations of this policy. The AA/EEO officer will provide training and education as needed and will be available to counsel all employees. The AA/EEO officer will:
 - a) Present and discuss equal employment opportunity during orientation of all new staff members.
 - b) Provide, explain, and post a grievance and appeal procedure to deal with an employee's complaint of discrimination and/or unfair practices except in cases where the employee is under the supervision of the staff member appointed to serve as the NRCA AA/EEO officer. In such cases, the employee's complaint shall be submitted directly to the Chairperson of the Personnel committee.
 - c) Make available a copy of the affirmative action plan to all staff.
 - d) Conduct periodic meetings with all staff to educate and to ensure that the policy is understood and implemented.
 - e) Design and implement an internal auditing and reporting system to measure the degree of goals and objectives attained. Audits will be conducted annually.
2. NRCA Personnel Committee – The Personnel Committee shall have the following AA/EEO responsibilities:
 - a) Review annual report on AA/EEO and present it to the Board of Directors along with recommendations for the most effective implementation of the affirmative action plan.
 - b) Serve as an administrative hearing body for complaints (see E). The AA/EEO Committee will have the following specific duties in this role:
 - 1) Review a complete file on the case prior to the hearing.
 - 2) Direct parties to appear at the hearing.
 - 3) Hold hearing within eight working days of receiving the complaint.
 - 4) Question witnesses and parties, as required, at hearing.
 - 5) Consider and evaluate facts, evidence, and arguments to assess credibility.
 - 6) Render a decision and maintain complete records, including any materials that would be relevant to further appeal or review. Submit its decision to the parties involved and the NRCA Board.

When serving as an administrative hearing body for AA/EEO complaints, the Personnel Committee shall have representation of different minority groups. The Chairperson of the NRCA Board will appoint additional members from the Board or the community at large, if necessary, in order to achieve such representation. Such appointments shall be considered temporary for the purpose of hearing AA/EEO complaints

3. The NRCA Board of Directors, NRCA Chief Executive Officer, management and supervisors, and AA/EEO officer have pledged that NRCA will take affirmative action to ensure that the principles of this policy are implemented fully at all levels. Further, the Chief Executive Officer will strive to extend opportunities, which will motivate and encourage minorities and women, where under-utilized, to reach their full potential through promotion and advancement. Every effort will be made to obtain racial and sexual balance at all levels of employment.

C. Implementation

The Affirmative Action Policy will be implemented through training and education of all employees about NRCA AA/EEO Policy and Procedures, and the use of affirmative action practices in recruitment, selection, classification, promotion,

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compensation and benefits, transfer, layoff, demotions and termination. Following is an explanation of steps to be taken in implementing the policy. The AA/EEO officer will monitor the policy.

<i>Area</i>	<i>Responsibility</i>
<ul style="list-style-type: none">• TRAINING	
1) Give every consideration to promoting from within. Counseling, training, and education will be made available to all employees to help their upward mobility.	Supervisors
2) Provide formal and on-the-job training for professional and non-professional personnel in areas pertaining to their specialties.	Supervisors
3) Provide supervisors with management training as needed.	Chief Executive Officer
4) Provide equal employment opportunity training seminars; review training participation to ensure that training opportunities are being offered to all eligible employees on and equal basis	Chief Executive Officer, AA/EEO Officer, HR Manager
<ul style="list-style-type: none">• RECRUITMENT	
1) Publicize employment opportunities within the minority communities.	HR Manager
2) Include phrase "An Equal Opportunity Employer" in all advertisements.	HR Manager
3) Broaden efforts for diversified recruitment from other local agencies.	HR Manager
<ul style="list-style-type: none">• TRANSFER	
1) Process termination without regard to race, color, religion, sex, age, or handicap or disability or other non-job related criteria.	Chief Executive Officer

D. Review and Reports

The AA/EEO officer will make an annual report to the Personnel Committee on the overall status of the program, and results achieved toward objectives (identifying any significant areas), and make recommendations for appropriate actions. The AA/EEO officer will:

1. Review qualifications of present staff for under-utilization and/or classification.
2. Conduct an annual review of staff turnover (i.e., dismissal, resignation, job termination, etc.) to determine vacancy patterns to allow appropriate recruiting efforts to meet personnel needs.

An annual report shall be prepared by the AA/EEO officer and submitted to the Personnel Committee at the end of each program year to include compliance under this policy during the year. The report shall include summaries of:

1. New Hiring.
2. Promotions.
3. Training (career development)
4. Job turnovers (reason for leaving)
5. Utilization reviews.
6. Changes in affirmative action plan.

E. Discrimination Complaint Procedure

The following procedures describe the discrimination complaint procedure; which employees may use to file a discrimination complaint. The procedure is used for complaints of discrimination on the basis of race, color, sex, religion, handicap or disability, sexual or other kinds of harassment, national origin, or political or union affiliation, retaliation, or use of the Family and Medical Leave Act. For non-discrimination related complaints, employees should use the Grievance Procedure (ref. Section XII).

1. Purpose

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If an employee believes he/she has received unfair treatment or has been discriminated against on the basis of race, color, sex, age, religion, handicap, national origin, political or union affiliation, retaliation, or use of the Family and Medical Leave Act, he/she has the right to file a discrimination complaint.

There will be no retaliation against any employee who has filed a complaint under this policy or assisted in the investigation of a complaint that has been filed.

2. Procedure

Complaints should be raised and settled promptly. A complaint must be filed immediately following either the event giving rise to the complaint or following the time when the employee reasonably should have gained knowledge of occurrence. There shall be a time frame of 33 working days in which to settle the actual complaint. If a complaint is not appealed within the time limit set forth for an appeal, it shall be deemed settled on the basis of the last answer given. If the appropriate party fails to provide an answer within the time limit, the employee may immediately appeal to the next step. Complaints shall be processed as follows.

- a) Employees who feel they have been discriminated against, have a need for the reasonable accommodation of a disability, or believe they are a victim of sexual harassment should go to the AA/EEO officer if the complaint cannot be resolved between the employee and his/her supervisor. If the complaint or request for accommodation is resolved between the employee and his/her supervisor, the supervisor shall write a report signed by both the complainant and the supervisor or if request is brought to the AA/EEO officer, the AA/EEO officer shall have seven working days to investigate and resolve the complaint. The AA/EEO officer may choose to implement the services of a trained staff CRITICAL REVIEW TEAM to assist with the investigation.
- b) If mutual agreement cannot be reached to the complainant's satisfaction, the complainant has five working days to appeal to the Personnel Committee
- c) The Personnel Committee shall have eight working days to hold a hearing and submit its decision to the parties involved and to the NRCA Board. The complainant has the right to be accompanied, represented, and advised by a representative or an attorney of his/her choice.
- d) If the complainant is still not satisfied, he/she shall have five working days to appeal to the NRCA Board of Directors.
- e) The NRCA Board of Directors shall have eight working days to hold a hearing and render a decision on the complaint.
- f) In the event that the complainant is under the supervision of the staff person appointed to serve as the NRCA AA/EEO Officer, the complainant shall submit a written grievance directly to the Chairperson of the Personnel Committee. Steps c through f then becomes effective.
- g) Responsibility and Duty of Management/ Supervisor Receiving Complaint: Due to the serious nature of sexual harassment allegations and other allegations of a breach of the NRCA EEO policy, all management/supervisory personnel must, upon receipt of a complaint by an employee regarding sexual harassment or other violation of the NRCA EEO policy that cannot be resolved by the supervisor (ref. Section E. 2. a.), immediately report the complaint to the AA/EEO officer so that an investigation may be conducted and the appropriate remedial action taken. Management/supervisory personnel MUST report any such complaint regardless of the complainant's desire to file a grievance or further pursue the complaint.

XIX. COMPUTER/INFORMATION SYSTEMS POLICY

For the purposes of this policy, NRCA computer/information systems includes, but are not limited to, the computers, file servers, disks, external drives, programs and related peripherals provided by NRCA as well as voice mail, electronic mail, cell phones and Internet access from NRCA computers.

Employees should use NRCA computer/information systems for NRCA business only. Personal use of the computer/information systems is not encouraged but, if not abused, as determined solely by NRCA, it will not be prohibited. Any personal use should not, however, interfere with the conduct of business at NRCA, be detrimental to NRCA, its employees, or clients, or distract from the employee's work duties or the work of others. These systems should not be used for, among other things, commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

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Under no circumstances should NRCA computer/information systems be used for sending, accessing, receiving, or storing any material of an offensive, discriminatory, or harassing nature or that is threatening, obscene, or defamatory, for chain letters, or for any other purpose that is illegal, against NRCA policy, or contrary to NRCA interests or NRCA's reputation in the community.

The NRCA computer/information system, including the e-mail and voice mail system and Internet access, are the property of NRCA. Documents, messages, or other communications from these systems are subject to monitoring without notice to employees as deemed necessary by NRCA. Consequently, employees should not maintain an expectation of privacy with respect to NRCA computer/information and employees should not put items in these systems which are personal and which an employee does not wish NRCA to see.

Employees are assigned unique logon IDs and passwords that provide them access to computer systems and functions that are required to perform their jobs. Users are responsible for safeguarding their login passwords. Passwords may not be shared, printed, or stored online. Users should not leave their computers unattended without logging off. Employees should not reveal their passwords to anyone. Employees should report any suspected unauthorized breaches of their passwords to their immediate supervisor immediately and initiate a password change request.

Any unauthorized removal of files, applications or data from the NRCA computer/ information system is prohibited. Because of the threat of viruses, the copying of files, applications and data from outside systems, or use of other media, onto the NRCA computer system is prohibited without the prior approval of management. Security software must be installed on all NRCA computers. The copying of client files is prohibited, except for back up purposes.

Much of the software on NRCA's computer system was purchased under licensing agreements or is protected by federal copyright law. These licenses restrict the ability to make copies of the software. NRCA policy prohibits employees from illegally copying material protected under copyright law or making the material available to others for copying. Employees should comply with copyright laws and applicable licenses that apply to software, files, documents, messages, and other material that they may wish to download or copy. Employees are prohibited from downloading any material for which a registration fee is charged without first obtaining the expressed written permission of supervisor and within normal purchasing procedures.

E-Mail and Voice Mail Policy

The purpose of e-mail and voice mail is to facilitate communicating business or work-related data in a timely and efficient manner. Employees should never consider electronic communications to be either private or secure. E-mail is a written means of communication that could potentially be stored indefinitely on any number of computers, in addition to that of the recipient. Copies of messages may be forwarded to others either electronically or on paper. In addition, e-mail sent to nonexistent or incorrect usernames may be delivered to persons that were never intended. Employees should not transmit anything in an e-mail message or voice mail they would not be comfortable writing in a letter or memorandum. In composing a message, employees should not let the opportunity for an instantaneous comment or response cloud judgment in a situation in which they may later regret what was written. All users should exercise good judgment and common sense when creating and distributing e-mail and voice mail messages.

Forgery (or attempted forgery) of e-mail messages is prohibited. Unauthorized actions or attempts to read, copy, modify, or delete e-mail or voice mail messages of other users is also prohibited. No messages may be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Sending unsolicited junk mail, or "for profit" messages is prohibited.

Because of the threat of viruses, caution should be used when downloading attached files from outside electronic messages.

Internet Policy

Certain employees will be authorized access to the Internet. Other employees must have permission from their supervisor prior to accessing the Internet from any NRCA computer at any time. This includes accessing the Internet during an employee's shift (including during breaks and lunch) as well as before or after the employee's shift. The use of the Internet shall be for NRCA business purposes only.

Employees should be aware that every Internet site visited is capable of determining one's identity. Accordingly, access to the Internet should include the use of good judgment, common sense, and careful discretion. Employees should also be aware that NRCA computer network could record the date, time, and Internet sites accessed.

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Use of the NRCA computer systems in attempts to gain access to remote systems or offensive sites, as determined by NRCA, is prohibited. Use of the Internet must not disrupt the operation of the NRCA network or the networks of other users. It must not interfere with an employee's productivity.

Because of the threat of viruses and because of the potential for download software to interfere with NRCA network, downloading of any programs, except as expressly approved by management, is prohibited. When approved, downloading of programs must be done on your specific PC's hard drive and not to the NRCA network servers.

NRCA has the right, but not the duty, to monitor any and all aspects of its computer system, including, but not limited to, monitoring sites visited by users on the Internet, monitoring chat groups or newsgroups, reviewing material downloaded, or uploaded by users to the Internet, and reviewing e-mail sent and received by users. NRCA may use automated software to monitor material created, stored, sent, or received on its computer network.

SOCIAL MEDIA AND SOCIAL NETWORKING POLICY

NRCA recognizes the increasing prevalence of social media networks (Facebook, Twitter, LinkedIn and YouTube, etc.) and their potential importance as means to communicate with and among clients, community partners, volunteers and fellow employees.

All official NRCA presences on social media networks are considered an extension of the agency and are governed by all applicable NRCA policies in the same fashion as all other means of communication whether oral, written or electronic. Employees designated to officially represent NRCA via social media networks must conduct themselves at all times as representatives of NRCA. NRCA social media networks will be created, administered, maintained by the MIS Committee and monitored by the MIS team members' supervisors.

NRCA recognizes that employees may have **personal** social media accounts. While NRCA has no direct control over the actions of employees utilizing personal social media accounts, NRCA does reserve the right to monitor any communications over public domains that reference, either directly or indirectly, NRCA or its clients and hold employees accountable for violations of NRCA policies and procedures. Personal blogs should have clear disclaimers that the views expressed by the author in the blog are the author's alone and do not represent the views of NRCA. It must be clear and written in first person. Writing must be clear that employee is speaking personally and not on behalf of NRCA. Employees should keep in mind that any conduct that adversely affects their job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of NRCA or its legitimate business interests may result in disciplinary action up to and including termination.

Regardless of the form of communication, employees must adhere to all NRCA policies including, but not limited to: policies on employee confidentiality, code of conduct, EEO and anti-harassment, information nondisclosure, and approved public commentary and statements. Employees must maintain the confidentiality of the NRCA's trade secrets and private, proprietary or confidential information. Employees must not post internal reports, policies, procedures or other internal business-related confidential communications.

This policy does not prohibit protected activities as long as such activities do not otherwise violate applicable law or NRCA policies or have the potential to adversely affect NRCA interests.

NRCA Client Management Information System (database):

Only NRCA staff and interns who have been approved by NRCA Program Coordinators and appropriately trained may have access to the NRCA Client Management Information System (CMIS).

Each approved data entry staff or intern will be given a unique user name and password, which must not be shared with anyone else. No list will be maintained of the passwords. If staff must write their own name down, they must be kept in a locked location. Staff must not use the feature on the computer which memorizes the password. If this feature has been enabled on the computer, staff must notify the Human Resources Manager immediately via Computer Maintenance Form, marked "Urgent". If staff forgets their user name or password, a new one must be created by contacting the Planning Director. User names and passwords will not be sent by email or fax or other written communication. User names must be chosen so that the staff can be identified, not using initials or aliases or just a first name. Supervisors will immediately request the Planning Director to remove the usernames and passwords of anyone who no longer works or interns for NRCA, including Head Start staff that have left for the summer.

The supervisor must request the removal of the user name and password of data entry staff whom they are planning to take disciplinary action against.

Any unauthorized removal of data or purposefully entering incorrect data is strictly prohibited.

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Staff or approved interns who enter data directly in the CMIS must not leave participant information on the screen when they are out of their office. Also, staff or interns who leave their office for an extended period of time must log off the database. Computers containing confidential information must be kept secure from any reasonable threat to the security of confidential information.

Confidential participant information that is sent over the email or by fax must be marked confidential and fax machines must be available only to approved staff or approved volunteers.

Paper copies of confidential information must be kept in a locked location and shredded as required by the NRCA Record Retention Policy.

Cellular Phone Policy

1. Personal Cellular Phones

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of company phones. Excessive personal calls during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of the company's policy.

The company will not be liable for the loss of personal cellular phones brought into the workplace.

Staff should not use cell phones (text or talk) or other electronic handheld communication device during meetings or when with customers.

2. Personal Use of NRCA-Provided Cellular Phones

NRCA may issue a business cell phone to an employee for work-related communications or for safety concerns. Phone logs may be audited regularly to ensure no unauthorized use has occurred.

Employees in possession of company equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee will be asked to produce the phone for return. Employees unable to present the phone in good working condition within the time period requested may be expected to bear the cost of a replacement. Any NRCA-provided cell phone or reimbursement is for a non-compensatory business purpose and is not merely to promote morale, attract employees or to add to an employee's compensation.

3. Safety Issues for Cellular Phone Use

For safety reasons, employees whose job responsibilities include regular or occasional driving are not to use their phone while driving. Safety must come before all other concerns. Employees of NRCA are prohibited from using a corporate-owned or personal cell phone or similar device, hands-on or hands-free, while driving either a company vehicle or a personal vehicle while on company business. This prohibition includes receiving or placing calls, text messaging, accessing the Internet, receiving or responding to email, checking for or listening to voice messages, adjusting a Global Positioning System (GPS) or any other uses.

If an employee must make an emergency call (911), the vehicle should first be parked in a safe location.

Under no circumstances are employees allowed to place themselves at risk to fulfill business needs. Employees who are charged with traffic violations resulting from the use of a phone while driving will be solely responsible for all liabilities that result from such actions.

Violations

Violating the provisions of this policy, or any action which NRCA determines is not in its best interests, may result in disciplinary action ranging from the revocation of user access to termination of employment. The users of our network and computer systems are responsible for respecting and adhering to local, state, federal, and international laws related to the access and use of computer systems and software. Failure to observe copyright or license agreements may result in disciplinary action or legal action by the copyright owner. NRCA will cooperate fully with appropriate authorities to provide information related to actual or suspected activity not consistent with the law.

As with any policy, management staff are expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

XX. GLOSSARY OF TERMS

AA	Affirmative Action – the encouragement of increased representation of women and minority-group members in employment
At Will	Virginia is an “at will” state which means that employees are free to resign at any time, with or without cause. Likewise, the employer may terminate employment at any time, with or without cause or advance notice, as long as no applicable federal or state law is violated.
AA/AS	Associate’s degree – degree usually granted by junior colleges after completion of two years of study in specific field, refers to Associates of Arts or Associates of Science
BA/BS	Baccalaureate or Bachelor’s degree – degree awarded by college or university with completed undergraduate in study in specific field, refers to Bachelor’s degree of Arts or Bachelor’s degree of Science
Board	Board of Directors – group chosen to govern the affairs, including personnel activities, of NRCA
COBRA	The federal Consolidated Omnibus Budget Reconciliation Act helps employees and their dependents to continue their health insurance even if they are no longer eligible under employer health plan.
COLA	Cost of Living Allowance - usually an annual percentage increase in the employee salary table for all positions
CSBG	Community Service Block Grant - funding source for Emergency Assistance as well as planning and program development. Primarily used for salaries and operating expenses for Planning Director, Director of Community Services Programs, and Community Service Workers.
CSW	Community Service Worker - Emergency Assistance staff.
CRT	Critical Review Team - Specially selected staff trained by agency attorney to assist management with internal fact finding investigations into possible misconduct incidents.
DSS	Department of Social Services
EAP	Employee Assistance Program - benefit for all permanent staff for aid in addressing personal problems that might affect performance
EEO	Equal Employment Opportunity – federal program to eliminate discrimination in employment
Exempt	Exempt employees are those exempt from certain wage and hour laws, i.e. overtime pay; applies to administrative, executive, or professional employees who receive an annual salary, in equal payments at some specified time interval. Also Known as: salaried employee.
FMLA	Family Medical Leave Act of 1993; federal law that provides qualified employees with up to 12 weeks of unpaid leave per year for the birth or adoption of a child, for caring for a spouse, child, or parent with a serious health condition or for an employee’s own serious health condition including military family leave entitlements.
GED	General Education Development ; equivalent of a High School Diploma.
Immediate Family	Immediate family will include any of the following: wife, husband, father, mother, brother, sister, son, daughter, grandfather/mother, in-laws and step-relatives (for those relatives noted previously above), or anyone living in the immediate household.
Key Employee	The FMLA establishes a class of workers known as “key” employees to whom you can deny reinstatement from FMLA leave if doing so would cause your business “substantial and grievous economic injury.” FMLA <i>leave</i> cannot be denied to a key employee, only reinstatement. Key employees are salaried workers whose earnings are in the agency’s top 10 percent.
Non-exempt	Non-exempt employees – employees that receive hourly wages; they are subject to wage and hour laws, i.e. overtime pay.
NRCA	New River Community Action, Inc.
PC	Head Start Policy Council ; made up of parents and community members who share governance of the Head Start Program with the NRCA Board of Directors.
PTO	Paid Time Off - leave allowing employee to be absent from the workplace when necessary for personal reasons.
Qualifying Event	Qualifying events for insurance coverage include the employee’s resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death or when a dependent child stops being eligible for coverage under insurance.
T/TA	Training and Technical Assistance ; term encompasses help that NRCA provides to local groups and agencies; includes assistance with planning, group development, grant writing, and program development. Also refers to T/TA received by NRCA.

APPROVED BY BOARD OF DIRECTORS: September 16, 1986

Revisions approved: June 18, 1987, January 21, 1988, February 18, 1988, July 21, 1988, May 18, 1989, February 15, 1990 March 15, 1990, April 21, 1990, June 17, 1993 (*Head Start Policy Council {PC} approved 5/12/93*) June 16, 1994, September 15, 1994, December 15, 1994 (*PC approved 12/14/94*), January 26, 1995 (*PC approved 1/25/95*), February 16, 1995 (*PC approved 3/9/95*), June 15, 1995 (*PC approved 7/19/95*), December 21, 1995 (*PC approved 12/13/95*), February 15, 1996 (*PC approved 2/14/96*), April 18, 1996 (*PC approved 5/8/96*), May 16, 1996 and July 18, 1996 (*PC approved 7/17/96*), October 16, 1997 (*PC approved 11/12/97*), January 16, 1998 (*PC approved 2/11/98*), December 17, 1998 (*PC approved 1/27/99*), May 20, 1999, July 15, 1999 (*PC approved 8/11/99*), October 21, 1999, (*PC approved 11/10/99*), March 16, 2000 (*PC approved 4/4/00*), May 25, 2000 (*PC approved 6/8/00*), January 11, 2001 (*PC approved February 14, 2001*), March 15, 2001 (*PC approved March 14, 2001*), May 17, 2001 (*PC approved August 31, 2001*), August 16, 2001 (*PC approved August 31, 2001*), December 20, 2001 (*PC approved December 12, 2001*), June 20, 2002 (*PC approved May 8, 2002*), December 18, 2002 (*PC approved January 14, 2003*), May 22, 2003 (*PC approval May 29, 2003*), July 17, 2003 (*PC approval August 7, 2003*), October 16, 2003 (*PC approval October 15, 2003*), November 20, 2003 (*PC approval December 10, 2003*), March 18, 2004 (*PC approval April 14, 2004*), July 15, 2004 (*PC approval August 11, 2004*), October 21, 2004 (*PC approval November 10, 2004*), November 18, 2004 (*PC approval December 8, 2004*), February 17, 2005 (*PC approval January 12, 2005*), April 21, 2005 (*PC approval May 11, 2005*), June 23, 2005 (*PC approval June 8, 2005*), October 20, 2005 (*PC approval October 12, 2005*), April 20, 2006 (*PC approval April 12, 2006*), June 27, 2006 (*PC approval July 26, 2006*), November 16, 2006 (*PC approval July 26, 2007*), October 18, 2007 (*PC approval November 14, 2007*), January 24, 2008 (*PC approval January 16, 2008*), March 27, 2008 (*PC approval March 12, 2008*), June 19, 2008 (*PC approval August 13, 2008*), September 18, 2008 (*PC approval September 10, 2008*), October 16, 2008 (*PC approval October 8, 2008*), November 20, 2008 (*PC approval November 12, 2008*), December 18, 2008 (*PC approval December 10, 2008*), May 21, 2009 (*PC approval May 13, 2009*) December 22, 2009 (*PC approval December 9, 2009*), March 18, 2010 (*PC approval April 15, 2010*), January 27, 2011 (*PC approval December 8, 2010*), February 16, 2012 (*PC approval February 15, 2012*); April 18, 2013 (*PC approval April 24, 2013*), August 15, 2013 (*PC approval September 11, 2013*), October 17, 2013 (*PC approval October 9, 2013*), January 15, 2015 (*PC approval January 21, 2015*), February 27, 2015 (*PC approval March 11, 2015*), May 21, 2015, June 18, 2015, July 21, 2016 (*PC pending approval*), January 26, 2017

Please sign and return LAST PAGE to the Human Resources Manager upon receipt and review of NRCA Personnel Policies

EMPLOYEE CERTIFICATION

- ✓ I have received a copy of the New River Community Action, Inc. Personnel Policies.
- ✓ I have read these policies and understand their contents and agree to abide by these policies.
- ✓ I understand that these policies are intended to provide guidance for the management of personnel and are not intended to create a binding contract of employment.
- ✓ I understand that I am an employee at will.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____