

**MENOMINEE-DELTA-SCHOOLCRAFT  
COMMUNITY ACTION AGENCY**



**PERSONNEL POLICIES  
HANDBOOK**

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# Welcome

Welcome to the Menominee-Delta-Schoolcraft Community Action Agency (“CAA” or “Agency”). We are delighted that you have chosen to join our Agency and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further CAA’s goals.

You are joining an Agency that has a reputation for making a positive impact in the communities it serves. Our employees are encouraged to use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services in the industry. With your active involvement, creativity, and support, CAA will continue to achieve its goals. We sincerely hope you will take pride in being an important part of Menominee-Delta-Schoolcraft Community Action Agency's success.

Please take time to review the policies contained in this handbook. If you have questions, feel free to ask your supervisor or to contact the Human Resources (“HR”) department.

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## **Statement of Purpose**

The policies herein constitute the official Personnel Policy guide for the Menominee-Delta-Schoolcraft Community Action Agency (hereinafter referred to as “CAA”). They are intended to standardize personnel procedures throughout CAA and its various programs. These policies and procedures do not constitute a contract with any employee and may be amended at any time at the discretion of the CAA Governing Board. Employment with this Agency is at will and either party is free to terminate the employment relationship at any time without cause (see Attachment “A”: *Employment at Will*). CAA retains the right to change, modify, suspend, interpret or cancel, in whole or in part, any of the published or unpublished personnel policies or procedures of the Agency, without advance notice, in its sole discretion. Recognition of these rights and prerogatives of CAA is a condition of employment and continued employment. Sections of this document which differ from the negotiated contract with CAA Early Childhood Program union staff will be governed by the union contract.

## **Management Rights**

The CAA Governing Board shall have the right to determine the number of employees to be employed, the duties of each of these employees, the nature and place of work and all other matters pertaining to the management and operation of CAA, including the hiring, promotion, transferring, demoting, suspending, or discharging of any employee. This shall include the right to assign and direct employees, to schedule work and to evaluate employees’ performance. The Executive Director, as the Board’s designated chief management official, will exercise these Board rights in the routine operation of CAA. To the extent that rights and prerogatives of management are not explicitly granted to employees, such rights are retained by the Board; however, the provisions of this section shall not be used for the purpose of illegal discrimination against any employee.

## **Program Administration**

The Governing Board shall employ an Executive Director who shall hold office at its will. The Governing Board shall evaluate the performance of the Executive Director annually. A Deputy Executive Director may be appointed by the Board upon the recommendation of the Executive Director. The Executive Director has authorization to approve all employment status changes. The Executive Director shall be responsible for the day-to-day administration of these policies and procedures, including routine interpretation and application.

# **Equal Opportunity**

## **Applicability Policy**

This Handbook is applicable to all employees. It is not to be construed as creating any rights in third parties. If the terms of a policy, procedure, or benefit vary according to the classification an employee holds, the terms that apply to employees in that classification will be specifically described.

## **Limitations Period**

To the fullest extent permitted by law, employees have an obligation to bring any claim, suit, or demand related to their employment or termination of employment, including but not limited to claims of employment discrimination under state, federal or local law, by whichever of the following deadlines is earlier: (1) the applicable statute of limitations; or (2) 182 calendar days after the employee knew or should have known that the event precipitating the claim, suit or demand occurred. Any time limit to the contrary is waived.

## **Amendments**

The policies and procedures in this Handbook, other than the Limitations Policy, are not intended to be contractual commitments by the Agency and employees shall not construe them as such. They are intended to be policies and describe procedures to be followed.

The Agency reserves the right to revoke, change, or supplement these policies, as well as benefits and compensation, at any time, with or without notice. Such changes shall be effective immediately upon approval by the Governing Board unless otherwise stated.

## **Equal Opportunity**

Menominee-Delta-Schoolcraft Community Action Agency provides equal employment opportunities to all employees and applicants for employment without regard to race, color, creed, ancestry, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, religion, age, disability, genetic information, height, weight, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation and training.

CAA expressly prohibits any form of prohibited employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

CAA will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's physical or mental disability, sincerely held religious beliefs and practices, and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon CAA's business operations.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the HR department. CAA will not allow any form of retaliation against individuals who raise issues in good faith of equal employment opportunity. Employees who feel they have been subjected to any such retaliation should bring it to the attention of the HR department.

Retaliation means adverse conduct taken because an individual reported an actual or a perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes, but is not limited to:

- (1) Shunning and avoiding an individual who reports harassment, discrimination, or retaliation;
- (2) Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; or
- (3) Denying employment benefits because an applicant or employee reported harassment, discrimination, or retaliation or participated in the reporting and investigation process.

Other examples of retaliation include firing, demotion, and denial of promotion; unjustified negative evaluations; increased surveillance; harassment; and assault.

Complaints of discrimination should be filed according to the procedures described in the Harassment and Complaint Procedure.

## **Americans with Disabilities Act (ADA) and Reasonable Accommodation**

Menominee-Delta-Schoolcraft Community Action Agency is committed to the fair and equal employment of individuals with disabilities under the ADA. It is CAA's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the Agency. CAA prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability may request an accommodation from the HR department.

Please refer to Attachment "B" for the full procedure on requesting an accommodation.



## **Reasonable Accommodations for Pregnant Workers**

As required by the federal Pregnant Workers Fairness Act (PWFA), CAA will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation will cause undue hardship to CAA's operations.

An employee or applicant may request an accommodation due to pregnancy, childbirth or a related medical condition by submitting the request in writing to the HR department. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Please refer to Attachment "B" for the full procedure on requesting an accommodation.

## **Lactation Accommodations**

CAA will provide a reasonable amount of break time to accommodate employees who wish to express breast milk for their child for up to one year following the birth of the employee's child. A space shall be provided that is shielded from view and free from any intrusion from co-workers and the public. Such time should run concurrently with existing meal and break times to the extent possible, and if that is not possible, the time will be unpaid.

## **Commitment to Equal Opportunity**

CAA is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the Agency and are valued for their skills, experience, and unique perspectives. This commitment is embodied in all Agency policies and the way we provide services at CAA and is an important principle of sound business management.

## **Harassment and Complaint Procedure**

It is CAA's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, client, or third party based on actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, height, weight, or any other characteristic protected by applicable federal, state, or local laws. Such conduct will not be tolerated by CAA.

Furthermore, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly prohibited and will not be tolerated. CAA will take all reasonable steps necessary to prevent and eliminate prohibited harassment.

**Definition of “prohibited harassment”:** “Prohibited harassment” is conduct that has the purpose or effect of creating an intimidating, a hostile, or an offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual’s work performance; or otherwise adversely affects an individual’s employment opportunities because of the individual’s membership in a protected class.

Prohibited harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, height, weight, veteran status, or another characteristic protected by state or federal law.

**Definition of “sexual harassment”:** While all forms of harassment are prohibited, special attention should be paid to sexual harassment. “Sexual harassment” can include all of the above actions, as well as other unwelcome conduct, and is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whereby:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual’s employment or as a basis for employment decisions.
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets; jokes; written or oral references to sexual conduct; gossip regarding one’s sex life; comments about an individual’s body; and comments about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one’s sexual experiences; *and*
- Discussion of one’s sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual or other harassment, and retaliation against individuals for cooperating with an investigation of sexual or other harassment complaints, will not be tolerated.

**Complaint procedure:** If employees believe they have been subject to or have witnessed prohibited discrimination, including sexual or other forms of prohibited harassment, or other inappropriate conduct, they are requested and encouraged to make a complaint. They may complain directly to their immediate supervisor, the HR department, or any other member of management with whom they feel comfortable bringing such a complaint. They may also complete the Discrimination/Harassment Complaint form (see Attachment “C”) and submit it to the HR department. Similarly, if employees observe acts of discrimination toward or harassment of another employee, they are requested and encouraged to report this to one of the individuals listed above.

All complaints will be investigated promptly, and confidentiality will be protected to the extent possible. A timely resolution of each complaint should be reached and communicated to the parties involved.

If the investigation confirms conduct that violates this policy has occurred, CAA will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

## **Ethics and Business Conduct**

### **Conflicts of Interest**

No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by any Agency-controlled funds, including Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, agent, or any member of their immediate family, their partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, vendors, or parties to sub-agreements.

Employees of the Agency are prohibited from soliciting gifts, money or gratuities from people receiving benefits or services from the Agency or its delegate agents, or from people performing services under contract to the Agency. Employees are allowed to accept freely given, nominally

valued non-cash gifts from recipients or families of recipients on an occasional basis that are given in recognition of effort. Such gifts must be valued at \$25 or less and must be approved by their immediate supervisor. Acceptance of such gifts without supervisor approval may result in a reprimand and/or termination. Employees may not accept such gifts if there is an expectation of enhanced or preferential treatment. All gift cards are considered cash and therefore, are not acceptable.

Employment shall not be offered as a consideration or reward for the public support of any political party or candidate for public office, nor may any employee engage in partisan political activity as prohibited by chapter 15 of Title 5 (see attachment "I": *The Hatch Act*) or other rules or regulations from funding sources.

**Disciplinary action for violations of this policy:** Failure to comply with the standards contained in this policy will result in disciplinary action that may include termination, referral for criminal prosecution and reimbursement to the Agency or to the government, for any loss or damage resulting from the violation. As with all matters involving disciplinary action, principles of fairness will apply. Any employee charged with a violation of this policy will be afforded an opportunity to explain her/his actions before disciplinary action is taken. Disciplinary action will be taken:

- Against any employee who authorizes or participates directly in actions that are a violation of this policy.
- Against any employee who has deliberately failed to report a violation or deliberately withheld relevant and material information concerning a violation of this policy.
- Against any director, manager or supervisor who attempts to retaliate, directly or indirectly, or encourages others to do so, against any employee who reports a violation of this policy.

## **Confidential Information**

The protection of confidential Agency information is vital to the interests and success of CAA. Confidential information is any and all information disclosed to or known by employees because of employment with the Agency that is not generally known to people outside the Agency about its business.

An employee who improperly uses or discloses confidential Agency information will be subject to disciplinary action up to and including termination of employment and legal action, even if the employee does not actually benefit from the disclosed information.

All inquiries from the media must be referred to the Executive Director. This provision is not intended to, and should not be interpreted to, prohibit employees from discussing wages and other terms and conditions of employment if they so choose. Nothing in this policy is intended, nor shall it be interpreted to interfere with a person's right to engage in concerted and protected activities as protected by the Michigan Public Employment Relations Act.

## **Client Confidentiality**

While all forms of confidentiality are a requirement, special attention should be paid to client confidentiality. Confidentiality is a primary ethical requirement of all Agency employees. All client interactions are confidential and employees are responsible for being informed of and abiding by any applicable contractual or departmental confidentiality policy beyond the policy stated below. If you are uncertain whether or not information is confidential, check with your supervisor before discussing it with anyone. Violation of the client confidentiality policy may result in immediate disciplinary action up to and including termination.

- Personal or confidential information about a client shall not be shared for any purpose other than to provide services to the client.
- Utmost care and discretion must be utilized when sharing confidential client information among appropriate staff or appropriate service providers.
- Employees who inadvertently gain access to confidential client information will be held to the same standards regarding confidentiality as stated above.
- Violation of client confidentiality will result in immediate disciplinary action up to, and including, termination.
- Programs with special requirements regarding confidentiality will provide that information as part of the orientation.
- Information that can be considered personal or confidential regarding employees or business operations of the Agency must not be shared for any purpose. This is not intended to prevent the reporting of Agency fraud.

## **Fraud**

Fraud will not be tolerated. An employee who suspects fraud by another employee, a vendor, client or volunteer must notify their supervisor or the Board designee.

## **Non-Retaliation (Whistleblower) Policy**

The Agency prohibits any form of retaliation against any person for filing a bona fide complaint under this policy or for assisting in a complaint investigation. If, however, following investigation of the complaint, the Agency determines the complaint is not legitimate, disciplinary or other appropriate action may be taken against the person filing the complaint (see attachment “D”).

## **Public Statements**

The Executive Director, Board Chair or appointed designee of the Executive Director are the official spokespersons for CAA. The Executive Director may authorize Program Directors to make public statements on the routine dissemination of program specific information.

The CAA strives to anticipate and manage crisis situations in order to reduce disruption to our employees and to maintain our reputation as a valued and trusted public Agency. To best serve these objectives, CAA will respond to the news media in a timely and professional manner only through the designated spokespersons.

# **Employment Relationship**

## **Open-Door Policy**

CAA believes that open communication is vital to a successful work environment. CAA encourages all employees to share their ideas and opinions directly with management. Employees are also welcome to send their concerns or ideas to the HR department, in person, via e-mail, or by phone. Employees may also put their suggestions in the suggestion box located outside the maintenance office in the administration building.

## **Standards of Selection**

Membership in any organization whose objectives include the overthrow of the Government of the United States and actions or conduct by an individual which indicates a lack of sympathy with the objectives of CAA, shall be deemed cause for denial of employment or dismissal.

In the case of professional, fiscal or managerial personnel, recent conviction of a felony shall be considered strong evidence of lack of fitness for the job. Before CAA employs a person who has been convicted of a felony in such capacity, CAA shall conduct its own independent investigation, in a manner and form the Agency deems appropriate under the circumstances, before making a final decision, at its sole discretion, regarding any applicant's fitness for the job. In the case of other positions, including clerical and non-professional jobs, criminal records by themselves may not constitute a basis for disqualification for employment, but CAA will require full disclosure of any such record by the applicant and shall exercise prudent judgement in relation to the position to be filled. Only citizens and aliens authorized to work in the United States shall be eligible for employment with the Agency.

CAA will conduct driver's license, criminal background, fingerprinting, OIG Exclusion and National Sex Offender Registry checks, along with any other checks in accordance with funding source requirements.

## **Pre-Employment Investigations**

Pre-employment checks are conducted within legal and professional limits for the position in which the candidate is applying. CAA will conduct pre-employment investigations for all employees to determine or verify background information, including criminal history and information in compliance with the Fair Credit Reporting Act (FCRA). Having a criminal history or criminal conviction may not necessarily preclude employment.

Pre-employment investigation applies to all new hires, as a condition of employment. Employment will be contingent upon the results of the pre-employment investigation. The Human Resources department will perform the pre-employment investigation/background check prior to employment. The Executive Director will evaluate the relevance of any offense in accordance with federal and state laws.

An applicant who provides misleading, erroneous, or deceptive information on the application form, resume, or in an interview may be eliminated from further consideration for employment.

Applicants may be required to undergo a pre-employment drug screening and physical.

Employees whose positions require licensure or certification are to provide a copy of their licensure or certification prior to beginning work. Where licensure or certification is required, renewal must be made according to state law and a copy of the current licensure or certification submitted to the direct supervisor or Human Resources department. Failure to keep required licenses or certifications current may result in termination.

All employees will notify CAA in writing of criminal convictions, pending felony charges, or placement on the Central Registry as a perpetrator at hire or within 10 days of the event after hiring. Failure to do so may result in termination.

New employees funded through the Area Agency on Aging and who have access to a client's personal property, or access to confidential client information, or who has in-person client contact, will have an ICHAT, Michigan Public Sex Offender Registry, and the National Sex Offender Registry check completed prior to employment. Every year an updated criminal background check for all employees will be conducted to identify convictions.

## **Senior Volunteer Programs**

As required in the Code of Federal Register Title 45, Subtitle B, Chapter XXXV, Part 2540, Subpart B, the Agency will apply the NSCHC eligibility criteria to all individuals working or serving in an AmeriCorps Senior Volunteer Program covered position.

A covered position is an individual who receives a salary or stipend under a federal grant from the Corporation for National and Community Service (CNCS)/AmeriCorps Seniors.

The background check consists of a search of the National Sex Offender public website, a name based search of the Michigan Criminal History database (ICHAT) and an FBI fingerprint search through the CNCS/AmeriCorps Seniors approved Channeler, Fieldprint or approved provider for applicants with recurring access to vulnerable populations.

The following individuals are exempt from NSCHC:

- Individuals who are under the age of 18 on the first day of work or service who work/serve on an NSCHC required grant.
- Individuals whose activity is entirely included in the grant recipient's indirect cost rate.
- All applicable NSCHC guidelines on background checks will be followed by CAA.

## **Employment of Relatives and Domestic Partners**

Relatives and domestic partners may be hired by the Agency if (1) the persons concerned will not work in a direct supervisory relationship and (2) the employment will not pose difficulties for supervision, security, safety, or morale. For the purposes of this policy, "relatives" are defined as spouses, children, siblings, parents, or any family member with the prefix "step," "grand" or "in-

law.” A “domestic partnership” is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements.

No employee shall hold a job while a member of their immediate family, or person living in the same household, serves on the Governing Board or Policy Council of the grantee or delegate Agency. An exception will be made in the instance where an immediate family member of an existing regular employee is appointed by an outside body to fill a seat on the Governing Board or Policy Council.

## **Training**

Employees shall go through a training period for the first 90 calendar days of employment. The Early Childhood Program bargaining unit staff shall go through a training period as detailed in their contract. This training period is intended to be a period where determination is made whether or not the employee can perform the job duties. During such periods, CAA or the individual may terminate the employment relationship without any advance notice. Employees who are in a training period shall not have the right to invoke CAA grievance procedures. Notwithstanding the foregoing, nothing contained herein shall be construed to create an employment relationship that is anything other than “at will” despite the completion of the training period.

The 90 calendar day training period may be extended another 90 calendar days at the discretion of the supervisor, with the approval of the Executive Director.

A demoted employee shall also be subject to the 90 calendar day training period and will not have their benefits rescinded.

## **Change in Duties or Transfers**

In instances where an employee’s job duties/responsibilities change because of program requirements and/or restructuring, a wage increase or decrease may be authorized.

Transfers from one location to another, or one position to another, may be made if it is in the best interest of the Agency.

Subject to applicable federal and state law, in an emergency situation such as prolonged illness or injury, when it is uncertain whether an employee will be able to return to work, the Executive Director may appoint a qualified, existing employee to perform the duties on an interim basis. Should the absent employee be unable to return to work, the job will be posted with consideration given to the interim employee, provided the job performance warrants.

## **Reduction of Workforce**

In the event that a reduction in CAA’s workforce becomes necessary, adjustments may be made either by termination, reduction in hours or restructuring of positions. In determining those employees to be retained, consideration will be given to the quality of each employee’s past



performance, the need for the position held by the employee and credentials and/or educational preferences.

Subject to any federal or state legislation regarding reductions in workforce, management will attempt, but cannot guarantee, to provide advance notice prior to any anticipated terminations. Upon such terminations, accrued but unused PTO, as outlined in the PTO policy, will be paid on the next regular scheduled paycheck and any Consolidated Omnibus Budget Reconciliation Act (COBRA) insurance benefits required to be offered will be brought to the employee's attention in accordance with the law. Notice of health insurance available through the COBRA provision will be mailed to eligible employees.

## **Arrests and Convictions of Current Employees**

If any employee of CAA is convicted for a felony or charged or convicted with committing a crime that affects an employee's licensure or requirement to perform the essential requirement or qualification of their position, CAA will consider the gravity of the criminal charge in relation to the employee's position. It will be kept in mind that a criminal charge in and of itself does not indicate guilt.

After assessment of the impact of such charges on program operations and on an individual's ability to perform their duties, it may be necessary for CAA to take some action prior to a decision in the case in order to protect the program, as well as other employees. Such action may include either re-assignment of the employee to other duties or, where re-assignment is not feasible, suspension. In the case of employees within CAA's licensed preschool programs who are charged with crimes that would jeopardize safety and/or licensing, the employee may be suspended at CAA's sole discretion.

All employees shall be required to immediately disclose any criminal convictions, and any pending felony charges. Employees for the Early Childhood Program shall be required to disclose convictions, arrests, or charges relating to child abuse or neglect. Failure to disclose or falsification of information may result in dismissal.

## **Wages**

CAA will conduct periodic wage reviews. This review may be used to determine, whether, and at what amount, wages should be adjusted.

The Executive Director is authorized to grant wage increases, within budget limitations, to employees based on merit, volume of work, length of service and/or other factors. The Executive Director is authorized to approve the creation of new positions and wage scale adjustments with the concurrence of the Personnel and Finance Committees.

Staff employed by programs other than the Early Childhood Program will not be eligible to receive a wage adjustment increase until they have completed one year of service.

An employee who is demoted may be paid at the entry rate of the new position. A demoted employee shall also be subject to the 90 calendar day training.

No employee of CAA shall receive less than the federal or state minimum wage, whichever is greater.

## Employment Classification

All positions will be classified as follows:

- **Salaried:** Salaried employees shall be in those positions which meet the requirements outlined in the Federal Labor Standards Act, 29 CFR 541.
- **Hourly:** Hourly employees are those employees paid by the hour according to the number of hours worked.
- **Regular, full-time position:** A position which requires a full-time work week of 35 hours or more and is not considered to be of a temporary nature.
- **Regular, part-time position:** A position which requires less than a full-time week and is not considered to be of a temporary nature.
- **Variable Hour:** A position which may be full or part-time in hours but is funded by hourly reimbursement by a funding source or private pay. These positions will be eligible for benefits provided to regular, part-time employees.
- **Temporary position:** A position that is established for a period of less than six months. It may be full or part-time.
- **Substitute positions:** May be established when regular employees, full or part-time, are unable to work. Substitute positions may be filled by the normal hiring process or contracted based on program needs.

Classification of positions in the Early Childhood Program bargaining unit shall follow the language of the contract.

## Workweek and Hours of Work

An employee's work week or work hours may vary and will be established by the appropriate supervisor and/or Executive Director.

Please refer to Attachment "M" for the full policy on work hours and PTO for salaried and hourly employees; this policy outlines expected work hours and time tracking and PTO usage.

Hourly employees who work more than 40 hours in one work week shall be paid 1 & ½ times their normal hourly rate for each hour over 40. Prior approval for overtime must be authorized by the Program Director unless it's an emergency.

A temporary change in the established work schedule of hourly employees must be authorized in advance by the appropriate supervisor or department head.

A change of this nature may be made to ensure that staff is available when it is appropriate to contact or work with the public which CAA serves.

Time records showing the time worked or leave taken must be submitted to the employee's supervisor for the bi-weekly periods by noon on the Monday that payroll is processed.

The Executive Director or designee may excuse full-time employees for such reasons as: reasonable time off in which to vote or to permit safe travel under hazardous road conditions. This type of absence will normally not exceed two to four hours in length and will be charged to PTO or leave without pay.

Lunch and break periods:

- Employees working at least a seven hour workday are allowed an unpaid lunch break of 30 or 60 minutes, depending on the needs of the program.
- Supervisors may make provisions, depending on work demands, for a 15 minute rest break in the morning and/or afternoon.
- Program Directors are responsible for making sure there is coverage of their program during lunch periods.

Tardiness and repeated failure to report to work without proper notification are unexcused absences and may be cause for disciplinary action, up to and including discharge.

## **Pay Period**

Wages will be paid every two weeks. If a payday falls on an official holiday, checks may be issued the preceding day.

## **Deductions**

Deductions from paychecks include:

- **Mandatory:** Federal and state income taxes as authorized by the employee on form W-4 and Federal Insurance Contribution Act (FICA).
- **Voluntary:** Upon written authorization of the employee, the employee's portion of group insurance premiums, 403b retirement contributions, approved supplemental insurance programs, coffee fund, etc.
- **Garnishments or attachments:** As directed by the law and/or court order.

## **Salary Advances**

There will be no salary advances to any employee for any reason.

## **Fair Labor Standards Act Notice**

Improper deductions from wages of employees are not to be made. If an employee believes that an improper deduction has been made, they should immediately report this information to the Human Resource Director. Preferably, the report will be made in writing. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed.

## **Social Security Number Privacy Policy**

The Agency seeks to ensure, to the largest extent possible, that employees' social security numbers are maintained confidentially. Social security numbers will not be released to anyone outside the Agency, except as required or permitted by law. Social security numbers will be made available internally on a "need-to-know" basis.

More than four sequential digits of a social security number will not be included on any document mailed outside the Agency, except as required or permitted by law, nor will it be publicly displayed in any manner. Social security numbers are not to be used as passwords or identifiers for any Agency computer system. The social security number will not be used in the ordinary course of business except as the Agency may determine that it is necessary to verify an individual's identity or to administer employee benefits, such as health insurance, and other benefits the Agency offers to its employees. Any documents that include social security numbers that are discarded are to be shredded. Any violation of this policy will result in discipline up to and including termination of employment.

## **Personnel Files**

A cumulative personnel record will be maintained for each employee. It shall contain the application form, references, confirmation of employment, evaluations, record of wages, disciplinary action, and any other state, federal or funding source requirements. This record will be confidential and no information will be released outside CAA without the permission of the Executive Director and written permission of the person concerned, or a legally constituted court order. If documents are to be turned over, the request must be made in writing from the individual.

A separate file will be maintained on all employees for medical related information including, but not limited to, the following: workers' compensation claims, physicals, medical release forms, and any documents relating to FMLA leave.

No final personnel action shall be valid unless duly authorized by the Executive Director. This includes all promotions, transfers, hiring, firing, suspension and wage increases.

Employees have the right to review their own personnel file as provided by applicable law. Employees wishing to review their personnel file must contact the Human Resources department to schedule a time to review their file at the office.

## **Separation from Employment**

### **Voluntary Termination**

- Employees who resign should give at least two weeks' notice.
- Employees ending their employment with CAA shall receive their pay according to the regular pay schedule.

- Time off requests are generally not permitted during the final two weeks of employment. However, in certain circumstances, exceptions may be granted at the discretion of the immediate supervisor.

### **Involuntary Termination**

- Termination of an employee's services by the Agency due to reduction of workforce, budget cutbacks, or reassignment of duties will require the Agency to give notice in writing to the employee. The Agency will attempt, but cannot guarantee, to provide advance notice prior to any anticipated terminations.
- Involuntary terminations must be authorized by the Executive Director.
- Employees terminated by CAA will receive their final paycheck on the pay day for the pay period in which the termination date falls.

### **Employee Death**

- Separation shall be effective as of the date of death. All compensation and accrued PTO (up to 120 hours maximum for full-time staff and 80 hours maximum for part-time staff) shall be paid to the estate of the employee except for such sums as by law may be paid directly to the survivors.

### **References**

No employee other than the Human Resources Director is authorized to release any information or make any statement concerning a former or current employee's job performance to a third party without explicit, written authorization from the Human Resources Director. No employee other than the Human Resource Director is authorized to release any information or make any statement concerning a former or current employee's job performance to a third party without explicit, written authorization from the Human Resource Director.

## **Workplace Safety**

### **Drug and Alcohol-Free Workplace**

- CAA will maintain a drug and alcohol-free workplace and provide information on:
- The dangers of drug abuse in the workplace;
- Available drug counseling, rehabilitation and employee assistance program;
- The penalties imposed for drug abuse violations occurring in the workplace.

The prohibited manufacture, distribution, dispensing, and/or possession or use of a controlled substance is prohibited at all times and places where the employee is working and/or representing CAA. The Agency also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. The legal use of controlled substances prescribed by a licensed medical physician is permitted and will not be considered a violation of this policy so long as it does not impair the employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger persons

involved with CAA. Employees are encouraged to volunteer this information to the HR department, as appropriate, to ensure that all health and safety precautions are taken for all parties involved. CAA adheres to the U.S. Department of Transportation 49CFR PER 40 Law regarding commercial driver's licenses (bus drivers). For all other employees, we exercise the right as an employer and under independent authority to conduct testing equivalent to the Substance Abuse and Mental Health Administration testing guidelines. Refusal to submit to a drug test at any time on the job may result in termination.

## **Violations of the Policy**

The Executive Director may take any or all of the following actions:

- Reassign the employee until the problem is corrected.
- May require the employee to take a leave of absence immediately if medical conditions warrant. The employee must utilize accumulated personal leave and PTO before the employee is required to take a health leave of absence.
- Refer the employee to the Employee Assistance Program and may make compliance with any recommended rehabilitation program a condition of future employment.
- May take disciplinary action in accordance with CAA work rules and policies up to and including termination.
- Violations by any employee involved in transporting program participants will be handled in accordance with rules and regulations promulgated by the U.S. Department of Transportation.

Notwithstanding the foregoing, any employees distributing, selling or discovered in the act of using unauthorized drugs or alcohol on Agency premises or while engaged in Agency business, will be subject to immediate termination.

CAA must be notified of any criminal drug statute conviction for a violation occurring in the workplace, no later than five days after such conviction. Within 30 days of receiving notice of conviction with respect to any employee who is convicted, CAA shall take appropriate personnel action up to and including termination; or upon the recommendation of the employee's supervisor with the Executive Director's approval, the employee may be required to participate, satisfactorily, in a drug abuse assistance rehabilitation program.

## **Smoke and Tobacco-Free Workplace**

Tobacco and smoking products in any form, including e-cigarettes and tobacco chew, are prohibited at any Agency owned or managed buildings, grounds and vehicles except in Agency designated areas. Employees using these designated areas are expected to dispose of any smoking debris safely and properly.

## **Workplace Violence Prevention**

CAA is committed to providing a safe, violence-free workplace for Agency's employees. Due to this commitment, CAA discourages employees from engaging in any physical confrontation with

a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse; attempts to intimidate others; menacing gestures; stalking; or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at Agency-sponsored functions.

All CAA employees bear the responsibility of keeping Agency's work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor or HR department. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against CAA, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

CAA prohibits the possession of weapons on its property at all times, even with a concealed weapons permit, including Agency parking lots or Agency vehicles. Additionally, while on duty, employees may not carry a weapon of any type. Weapons include, but are not limited to, handguns, rifles, automatic weapons, knives that can be used as weapons (excluding pocket knives, utility knives, and other instruments that are used to open packages or cut string and for other miscellaneous tasks), martial arts paraphernalia, stun guns, and tear gas. Any employee violating this policy is subject to discipline up to and including dismissal for the first offense.

CAA may inspect the contents of lockers, storage areas, file cabinets, cars, desks, and workstations at any time and may remove all Agency property and other items that are in violation of CAA rules and policies.

## **Commitment to Safety**

Protecting the safety of the Agency's employees, clients and visitors is the most important aspect of running the Agency.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

In the event of an emergency, notify the appropriate personnel and/or emergency services.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident and an accident report filled out.

## **Visitors**

Employees are expected to be working while they are on the premises. Friends and family members are not expected to visit. Only authorized persons may proceed beyond the waiting area.

## **Solicitation and Distribution**

Employees' working hours are to be used only for Agency business. Therefore, employees may not solicit other employees during their own working hours, nor may they solicit other employees while those employees are working.

Employees are forbidden from distributing literature during working hours and in work areas. Working hours include the actual working time, excluding designated breaks, meal periods or other specified periods during the workday when the employee is properly not engaged in performing work-related tasks. Work areas do not include the employees' break room.

Furthermore, in order to safeguard and respect the privacy of our customers, employees may not solicit or distribute literature, other than in the course of their duties for the Agency, to customers at any time.

Non-employees are not permitted to solicit or distribute literature on Agency property.

## **Inclement Weather**

The inclement weather policy of the Menominee Delta Schoolcraft Community Action Agency ("CAA") is designed to provide clients, volunteers and staff with guidance to assure maximum safety in foul weather. The policy also provides flexibility in doing the work the Agency is contracted to do.

- In cases where the weather conditions make the provision of service difficult or dangerous, an announcement will be made over local radio and news stations that the local CAA site will be closed for services that day (for example, Head Start classes, senior citizen meals/services, etc.). Staff are expected to report for work in cases where services are closed. The decision to close for services will be made by the Program Director, upon consultation with local staff.
- Staff who decide not to work a day, work a shorter workday, or who are late for work because of weather conditions, will be able to use available leave. The Program Director may authorize unpaid leave if there is no available leave.
- In cases where weather conditions deteriorate during the workday, offices and centers may close with the approval of the Program Director and Executive Director.
- Working at home is not an option during inclement weather situations, unless authorized by the Program Director. This will be determined by the Program Director on a case-by-case basis. Employees should reference the Agency's Remote Work policy for work-from-home guidelines and expectations (see Attachment "F").



# **Workplace Guidelines**

## **Attendance**

All employees are expected to arrive on time, ready to work, every day that they are scheduled to work.

If unable to arrive at work on time, or if an employee will be absent for an entire day, the employee should contact the supervisor as soon as possible. Excessive absenteeism or tardiness will result in discipline up to and including termination. Failure to show up or call in for a scheduled shift without prior approval also may result in discipline up to and including termination. If an employee fails to report to work or call in to inform the supervisor of the absence for more than 3 consecutive days or more, the employee will be considered to have voluntarily resigned employment.

## **Job Performance**

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed.

Generally, formal performance reviews are conducted annually. These reviews include a written performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year.

## **Staff Development**

### **Training**

In-service training may be provided by the Agency to improve the skills of the staff and hereby improve the possibilities of job progression.

Employees must be willing to participate in appropriate training, education programs and conferences as designated by the Executive Director and/or the Program Director. The Agency shall pay expenses for such activities within budget limitations.

Training, education programs and conferences must be justified as benefiting the Agency and/or the people the Agency serves.

### **Education**

Attendance at formal educational institutions during normal working hours may be arranged at the employer or employee's expense. Release time may be approved if it doesn't hinder program operations and as long as the employee's workload is such to make this feasible. Attendance is subject to the approval of the Executive Director.

When funds permit, the Agency may pay for employee participation in classes which increase their skills and therefore benefit the Agency. Agency funded participation for formal educational

course work will be provided only when a satisfactory grade has been maintained. A satisfactory grade is defined as a “C” or better, or a passing designation for the course. Employees voluntarily leaving the Agency within 3 years of completing Agency-funded courses must repay the cost per the Financial Assistance Agreement. Employees receiving assistance under this policy will be required to sign a Financial Assistance Agreement.

Class assignments should not be completed at work without supervisory approval.

### **Certifications/Licenses**

As a condition of employment, certifications and/or licenses required for specific jobs must be obtained and maintained within timeframes agreed upon at hiring. Employees must submit documentation of renewals of applicable certifications and licenses for their personnel file. If a position requires a valid driver’s license or other license or certification, any change to the status of the license or certification must be reported to the employee’s supervisor immediately.

### **Performance Evaluations**

A performance evaluation is designed to improve the employee’s understanding of his/her work and to encourage employee development. It is not to be used as a means of threat or coercion against an employee.

It shall be the responsibility of the Executive Director to evaluate administrative personnel and each supervisor to evaluate employees under his/her jurisdiction.

- Employees will be evaluated at the end of their training period. If the training period is extended, the supervisor and the employee will discuss the reason training was extended and the supervisor will inform the employee on areas needing improvement to ensure the employee clearly understands what is expected of employee in their position.
- An employee who assumes a new job within the Agency will be evaluated after 90 calendar days by the employee’s immediate supervisor.
- All other employees will be evaluated at least annually at the end of the program or calendar year. The supervisor and the employee will discuss the evaluation regarding areas needing improvement to ensure that the employee clearly understands what is expected of an employee in that position. Any employee whose work performance does not merit a positive evaluation may be placed on a personal improvement plan for a period not to exceed six months. Lack of improvement may result in disciplinary action, up to and including termination.
- Each evaluation will be signed by the employee and their supervisor. An employee being evaluated should not sign an incomplete evaluation form. The employee signature does not constitute agreement with the evaluation, but acknowledges the evaluation took place.

- All evaluations on the present position shall be made part of the employee's record. Evaluations will be kept on file for 3 years.
- Evaluations are performed for the benefit of the employer, employee and the program. Failure to evaluate, to timely evaluate, or to adequately evaluate shall not give rise to any claim or cause of action against the Agency, regardless of the nature or form.
- The Board of Directors will review the Executive Director's performance and wage annually. All evaluations shall be made part of the Executive Director's employee record.

## **Outside Employment**

Employees are generally permitted to work a second job as long as it does not interfere with their job performance or create a conflict of interest with CAA.

Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. In addition, employees who have accepted outside employment may not use paid time off to work on the outside job. However, an employee on a leave of absence may continue to work the outside job if this employment has been approved by CAA under this policy and the employee's reason for leave does not preclude the outside employment.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action up to and including termination.

Employees may not provide freelance, consulting, or other outside work for any current or former clients of CAA outside the scope of their official job duties.

## **Personal Appearance and Dress**

**Purpose:** To clarify expectations for work appearance and dress for CAA employees. Exceptions must have prior administrative approval and be documented in writing.

CAA staff are allowed to wear jeans, unless otherwise directed by their supervisor. The jeans should be clean, in good repair, and without any distress marks (even purchased that way).

The following attire is not acceptable during work activities:

- Apparel that fails to fully cover from bust to mid-thigh at all times (when standing, sitting, squatting, bending, etc.)
- Visible undergarments
- Sandals and footwear without a heel strap can be worn, but must be business casual in nature, unless otherwise noted
- If you work directly with children or food services:

- Flip flops, shoes with open toes, or other footwear without a heel strap that compromise the ability to respond effectively in an emergency and/or fail to protect feet from injury
- Jewelry that could cause injury if yanked, pulled, etc. by a child or client
- Sweatpants, wind pants and other “work-out” type clothing
- Tank tops or spaghetti straps
- Apparel with printed messages
  - Exception: messages that promote Agency services and/or appropriate “program-friendly messages”
- Visible tattoos of any image that could be considered violent or menacing to a client, child, family members

Staff should maintain proper hygiene.

At all times, clothing and footwear should be clean and in good condition.

Questions or concerns should be discussed with the employee’s supervisor. Adherence to supervisor’s judgment regarding professional appearance will be expected. Disciplinary action may result from failure to comply with this policy.

## **Vehicle Use**

### **General**

- This policy does not address the use of Head Start buses.
- Drivers are expected to demonstrate attitude, knowledge and skill levels that lead to safe behaviors, safe performance and insurability.
- Agency vehicles shall only be operated by Menominee Delta Schoolcraft Community Action Agency (“CAA”) staff who have a valid driver’s license. DMV and insurance background check for valid driver’s license and driving record will be conducted on all senior service meal runners and bus drivers. Further, CAA may conduct periodic driver background checks on any employee of CAA ensuring that drivers’ licenses are valid and in good standing.
- Personal use of employee assigned vehicles is prohibited. Personal use violations by an employee of an assigned vehicle will initiate a warning, up to and including, termination.
- Employees must adhere to speed limits and traffic laws. Employees who commit traffic violations while driving CAA vehicles are responsible for the payment of traffic/parking citations incurred and could have their Agency driving privileges revoked.
- Employees must not drive while under the influence of alcohol, illegal drugs, or prescription drugs that impair their ability to drive safely. Driving under the influence will result in termination of employment.
- Employees must inform their supervisor of any conviction, suspension, or disqualification that has occurred. Upon notification of any violations, CAA will determine if the individuals’ Agency driving privileges will be revoked. Any employee who operates a CAA

vehicle during a period when said employee drivers' license is suspended or revoked may be subject to disciplinary action up to and including termination.

- Cell phone usage either talking or texting is not allowed while operating an Agency vehicle. An employee may pull over for calls or texts.
- Program managers will maintain current vehicle registration, license plate, and insurance on their program vehicles.
- The driver will place registration and insurance documents in vehicle when received from the administrative office.
- Vehicles will be stored in an Agency authorized parking lot in a safe and lighted area. When possible, they will be placed under a protective storage.
- To use an Agency vehicle, personnel must check with the appropriate Program Director or Manager at least two weeks before use to check on availability and approval.
- Agency vehicle use is limited to:
  - Transporting staff:
    - From job site to work related appointments
    - To staff meetings
    - To conferences/workshops
    - Home visits
    - Deliver Home Delivered Meals
    - Transport commodities or other Agency equipment and supplies
  - Transporting Head Start Families with an Agency vehicle is only allowed for the following purposes:
    - In an emergency
    - Appointments related to family health and well-being
    - To conferences

## Using the Vehicle

### Cars, Vans, Pickups:

- Prior to use, drivers will conduct a walk-around vehicle inspection and note any damage on the "Vehicle Checklist."
- The driver will fill in the beginning mileage in the vehicle log, and destination for non-meal drivers.
- The driver and all passengers must use their seat belts at all times while the vehicle is in operation. If Head Start has to transport a child, a certified car seat installer will train staff on the appropriate method of installing the car seat for the child.
- No smoking by anyone is allowed in any Agency vehicle.
- Prior to use, the driver will check the gas gauge. If the vehicle has less than a quarter of a tank, the driver will fill the gas tank up prior to leaving on their trip.
- Drivers must ensure all windows, windshields, and mirrors are clean and clear of frost and snow prior to leaving.

**When drivers return to the site:**

- The driver is to complete the vehicle log with ending odometer reading.
- For meal drivers only: fuel can only be purchased with a Fuel Purchase Order that is obtained in advance from an authorized center employee. A driver is not allowed to authorize their own purchase of fuel. All fuel purchased must be recorded on the Driver Daily Log.
- If other authorized drivers purchase fuel, it must be documented in the gas column of the log sheet.
- Each vehicle is to have regular maintenance performed (oil changes, tire rotation, etc.) as outlined by guidelines provided by the Agency.
- Program Directors are to assure vehicles are to be cleaned inside and washed on a regular basis.
- When the driver returns, the vehicle is to be checked carefully, all litter removed, windows are to be closed, keys removed, and doors locked. Keys are never allowed to be taken home by the employee. All keys are to be kept at the site where the vehicle is stored.
- If there are any problems with the vehicle, it is to be reported to the supervisor as soon as possible.

**Accident Reporting Procedures:**

- Each accident that occurs is investigated and reviewed to determine whether the driver took every reasonable action possible to avoid the accident. The accident will be deemed not preventable if the driver took every action available. If the driver could have taken an action and did not, the accident must be determined to be preventable.
- Preventability decisions are not made on the basis of amount of vehicle damage or citation issuance but rather on the driver's ability to safely adjust and control their vehicle in the driving environment.
- All accidents with an Agency vehicle must be reported immediately to the employee's Supervisor or Program Director. A copy of the vehicle accident report & incident report shall be in the vehicle log folder in all of the Agency vehicles and must be completed as soon as possible.
- In all cases involving body damage to any vehicle, the driver is to call 9-1-1 and ask that an officer come to the scene and make an accident report.
- Employees must notify their supervisor and the appropriate Department Director at the administrative office if an accident has occurred.
- The driver is to give the other party involved in an accident the Agency's insurance information.
- The driver is to complete an accident report of who, what, when and where the accident occurred providing all particulars about the accident in your own words. The incident report must be returned to the administrative office within two (2) days of the accident.
- The driver is to obtain a report number from the responding law enforcement officer if available.

## **Vehicle Supplies:**

- All vehicles will be equipped with a flashlight, windshield scraper/brush, fire extinguisher and first aid kit. It is the driver's responsibility to ensure that all items are present and in working order before leaving their site. Drivers are to fill out Driver Equipment Request Form to request needed items.
- All supplies & equipment (such as tools, home visit supplies, books, etc.) are the responsibility of the driver. All items must be locked and secure at all times.
- For winter months, travelers are encouraged to have blankets and "winter wear" clothing with them. For meal drivers, tennis shoes or shoes with no tread are not allowed to be worn in winter weather. YAKTRAX type apparel for boots MAY be made available at the discretion of the Program Director.

## **Cellphones and Electronic Devices**

**While Driving:** CAA prohibits the use of Agency & personal cell phones and electronic devices while driving. This prohibition extends to both Agency owned and personal vehicles when used on Agency business and includes receiving or placing calls, text messaging, surfing the internet, receiving or responding to e-mail or checking phone messages. Employees must stop their vehicle in a safe location to use their cell phone or other electronic device.

**During Work Time:** Cellphones, both Agency-issued and personal, must be set to quiet and/or vibrate during work hours. Personal calls and/or text messaging should be kept to a minimum. In addition, cell phone use must not interfere with Agency operations or be disruptive to others. All computers, cellphones and other electronic devices that are Agency property may be inspected at any time.

**Equipment Return:** Upon lay-off, resignation or termination, or at any time as requested by the Agency, employees will be required to turn in the equipment. Cellphones paid for by CAA that are less than one year old must be returned at end of employment. Cellphones older than a year old may be kept by the employee.

## **Social Media Acceptable Use**

At CAA we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, the use of social media also presents certain risks and carries with it certain responsibilities. To assist the employee in making responsible decisions about the use of social media, CAA has established these guidelines for appropriate use of social media.

Be thoughtful in all your communications and dealings with others, including email and social media. Never harass (as defined by our anti-harassment policy), threaten, libel or defame fellow professionals, employees, clients, competitors or anyone else. In general, it is always wise to remember that what you say on social media can often be seen by anyone. Accordingly, harassing comments, obscenities or similar conduct that would violate Agency policies is discouraged in general and is never allowed while using the Agency's equipment or during your working time.

Inappropriate postings such as discriminatory remarks, harassment, bullying, threats of violence or similar inappropriate or prohibited conduct will not be tolerated and will be subject to disciplinary action, up to and including termination. Misuse or unauthorized disclosure of confidential information not otherwise available to individuals outside of the Agency is cause for disciplinary action, including termination. If you decide to post complaints or criticism, avoid revealing confidential information about CAA clients, or sharing posts that might constitute harassment or bullying in violation of the Agency's policies. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law.

Try to be as honest and accurate as you can in your posting. Employees are not to use racial slurs, threatening, intimidating, or coercing comments.

Postings that disclose information about individual clients are strictly prohibited.

If CAA is the subject of content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Agency, clients, suppliers, or other people working on behalf of the Agency. It is best to include a disclaimer such as, *"The postings on this site are my own views and do not necessarily reflect the views of CAA."*

Do not use social media while on work time, unless it is work-related and authorized by your supervisor or consistent with your supervisor or Agency equipment policy. Do not use CAA email addresses to register on social networks, blogs or other online tools utilized for personal use.

CAA prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation relative to a violation of this policy. Any employee who retaliates against another employee for reporting a possible deviation of this policy or for cooperating in such an investigation will be subject to disciplinary action, up to and including termination.

Regardless of any other provision of this policy, the Agency's Social Media policy does not prohibit employees from engaging in this kind of activity, nor prohibit any other activity that is protected by the Public Employment Relations Act.

## **Required Postings**

All required governmental postings are posted on the boards located in a designated area at each work location. Please check with your supervisor about where the postings are located in your building. These boards may also contain general announcements.

## **Electronic Communications**

Employees are allowed limited incidental personal use of the internet and e-mail.

At no time will this use be allowed to interfere with job duties.



## **Internet and E-mail**

As a condition of providing internet and e-mail access to its employees, the Agency places certain restrictions on workplace use of the internet. Employees are encouraged to use the internet for the following:

- To communicate with fellow professionals and clients regarding matters within an employee's assigned duties
- To facilitate the performance of any task or project related to assigned duties

Use of cameras, phone, internet, texting and e-mail is prohibited for the following:

- Dissemination or printing of copyrighted materials, hardware or software in violation of copyright laws.
- Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information in violation of Agency policy or proprietary agreements.
- Disseminating any client information, including photos or other confidential information, including information covered under HIPAA Laws.
- Offensive or harassing statements or language, including disparagement of others based on race, color, creed, ancestry, national origin, citizenship, height, weight, sex or gender, gender identity or expression (including transgender status), sexual orientation, marital status, religion, age, disability, genetic information or service in the military.
- Sending or soliciting sexually oriented messages or images.
- Operating a business, usurping business opportunities or soliciting money for personal gain, or searching for jobs outside the Agency.
- Sending chain letters, gambling or engaging in any other activity in violation of local, state or federal law.

Please see Attachment "E" for full Electronic Equipment Usage policy.

## **Disciplinary Procedure**

The maintenance of discipline is essential to CAA's successful business operation. Employee discipline should be based on a totality of circumstances. Accordingly, the facts of a particular situation may warrant that the stated penalty be increased. On the other hand, the nature or effect of a single isolated act or omission might be sufficiently inoffensive so that no disciplinary action is warranted or a less severe penalty is warranted. In those situations which warrant disciplinary action, management will generally initiate said disciplinary action in one of the following four steps, at its sole discretion, depending on the severity of the offense:

1. Verbal warning
2. Written Reprimand
3. Suspension
4. Termination

**Verbal Warning:** Employees may be given a verbal warning by their supervisor or Program Director/Executive Director. The supervisor will review with the employee what is expected of

them in the future and consequences of continued non-compliance. A notice of the warning will be placed in the personnel file.

**Written Reprimand:** Shall be in writing with a copy given to the employee and must contain the specifics for which the employee is being reprimanded. A copy will be placed in the employee's personnel file.

**Suspension:** During suspension, the employee may not work and may or may not be paid. The supervisor will recommend the duration of suspension based on the seriousness of the infraction to the Executive Director. After approval the employee will be notified in writing with a letter containing the specific charges and length of suspension. A copy will be maintained in the employee's personnel file.

**Termination:** All terminations must be approved by the Executive Director. All terminations must be in writing, with a copy to the employee and the employee's personnel file. They must be signed by the Program Director and Executive Director.

Most employees conduct themselves properly but when employees fail to do so, individual disciplinary action must be taken. Examples of serious and unacceptable conduct have been listed below. These types of misconduct in/on any Agency owned or managed building, property or vehicles or any Agency sponsored event may constitute sufficient basis for immediate discharge. The following list contains examples only and is not intended to be a complete or exhaustive list of serious and unacceptable conduct.

- Willfully falsifying employment application, personnel records, time sheets, work records or other corporate records or documents.
- Possessing explosives, firearms or other offensive or defensive weapons, even with a concealed weapons permit.
- Possession or using alcoholic beverages, illegal/prohibited drugs or narcotics during work time or on CAA premises
- Reporting to work under the influence of intoxicants or illegal/prohibited controlled substances
- Violation of safety rules and regulations or otherwise endangering the life or safety of oneself or others
- Disorderly conduct during work time or on CAA premises, such as fighting, insulting or abusing another individual
- Insubordination or failure or refusal to take reasonable direction from a designated supervisor
- Theft or misappropriation of personal or Agency property
- Mishandling or misuse of corporate equipment, machinery or tools
- Unsatisfactory job performance
- Excessive or unexcused absenteeism
- Excessive tardiness
- Use of racial, sexual and ethnic slurs

- Disclosure of client information obtained during the course of employment
- Fraud
- Sleeping on the job
- Harassment of any type
- Violation of any Agency policy

## Grievance Procedure

**Grievance:** An action initiated by an employee resulting from employee's dissatisfaction with a personnel decision causing an adverse action.

**Adverse action:** Any disciplinary action or personnel action taken by management that results in suspension, termination or reduction in wage and/or benefits.

The grievance procedure for regular (non-training) employees is intended to provide an internal dispute resolution mechanism. Failure to submit a grievance within the timeline and/or according to the Grievance Procedure (see Attachment "G") will be considered an abandonment of the grievance. The grievance procedure applies only to employees who have successfully completed the training period relative to the position they hold at the time of filing of any grievance.

## Time Off and Leaves of Absence

### Holidays

Full-time employees, including those in their training period, will be eligible for leave with pay for the following holidays:

New Year's Day	Labor Day	Christmas Eve Day
Memorial Day	Thanksgiving Day	Christmas Day
Independence Day	Friday after Thanksgiving	New Year's Eve

Whenever one of these holidays fall on Saturday, the time off with pay shall be allowed on the preceding Friday. Whenever a holiday falls on Sunday, the subsequent Monday will be allowed.

Holiday pay will not be granted unless the employee is in work status the work day immediately prior to the holiday. Work status shall be defined as either worked or on f or paid personal leave.

Full-time Early Childhood Program/Head Start staff shall be eligible for 9 (paid) days per year to be designated within the annual school year calendar. ECP/Head Start staff leaving the program, either voluntarily or involuntarily, will not be paid unused holiday leave time.

Program Directors, on special occasions consistent with religious and local business practices, may excuse staff from work without pay.

## **Paid Leave**

In no instance shall paid leave be allowed to increase the number of hours normally worked in a week.

## **Personal**

In place of some standard federal holidays CAA offers personal days. These days can be used at the employee's discretion. This allows employees to take time off for days that are significant to them personally, such as religious, cultural, or family events, or to extend their time off during a regularly scheduled Agency holiday.

Regular, full-time hourly and salaried employees will be credited annually with four days (32 hours) of personal leave on October 1st.

Personal leave for new hires will be pro-rated by quarter to the following October 1st and credited upon successful completion of the training period.

Supervisors shall make every reasonable effort to approve requests for personal leave.

The minimum charge for personal leave shall be 15 minutes for all employees.

Personal leave may not be carried over from year to year.

Unused personal leave will not be paid out upon termination, voluntary or involuntary.

## **Paid Time Off (PTO)**

All CAA employees, including full-time, part-time and substitute staff, are eligible to accrue paid time off (PTO). The Agency's PTO policy complies with the Michigan Earned Sick Time Act (ESTA) requirements.

Employees may use PTO for any of the following reasons:

- Personal reasons, such as attending family events, handling personal matters, planned vacations, leisure time away from work, etc.
- The employee's or employee's family member's mental or physical illness, injury or health condition; medical diagnosis, care or treatment; or preventative medical care
- If the employee or employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling, obtaining services from a victim services organization, relocating, obtaining legal services or participating in related civil or criminal proceedings
- Meetings at a child's school or place of care related to the child's health or disability, or the effects on a child of domestic violence or assault
- Closure of the employee's workplace by public order due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed

by public order; or when it has been determined by health authorities or by a health care professional that the employee's or employee's family member's presence in the community would jeopardize the health of others due to exposure to communicable disease

For the purpose of this policy, "family member" includes the following:

- Biological, adopted or foster child, stepchild, or legal ward, a child of a domestic partner, or child to whom the employee stands in loco parentis
- Biological parent, foster parent, stepparent, or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child
- A person to whom the employee is legally married under the laws of any state or a domestic partner
- A grandparent
- A grandchild
- A biological, foster or adopted sibling
- Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship

PTO is awarded as a percentage of an employee's hours in a bi-weekly pay period. For example, if an employee who has worked for the Agency for one year is paid for 80 hours in a pay period, they will earn 8 hours of PTO, or 10% of their hours.

Salaried and regular, full-time and part-time hourly employees will be eligible for PTO according to the schedules below. Substitute employees (subs) will accrue a standard 3.34% on each hour paid in a bi-weekly pay period.

**PTO – Full-Time Employees**

<b>Years of Service</b>	<b>Percent Earned</b>
Year 0 - 1	10.00%
Years 2 - 4	10.63%
Years 5 - 9	10.94%
Years 10 - 14	11.25%
Years 15 - 19	11.56%
Years 20 -24	12.19%
Years 25+	12.50%

**PTO – Part-Time Employees**

<b>Years of Service</b>	<b>Percent Earned</b>
Year 0 - 1	7.25%
Years 2 - 4	7.61%
Years 5 - 9	7.97%
Years 10 - 14	8.33%
Years 15 - 19	8.70%
Years 20 -24	9.06%
Years 25+	9.42%

In determining years of service and accrual rate the following will be considered:

- Total number of years, months and days of employment, including temporary lay-off(s).
- Include time off due to work-related accident or illness (usually workers' compensation claim).

- Do not count time in work experience program, even if the enrollee is on Agency's payroll.
- When an employee voluntarily terminates employment and is rehired at a future date, for purposes of determining years of service, the date of the new hiring will be the starting date.
- When an employee's employment is terminated by lay-off and the employee is rehired within a six-month period, total employment time will be considered when determining seniority.
- The anniversary date is the original hire date.
- Employees moving from full to part-time (or part-time to full-time) will be moved to the appropriate leave schedule on the date the position change becomes effective.
- Employees moving from part-time to full-time may keep accumulated PTO.
- Employees moving from full-time to part-time will be paid out accumulated PTO earned while in full-time status at the time of the status change up to 120 hours. The employee may opt to keep up to 80 hours of PTO on the books.
- Employees moving from part-time or full-time to a substitute position will be paid accumulated PTO as follows:
  - Part-time to sub: up to 80 hours
  - Full-time to sub: up to 120 hours
  - *No hours may be kept in the employee's PTO bank*

#### **Use and Scheduling of PTO:**

- Please refer to Attachment "M" for the full policy on work hours and PTO for salaried and hourly employees; this policy outlines expected work hours and time tracking and PTO usage.
- The minimum charge for PTO shall be 15 minutes.
- PTO is paid at the employee's straight time rate. PTO is not part of any overtime calculation.
- PTO cannot be used until an employee completes a successful training period and achieves regular employee status. Employees leaving the Agency during their training period will not be paid out PTO.
- Holidays occurring during the time of PTO will not be charged against such leave.
- To allow for adequate program coverage, employees able to plan PTO shall notify their supervisor as soon as practicable of the need to be off during their scheduled work time.
- Requests to take PTO will be approved at the discretion of the immediate supervisor. All efforts will be made to approve the request.
- The Agency shall not take retaliatory personnel action or discriminate against an employee because the employee has exercised a right protected under the Michigan Emergency Sick Time Act; however, the Agency may take adverse action up to and including termination for misuse of PTO or policy violation.
- Unscheduled absences will be monitored. An employee will be counseled when the frequency of unscheduled absences adversely affects the operations of the Agency's programs.

- The supervisor may request that the employee provide a statement from a health care provider concerning the justification for an unscheduled absence if the absence exceeds three consecutive days. If an employee, because of illness or disability, is unable to perform their job duties, attempts at reasonable accommodation will be made upon receipt of a signed doctor's note.
- If the supervisor requires that an employee provide a doctor's note, the Agency must pay the employee's out-of-pocket expenses for obtaining the note, including mileage.
- Regular employees leaving the employment of the Agency, whether voluntarily or involuntarily, will be paid their unused PTO (up to 120 hours maximum for full-time staff and 80 hours maximum for part-time staff) in a lump sum. Substitute employees will not receive a payout of their unused PTO. Staff who are voluntarily leaving the Agency must provide at least two weeks' notice to be paid their unused PTO.
  - *Employees who have been with the Agency for less than one year will not be paid out unused PTO*
- PTO requests are generally not permitted during the final two weeks of employment. However, in certain circumstances, exceptions may be granted at the discretion of the immediate supervisor.
- Employees leaving the Agency who are rehired within two months will have unused unpaid PTO reinstated.

## **Leave Without Pay**

After use of all accrued PTO, if applicable, a maximum of 14 calendar days of leave without pay may be granted by the Program Director for leave such as an extended illness or educational leave. Leave without pay will be tracked from the first day it is used. Other than for FMLA leave, leave without pay in excess of 14 calendar days may be authorized by the Executive Director. Leaves in excess of a combined total of 12 months will not normally be authorized for any purpose, including but not limited to sick leave, whether or not compensable. Without specific written consent to the contrary authorized by the Executive Director, any absence for any reason in excess of 12 months will result in termination of employment effective at the end of such 12 months. PTO shall not accrue during unpaid leave. Employees have the option of continuing their insurance benefits during unpaid leaves (other than for FMLA leave) at their own expense.

All leave without pay must be requested and approved.

Any suspension resulting from disciplinary action may be paid or unpaid at the sole discretion of the Agency (see Disciplinary Procedure).

Leave taken during the initial training period shall be leave without pay.

## **Family and Medical Leave Act (FMLA)**

Menominee-Delta-Schoolcraft Community Action Agency ("CAA") complies with the federal Family Medical Leave Act. FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or childbirth.

- To care for the employee's child after birth or placement for adoption or foster care.
- To care for the employee's spouse, child, or parent who has a serious health condition; or for a serious health condition that makes the employee unable to work.
- Any qualifying exigency arising out of the fact that the employee's spouse, child or parent is a covered military member on "covered active duty."

Employees should note there are many requirements, qualifications, and exceptions under the law, and each employee's situation is different. Employees should contact the HR department to discuss options for leave.

## Use of FMLA

Employees have two options regarding leave use during FMLA leave:

- **Use accrued Paid Time Off (PTO)** until it is exhausted, after which the remainder of the FMLA leave will be unpaid, *or*
- **Take the entire leave unpaid** and preserve accrued PTO for future use.

The employee cannot reduce paid hours by choosing to take part of the time unpaid and saving accrued PTO for the next payroll. All hours normally worked in that pay period must be covered by available PTO.

The combination of paid and unpaid leave pursuant to CAA policies may not exceed 12 weeks during the applicable 12-month period unless specifically agreed to by CAA, in writing, or required by law.

The 12-month period for FMLA leave is calculated as a "rolling" 12-month period measured backward from the date of any FMLA leave usage. (Each time an employee takes FMLA leave, the remaining leave is the balance of the 12 weeks not used during the 12 months immediately before the FMLA leave is to start.)

Employees will be required to provide the completed medical certification (Form WH380) supporting the request for leave because of a serious health condition. This documentation must be returned to, and approved by, the Human Resources department before unpaid time off may be used. If any employee is on FMLA leave due to their own serious health condition, a fitness for duty report certifying that, with respect to such serious health condition, the employee is able to return to work, must be submitted to the HR department prior to their return to work.

Employees on FMLA leave are entitled to have health benefits maintained while on leave as if they had continued working. If the health plan or benefits are changed by the Agency while the employee is on FMLA leave, the employee is entitled to the changed benefits to the same extent as if he or she were not on leave. Employees will be provided with any notices of changes in benefits and accorded any options to change coverage that would be provided if the individual were not on leave.



Except as required by COBRA, the Agency's obligation to maintain health benefits during leave (and to restore the employee to the same or equivalent employment) under FMLA ceases if and when:

- The employment relationship would have terminated if the employee had not taken FMLA leave.
- An employee informs the Agency of their intent not to return from leave (including before starting the leave if the Agency is so informed before the leave starts); the employee fails to return from leave or continues on leave after exhausting his or her FMLA leave entitlement in the 12-month period.
- If employees were required to pay a portion of the health coverage cost, this requirement will continue during FMLA leave. The Agency will provide the employee with advance written notice of the terms and conditions under which these payments must be made.
- When the employee on leave does not return to work and the reason is not due to serious health reasons recognized under FMLA and is not due to circumstances beyond the employee's control, the Agency is entitled to recover from the employee any Agency-paid costs with respect to the entire leave period. Employees requesting Family Medical Leave must contact the Human Resources department to complete the necessary paperwork.

## **Military Leave**

Any regular, full-time employee who presents official orders requiring employee's attendance for a period of training or other active duty as a member of the U.S. Armed Forces, State Armed Forces, or National Guard, will be entitled to paid military leave for a period not to exceed ten working days per calendar year. The employee shall be paid the difference between military pay and his/her regular pay. This provision does not apply to temporary or part-time employees.

The employee must provide verification of pay received from the Armed Forces to the Financial Department upon return from active duty.

Notwithstanding any of the foregoing, the Agency will fully comply with all requirements imposed by federal or state law governing military leaves of absence.

## **Bereavement Leave**

Bereavement leave will be granted with pay, upon the death of a family member as follows:

- Up to five working days for spouse or domestic partner, parent, child or an adult who stood in loco parentis during the employee's childhood
- Up to three working days for parent-in-law, sibling, grandparent, grandchild, son-in-law or daughter-in-law
- One working day to attend the funeral for other family members including aunts, uncles, nieces, nephews, first cousins, brother-in-law or sister-in-law

Paid bereavement leave may be granted for employees in their training period as outlined above.

Relatives with the prefix "step" shall be treated as outlined above.

Additional time off may be granted by the Executive Director and will be charged to PTO. Bereavement leave must be noted on the timesheet along with the relationship to the deceased. Proper notification should be given to the immediate supervisor

Bereavement leave for part-time employees will be based on the number of hours the employee has in a normal workday and will only be granted on a scheduled work day.

Employees may be asked to provide documentation with regard to their bereavement leave.

See Attachment “H” for the Staff Condolences Policy.

## **Jury Duty/Court Appearance**

CAA supports employees in their civic duty to serve on a jury or appear in court.

Court leave for personal matters will be charged against PTO or leave without pay and must be requested in advance.

Those called for jury duty will have the choice of:

- Using PTO for time off and keeping the court stipend, or
- Turning in the court stipend and be paid for a full day by the Agency – verification from the court must be provided.

Documentation for jury duty must be provided.

## **Time Off for Voting**

CAA recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, employees will have sufficient time outside working hours to vote. If for any reason an employee thinks this will not be the case, they should contact their supervisor to discuss scheduling accommodations.

# **Employee Benefits**

CAA recognizes the value of benefits to employees and their families. The Agency supports employees by offering a comprehensive and competitive benefits program. For more information regarding benefit programs, please refer to the Agency Summary Plan Descriptions (SPDs), which are found on the online benefit enrollment platform, or contact the HR department. To the extent the information provided here conflicts with the SPD or full plan document, the full plan document will control.

## **Health Insurance**

Health insurance shall be offered to all regular, full-time employees (as defined by the Affordable Care Act) for the first full month following 60 calendar days. The Agency’s cost of insurance will

be based on the dollar limit as set by the Board, with the remainder to be paid by the employee through payroll deduction.

Health insurance shall be offered to all other eligible employees (as defined by the Affordable Care Act). Variable-hour employees will be monitored for a 12-month period and will be determined to be eligible for health coverage if the average number of hours per week actually worked during the measurement period is calculated at 30 or more.

A covered employee on temporary leave without pay or temporary lay-off may remain on the Agency's group health insurance for a period of up to three months, depending on availability of funds and funding source approval.

Health insurance plans offered by the Agency will provide Minimal Essential Coverage, provide Minimum Value and will be affordable (as defined by the Affordable Care Act).

Eligible employees may elect to add a spouse and/or dependent children up to age 26 to the health plan.

Eligible employees may enroll/leave the plan or add/remove family members from the plan during the annual open enrollment period.

Health insurance coverage for employees and/or their dependents may be continued on a self-payment basis in accordance with the provisions of COBRA or the Family Medical Leave Act.

Employees eligible for Agency coverage may waive coverage in exchange for an hourly supplement as approved by the Board when:

- Documentation of other health insurance coverage is provided, and
- The insurance waiver form is completed.

## **403(b) Retirement Plan**

All employees are eligible, but not required, to participate, through payroll deduction, in the Agency's 403(b) plan.

After one year of employment, the Agency will match an employee's contribution to the 403(b) plan (between 1-5%) provided they meet the following eligibility requirements:

- Worked more than 1,000 hours in a calendar year. Employees who have not worked at least 1,000 in the previous calendar year will not be eligible for the match the following calendar year.
- The employee contributes between 1-5% of their wage (in whole percentages).
- The training period is included in the one year of employment eligibility.
- Employees may contribute more than the required amount, subject to IRS regulations. This excess amount will not be matched by the Agency.

## **Employee Travel**

Travel expenses, both local and out of area, will be reimbursed to all employees, Board members, committee members and others who are traveling for Agency business.

Travel out of the services area and travel advances must be approved in advance by the appropriate Program Director, the Finance Director and the Executive Director.

Automobile expenses will be reimbursed on a per mile basis at the federally approved mileage rate. Proper documentation for automobile expenses must be submitted on the travel voucher form for reimbursement.

Reimbursement for other travel expenses will be reimbursed based on the federally or state approved schedule of travel rates designated by grant contract. We recognize that some of the authorized travel may exceed the recommended guidelines and some exceptions to the standard rates can be approved by the Executive Director in advance.

Travel expenses must be submitted at least monthly for budgeting purposes.

## **Workers' Compensation**

CAA pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

All employees shall be covered by workers' compensation insurance for work-related injuries.

All on-the-job injuries must be reported to the supervisor immediately, if possible, otherwise before the end of the work shift. If after hours, a voicemail message to the supervisor's office phone is considered notice. The supervisor will complete the Accident Report form after interviewing the employee and having them sign the completed report. The supervisor must submit the report to their Program Director and Human Resources department within 24 hours of the accident/injury.

If an employee wants/needs to seek medical attention related to a non-emergency work injury he/she must obtain a signed "Authorization to Treat" form from their supervisor. If medical attention is sought a "Return to Work" form must be provided before returning to work.

All employees involved in work-related accidents will be referred to Agency authorized health providers.

All accidents will be reviewed by the Safety Committee.

## **Employee Assistance Program**

The employee assistance program (EAP) is a resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. CAA wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges.

CAA encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the Agency, and the Agency is not given any information on who chooses to use the services. For questions or additional information about this program, employees may contact the HR department.

# **Amendments**

## **Operational Statement**

This policy supersedes and rescinds all previous personnel policy and procedure statements and becomes the official policy statement of CAA.

## **Procedure for Amending Policies**

- Changes to these policies may be recommended to the Governing Board by the CAA Personnel Committee.
- The CAA Governing Board may change these policies by two-thirds vote of those members present.
- Such amendments shall be placed in memorandum form and sent to all employees. One copy must be signed by the chairperson of the Board and placed in the permanent Agency files.

## Employment at Will

Employees of the Menominee Delta Schoolcraft Community Action Agency ("CAA") hereby acknowledge and certify:

That they understand that employment with CAA is voluntarily entered into and may be terminated by either the employee or CAA "at will," with or without notice, and with or without cause, at any time. No CAA representative is authorized to modify this policy, nor to enter into any agreement, verbal or written, contrary to the "at will" policy, and no supervisory or management personnel may make any representations to employees or applicants which are not consistent with this policy; and

That nothing contained in the Personnel Policies, employee handbooks, employment applications, CAA memoranda, personnel evaluations or other materials or awards provided to employees in connection with their employment shall require CAA to have "just cause" to terminate any employee at any time, with or without cause, and with or without notice; and

That only the Executive Director, by a written document signed by CAA and by the employee, is authorized to make any guarantees or commitments binding CAA regarding the duration of employee's employment, benefits, or compensation; and

That they understand that the CAA Personnel Policies Handbook does not serve, nor is it intended to serve, as an employment contract or a contract for benefits.

## **ADA Reasonable Accommodation Policy**

**Purpose:** Under the law, Menominee Delta Schoolcraft Community Action Agency ("CAA") must provide reasonable accommodation to qualified employees or applicants with disabilities, unless to do so would cause undue hardship. CAA is committed to providing reasonable accommodations to its employees and applicants for employment to ensure that individuals with disabilities enjoy equal access to all employment opportunities. CAA provides reasonable accommodations:

- when an applicant with a disability needs an accommodation to have an equal opportunity to compete for a job;
- when an employee with a disability needs an accommodation to perform the essential functions of the job or to gain access to the workplace; and
- when an employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., training, office-sponsored events)

## **CAA Reasonable Accommodation Policy**

### **Making the Request**

1. CAA will process requests for reasonable accommodation and will provide reasonable accommodations where appropriate, in a prompt and efficient manner in accordance with the time frames set forth in the procedures.
2. CAA has designated the Human Resources Director to oversee the reasonable accommodation program Agency-wide. All requests for reasonable accommodation will be handled by the HR Director.
3. As part of the reasonable accommodation interactive process, the HR Director will obtain and evaluate documentation supporting an accommodation request (such as medical documentation demonstrating that the requestor is an individual with a disability), whenever the disability or need for accommodation is not obvious.
4. CAA may take steps, solely at the Agency's discretion, beyond those required by The Americans with Disabilities Act.
5. An applicant or employee may request a reasonable accommodation at any time, orally or in writing. An individual should request a reasonable accommodation from the HR Director. For job applicants, information about contacting the HR Director will be in the vacancy notice.



6. If an employee makes a reasonable accommodation request to someone other than the HR Director, such as employee's supervisor, Program Director, these supervisors/managers should forward the request to the HR Director immediately and must do so within 2 business days. The reasonable accommodation process begins as soon as the oral or written request for accommodation is made to any manager in an employee's chain of command, so it is imperative that the request be forwarded to the HR Director within 2 business days.
7. A family member, health care provider, or other representative may request an accommodation on behalf of a CAA employee or applicant. For example, a doctor's note outlining medical restrictions for an employee constitutes a request for reasonable accommodation.
8. When an individual (or third party) makes an oral request, the HR Director must ensure that a Request for Reasonable Accommodation form is filled out. The HR Director must fill out the Form if the requestor does not.

### **Processing the Request**

The HR Director is responsible for processing requests for reasonable accommodation. The Director of Human Resources will designate another HR staff member to act as a back-up for the HR Director to process requests when the HR Director is unavailable for any length of time (e.g., the HR Director is on vacation or out on extended leave).

### **The Interactive Process**

1. The HR Director will contact the applicant or employee within 2 business days after the request is made (even if the request is initially made to someone else) to begin discussing the accommodation request. Communication is a priority throughout the entire process, but particularly where the specific limitation, problem, or barrier is unclear; where an effective accommodation is not obvious; or where the parties are considering different forms of reasonable accommodation. Both the individual making the request and the decision maker should work together to identify effective accommodations.
2. When a third party (e.g., an individual's doctor) requests accommodation on behalf of an applicant or employee, the HR Director should, if possible, confirm with the applicant or employee that they want a reasonable accommodation before proceeding.
3. The HR Director may need to consult with other CAA personnel (e.g., an employee's supervisor, Information Technology staff) or outside sources to obtain information necessary to make a determination about the request.
4. Reassignment will only be considered if no accommodations are available to enable the individual to perform the essential functions of his or her current job, or if the only effective accommodation would cause undue hardship. Reassignment may be made to a vacant position outside of the employee's commuting area if the employee is willing to relocate.

5. If a requestor's disability and/or need for accommodation are not obvious or already known, CAA (specifically the HR Director) is entitled to ask for and receive medical information showing that the requestor has a covered disability that requires accommodation. Only the HR Director may determine whether medical information is needed and, if so, may request such information from the requestor and/or the appropriate health care provider.
6. A supervisor or office director who believes that an employee may no longer need a reasonable accommodation should contact the HR Director. The HR Director will decide if there is a reason to contact the employee to discuss whether they have a continuing need for reasonable accommodation.

### **Confidentiality Requirements**

1. Under the ADA, medical information obtained in connection with the reasonable accommodation process must be kept confidential and shared only as necessary to make the necessary decisions and accommodations.
2. In addition to disclosures of information needed to process a request for accommodation, other disclosures of medical information are permitted as follows:
  - a. Supervisors and managers are entitled to whatever information is necessary to implement restrictions on the work or duties of the employee or to provide a reasonable accommodation;
  - b. First aid and safety personnel may be informed, when appropriate, *if* the disability might require emergency treatment or assistance in evacuation; and
  - c. Government officials may be given information necessary to CAA's compliance with the ADA, as amended.

### **Time Frame for Processing Requests and Providing Reasonable Accommodations**

1. The time frame for processing a request (including providing accommodation, if approved) is as soon as possible but no later than 10 business days from the date the request is made. This 10-day period includes the 2-day time frame in which the HR Director must contact the requestor after a request for reasonable accommodation is made.
2. If the HR Director must request medical information or documentation from a requestor's health care provider, the time frame will stop on the day that the HR Director makes a request to the individual to obtain medical information or sends out a request for information/documentation and will resume on the day that the information/documentation is received by the HR Director.
3. When extenuating circumstances are present, the time for processing a request for reasonable accommodation and providing the accommodation will be extended as reasonably necessary. Extensions will be limited to circumstances where they are

absolutely necessary and only for as long as required to deal with the extenuating circumstance.

4. All decisions regarding a request for reasonable accommodation will be communicated to an applicant or employee by use of a resolution form, as well as orally. If the request is approved but the accommodation cannot be provided immediately, the HR Director will inform the individual in writing of the projected time frame for providing the accommodation.
5. If CAA denies a request for accommodation, the HR Director will give the resolution form to the requestor and discuss the reason(s) for the denial. When completing the resolution form, the explanation for the denial will clearly state the specific reason(s) for the denial.
6. If the HR Director offers an accommodation other than the one requested, but the alternative accommodation is not accepted, the HR Director will record the individual's rejection of the alternative accommodation on a resolution form.
7. An individual dissatisfied with the resolution of a reasonable accommodation request can ask the Director of Human Resources to reconsider that decision. An individual must request reconsideration within 2 business days of receiving a resolution form. A request for reconsideration will not extend the time limits for initiating administrative, statutory, or collective bargaining claims.

## Discrimination/Harassment Complaint

**Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Program:** \_\_\_\_\_

Please describe as clearly as you can exactly what happened to you that leads you to believe that you or another employee have been discriminated against, sexually harassed or harassed because of race, color, creed, ancestry, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, height, weight, religion, age, disability, genetic information, service in the military or any other characteristic protected by applicable federal, state or local laws and ordinances.

Include dates, if you can, and the names of everyone who was involved in the harassment or saw or heard what happened. It is not necessary to state your name; however, it will assist us in investigating the complaint if you do so. If there was more than one incident of harassment, please describe each incident separately. You may use the back of this form or another sheet of paper.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

## Whistleblower/Complaint Resolution Policy

In keeping with the policy of maintaining the highest standards of conduct and ethics, Menominee Delta Schoolcraft Community Action Agency ("CAA") will investigate complaints of suspected fraudulent or dishonest use or misuse of its resources or property by staff, Board members, consultants, volunteers, or clients. To maintain the highest standards of service, CAA will also investigate complaints concerning its programs and services.

Staff, Board members, consultants, volunteers, clients, and community members are encouraged to report suspected fraudulent or dishonest conduct or problems with services provided, pursuant to the procedures set forth below. This policy supplements, and does not replace, any procedures required by law, regulation, or funding source requirements.

**Reporting.** A person's concerns about possible fraudulent or dishonest use or misuse of resources or property, or program operation should be reported to the Treasurer of the CAA Board of Directors. Alternately, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to the Treasurer of the CAA Board.

**Investigation.** All relevant matters, including suspected but unproven matters, will be promptly reviewed and analyzed, with documentation of the receipt, retention, investigation, and treatment of the complaint. Appropriate corrective action will be taken, if necessary, and findings may be communicated to the reporting person and his or her supervisor, if appropriate. Investigations may be conducted by independent persons such as auditors and/or attorneys. Investigators will endeavor to maintain appropriate confidentiality, but confidentiality is not guaranteed.

**No Retaliation.** No director, officer, employee, volunteer, or client who in good faith reports suspected fraudulent or dishonest use or misuse of its resources or property or complaints concerning the services it provides and programs CAA runs shall suffer harassment, retaliation, or adverse employment or other consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower/Complaint Resolution Policy is intended to encourage and enable employees and others to raise serious concerns within the organization prior to seeking resolution outside the organization. The Policy is in addition to any non-retaliation requirements contained in the Personnel Policies or required by law.

This protection from retaliation is not intended to prohibit supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors. Individuals making complaints must be cautious to avoid baseless allegations; employees who intentionally make false allegations are subject to disciplinary action in accordance with the Personnel Policies.

## Electronic Equipment Usage Policy

The Menominee Delta Schoolcraft Community Action Agency ("CAA") recognizes the benefits of utilizing digital communication and information and, therefore, may provide cell phones, laptops, and/or tablets to program staff ("Users"), for use in performing official duties. This policy is to ensure the Users of the equipment acknowledge, understand, and respect the equipment, Internet, and this Usage Policy.

### Scope:

This policy applies to staff of the CAA who are issued electronic equipment by the Agency.

### Policy:

It is the policy of CAA to provide electronic devices to program staff as deemed necessary for the duration of their employment. Those in receipt of equipment must adhere to this Usage Policy and these procedures to ensure the appropriate use and optimum functionality of Agency-issued communication devices. The equipment, Internet, and email access that the Agency provides to Users are tools for conducting Agency business. Thus, the use of such tools will be primarily for Agency business related purposes. All of the Agency's computer systems, including equipment, are considered Agency property. The equipment, Internet, and email activities will be traceable to the Agency and will impact the reputation of the Agency. Agency-issued devices shall not be used to send or knowingly download any vulgar, discriminatory, or pornographic content. Users shall refrain from making any false or defamatory statements in any form or committing any other acts that could expose the Agency to liability.

Regardless of any other provision of this policy, the Agency's Social Media policy does not prohibit employees from engaging in this kind of activity, nor prohibit any other activity that is protected by the Public Employment Relations Act.

### Procedures:

1. **Receipt of equipment:** The Program Director will issue to each user necessary equipment that includes appropriate applications for use relating to Agency business. Senior Services will issue tablets after formal staff training is completed. The Agency will direct all of its email and other electronic transmissions for a User to the User's Agency email address, if applicable. Each program within the Agency shall have one designee who will assist the IT manager in disseminating the equipment to the appropriate User, and collecting the equipment for the IT manager to conduct necessary updates.
2. **Care of the equipment:** Users are responsible for the general care of all equipment and associated items issued by the Agency. Electronic equipment must remain free of any writing, drawing, stickers, or labels that are not the property of the Agency. Only a clean, soft cloth should be used to clean the screen.

3. **Software on the equipment:** The software and applications installed by the Agency must remain on the equipment in usable condition and be readily accessible at all times. From time to time, the Agency may require Users to check in their devices with the Program Director to add or upgrade software applications or for periodic updates and syncing of electronic devices. In the event it becomes necessary to restore a device to its original condition, the Agency will not be responsible for the loss of any software or data deleted due to a re-format and/or re-image.

Any software, email messages, or files downloaded via the Internet into the Agency system, including an Agency-issued device, become the property of the Agency and may only be used in ways that are consistent with applicable licenses, trademarks, or copyrights.

The Agency is the sole licensee of the software included with equipment. Any copying, modification, or distribution of any software, including written documentation, by the User is prohibited. The User is responsible for complying with any and all hardware, software, service provider licensing agreements, terms of use, and applicable state and federal copyright and other intellectual property protections.

A User may not download a file or open an email attachment unless the User knows that the file or attachment comes from a trustworthy source. Downloaded files and attachments may contain viruses or hostile applications that could damage or breach the security of the Agency's information systems. A User will be held accountable for any such consequences that result from the User downloading a file or opening an email attachment for a purpose other than Agency business. The Agency provides antivirus software for equipment. Users are required to scan attachments before opening, and to download all antivirus software updates as directed.

4. **Life of tablets:** The technological life of the tablet is estimated at three years; therefore, the tablets will be assessed every three years and, if authorized through the budgeting process, the Agency will purchase upgraded devices. Replacement or upgrade decisions shall be made by Agency staff to ensure optimum performance and compatibility at a reasonable cost.
5. **WARNING - NO PRIVACY:** All software and data (including, and without limitation, email, calendars, downloaded files, and web browsing history) stored on Agency-issued devices are subject to disclosure under State law and Agency policy or for litigation purposes, unless a privilege or exception exists that justifies withholding the information.
6. **Email usage for Agency business:** A User shall use his or her assigned Agency email account for all email related to Agency business. Emails sent or received on a User's Agency email account are archived and retained by the Agency. This account shall be synced to the User's individual device. A User's personal email box also may be synced to equipment, but a User either shall conduct all Agency-related business through the User's Agency email account, or copy all email related to Agency business from the User's personal email box to the User's Agency email account. Emails sent or received

on a User's Agency email account are archived and retained by the Agency.

7. **Acceptable use:** The equipment, Internet, and email access that the Agency provides to Users will be primarily for Agency business related purposes. Agency-issued devices are not to be used for operation of a business for personal gain, sending chain letters, or any other purpose that interferes with normal Agency business activities. Users shall not use Agency-issued devices for any illegal activity.

A User may download and maintain music and applications on the User's device; however, the items downloaded and synced to the device must be in compliance with Federal copyright laws and shall be acquired at the expense of the User. The Agency's IT staff shall not install, work on, or support an application that is not issued by the Agency. All applications used in the course of business-related activities shall be secured in conjunction with the IT manager.

User is not permitted to take photographs or create audio recordings of clients without prior written consent from the client and approval from the Program Director. Any violation of this will be considered a breach of confidentiality.

8. **Allowable monthly limit:** All usage of an Agency data account, including usage for Internet access through a tablet or other device, is subject to the allowable monthly limits allocated to each User under the Agency's shared or individual data plan. The User shall pay all charges resulting from Agency data account usage in excess of such monthly limits.
9. **User responsibility:** It is the responsibility of the User to ensure the Agency-provided equipment is kept in a reasonable and safe condition. Should a device be accidentally lost, damaged, or stolen, responsibility for replacement shall be as follows:
  - a. **First time:** The Agency shall pay the cost of repair and the User shall pay for the cost of the replacement.
  - b. **Second and subsequent time:** The User shall be entirely responsible for repair or replacement costs. Loaner or temporary devices may be provided while damaged or stolen devices are being repaired or replaced. Devices that are damaged or destroyed through intentional, reckless or negligent misuse must be repaired or replaced at the User's expense.
10. **Security of the equipment:** The User is responsible for the security of all data stored on the electronic equipment, whether related to Agency business or otherwise. The User will maintain appropriate password protection for data on the equipment and will not delete or modify any security features that the Agency loads on the device. A User shall notify the Program Manager or designee as soon as possible if the equipment is lost, stolen or damaged.
11. **Return of the equipment:** Users shall return their equipment to the Program Director or IT Manager when the User's term of service or employment has ended. Upon return of the equipment to the Agency and following the preparation of any appropriate backup files, the equipment will be wiped clean of all information, and issued to the User's successor.



12. **Compliance with policy:** The Agency reserves the right to inspect all files stored on all equipment that is the property of the Agency in order to ensure compliance with this policy. Users do not have any personal privacy right in any material, data, files, programs, etc. created, received, stored in, or sent from any Agency-issued equipment, and the Program Director is hereby authorized to institute appropriate practices and procedures to ensure compliance with this policy. Any violation of this policy by employees may result in discipline as deemed appropriate.
13. **Annual Review Date:** CAA will review this document annually for any needed revisions.
14. **Acceptable Use Policy.** All users will review the Agency's Electronic Equipment Usage Policy and sign the Technology Acceptable Use and Responsibility Agreement prior to receiving Agency-owned electronic devices.

## **Remote Work Policy**

At Menominee Delta Schoolcraft Community Action Agency (“CAA”), employees are expected to work on-site. Remote work is not allowed, except in rare cases approved by the Executive Director.

### **When Remote Work May Be Allowed**

Remote work may be considered only if:

- The job can be done remotely
- The employee has completed the training period and has good performance
- The Program Director supports the request
- The Executive Director must give final approval

### **Emergency Situations**

In emergencies (like a pandemic or natural disaster), the Executive Director may temporarily allow remote work for certain roles.

### **How to Request Remote Work**

- Employees must complete a written request to the Human Resources Department
- The request will be given to the immediate supervisor and program director
- Final approval is made by the Executive Director

### **Trial Period**

If approved, remote work starts with a 14-day trial. Performance will be reviewed before continuing.

### **Expectations for Remote Work**

- Follow all CAA policies
- Be available during work hours and respond to emails and calls; complete all job duties on time
- Track time accurately using the EWS system
- No outside work during remote hours

### **Work Environment & Equipment**

- Employees must have a quiet, reliable home workspace
- CAA may provide equipment (e.g., laptop, phone)
- All agency equipment must be used only for work and kept safe

## Procedure for Filing Employee Grievances

**Step 1:** Discuss the problem with immediate supervisor, Program Director or Human Resources department within five working days of the incident/action.

**Step 2:** If unresolved after step 1, submit the grievance to the Program Director or Human Resources department, in writing, along with any pertinent documentation, within five working days of step one. The letter must clearly state "this is a grievance." The Program Director or Human Resources department must respond in writing within 14 calendar days.

**Step 3:** If still unresolved after step 2, the employee may submit the grievance to the Executive Director in writing within 14 calendar days of receiving the decision of the Program Director, again clearly stating "this is a grievance." The Executive Director has 14 calendar days of receipt of the grievance to respond in writing.

**Step 4:** If still unresolved after step 3 or if the grievance is against the Executive Director, based on intentional personal misconduct by the Executive Director (not including typical workplace disputes involving the validity, applicability, application or enforcement of Agency rules or policies) a three-member committee of the Governing Board will hear the grievance. The decision of the committee is final and the last step of the internal procedure. The committee will be composed of the following:

- 1 member chosen by management
- 1 member chosen by the grievant
- 1 member drawn at random.

The committee shall hear the grievance within 10 days of the above selection process. The decision of the committee shall be binding and no appeal may be taken to the Governing Board.

## Staff Condolences Policy

**Purpose:** Menominee Delta Schoolcraft Community Action Agency (“CAA”) is committed to the wellness of its staff. CAA recognizes the significance of a family member passing away, on an employee’s health and state of mind. CAA wishes to provide support to that employee in their time of grief.

### Making the Request

1. The Human Resources Coordinator will send an expression of sympathy on behalf of the Agency employees when notified of the death of an employee or an employee’s immediate family or current Board member. A printed obituary will be presented to the HR Coordinator as proof of funeral arrangements, and to provide the details on where to send flowers or donations.
2. The sympathy expression may include a donation to a charity or flowers depending on the family’s wishes. An obituary which designates a donation to a charity in lieu of flowers will be followed.
3. An immediate family member will be defined as follows:
  - a. A spouse or Live-In partner
  - b. Son or daughter
  - c. Step-son or step-daughter
  - d. Employee’s parents
  - e. Current Board member only – no family members of the Board member
4. The HR Coordinator should be notified as soon as possible after death with a presentation of the obituary.
5. The HR Coordinator will send the flowers to the funeral home. If no funeral will be held, flowers will be sent to the employee’s home, unless a donation is indicated in the obituary.
6. The current cost of flowers will be between \$65.00 - \$85.00, including the delivery fees. The donation amount will be set at \$65.00.
7. The Supervisor or Program Director will notify the HR Coordinator of the staff death immediately after the occurrence. The Executive Director will notify the HR Coordinator of any death of a current Board member. Employees will notify the HR Coordinator of a death of a family member.

8. In the event the person who passed was a current employee or current Board member, the HR Coordinator will notify all staff of the passing. Funeral arrangements will be shared with all staff and Board members.
9. The cost of the flowers or donation will be paid by the Agency.

## **Political Activity and the CAA**

### ***The Hatch Act***

The 1998 amendments to the Community Service Block Grant (CSBG) Act reinstated the Hatch Act political activity restrictions, which had been removed in 1994. See Section 678F (b)(1) of CSBG Act, as amended; 42 U.S.C. 9918 (b). The Hatch Act has continuously applied to Head Start employees. These restrictions, which can be found at 5 U.S.C. 1501 et seq., and 5 C.F.R. Part 151, limit the activities of individual employees, rather than of the Community Action Agency (CAA) as an organization. Read on to the next section for rules about political activity by CAA as an organization. Here's what CAA and their employees know about the Hatch Act:

#### **In a nutshell, what does the Hatch Act prohibit?**

- Being a candidate for public office in a partisan election
- Using official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office
- Directly or indirectly coercing, attempting to coerce, commanding or advising a person covered by the Hatch Act to make political contributions

#### **In a nutshell, what does the Hatch Act permit?**

- Being a candidate for public office in a nonpartisan election
- Voting as one chooses and expressing one's opinions on political subjects and candidates
- Engaging in any political activity not specifically prohibited by the Hatch Act (or any other law), including participating in and contributing money to political campaigns, subject to restrictions discussed below

#### **Which CAA employees are covered?**

- Any person whose principal employment is with CAA in connection with an activity which is financed in whole or in part by federal loans or grants
  - "Principal employment" means the job in which a person spends more than half of their total work time and/or receives more than half of their total wages.
  - The Office of Special Counsel, which enforces the Hatch Act (see below), has stated in a recent written advisory opinion that, as applied to CAAs or Head Start agencies, only employees who work in connection with activities financed by CSBG or Head Start funds, respectively, rather than other federal funds, are covered by the Hatch Act.
  - Therefore, a person whose principal employment is with CAA, but whose salary is not paid with CSBG or Head Start funds and who does not work in connection with

any activities funded in whole or in part with such funds would not be covered by the Hatch Act. But don't forget that any activity which receives any CSBG or Head Start funding, either direct or indirect, such as administrative support paid by CSBG, is considered federally-funded.

- This covers part-time CAA employees as well, as long as more than half of the employee's total work time and income (including both CAA and non-CAA employment) is in connection with federally-funded activities.
- Even if some CAA employees are not covered by the Hatch Act, for purposes of treating all employees consistently and easing administrative burdens of differentiating between those employees, who are and are not covered, or who may not be covered one year, but may be covered the next due to funding or organizational changes, it may make sense to impose Hatch Act restrictions on all employees.

#### **Are CAA Board members who are not employees covered?**

- No. However, if the Board member is a state or local employee whose principal employment is in connection with a federally-funded activity, the Board Member may be covered in that capacity.

#### **Are other organizations that receive CSBG or Head Start funds, such as CAA state associations, covered?**

- Yes, but only partially in some circumstances. Employees of organizations that "assume responsibility for planning, developing and coordinating (CSBG or Head Start) activities," such as CAA and some CAA associations, are subject to all of the restrictions discussed in the sections below.

However, employees of other organizations, such as state CAA associations that receive CSBG and/or Head Start funds but do not coordinate CSBG or Head Start activities, are subject to only some of those restrictions. They may **not**:

- Use their official authority or influence to interfere with or affect the result of a partisan election or nomination office
- Coerce, advise, command or direct others covered by the Hatch Act to make political contributions

Such employees (of organizations that receive CSBG or Head Start funds but do not coordinate CSBG or Head Start activities) are **not** subject to the Hatch Act's prohibition on being a candidate for public office in a partisan election. Such employees **may** be candidates in either partisan or nonpartisan election for public office.

## What is the scope of the Hatch Act rules as applied to CAA employees?

- The Hatch Act rules govern activities of a CAA employee regardless of whether the activity is conducted in or outside of work time or the work place. The rules also apply when a CAA employee is on leave of any type, including an unpaid leave of absence.

## In what type of political activities can covered CAA employees participate?

### *Running for Office*

- **Can** be a candidate for public office in nonpartisan election
  - “Nonpartisan” election, in the Hatch Act context, means an election in which none of the candidates is nominated or elected as representing a party whose Presidential candidates receive votes in the last election at which Presidential electors were selected, for example, the Republican or Democratic party
- **Cannot** be a candidate for public office in partisan election
  - Primary and run-off elections to nominate candidates of partisan political parties are partisan elections for purposes of the law even though no party designations appears on ballot.
  - “Partisan” or “nonpartisan” refers to the manner in which candidates are nominated or elected in a particular election, not to whether or not the candidates are themselves a member or affiliated with a particular party. Therefore, a CAA employee who is a registered Democrat may still run for office in an election in which none of the candidates are nominated or elected as representatives of a particular party. However, if other candidates are nominated or elected as representing a particular party, the covered CAA employee may not run, even if he or she is not affiliated with any political party.
  - This prohibition extends not only to the campaign after the formal announcement of candidacy, but also to the preliminaries leading to the announcement and to canvassing or soliciting support or doing or permitting to be done any act in furtherance of the candidacy. It would not extend, however, to responding affirmatively to inquiries concerning whether the employee intends to become a candidate.
- **Can** continue to serve in office attained by partisan election if individual begins CAA employment after election, but **cannot** run for reelection while employed by CAA
- **Can** run for and hold office in political parties, clubs, and organizations
- **Can** run for and hold office in non-public organizations, such as professional groups, fraternal organizations, religious groups, etc.



### ***Voting and Expression of Political Options***

- **Can** vote as you choose
- **Can** express opinions on political subjects and candidates

### ***Political Campaigns and Political Management***

- **Can**, as individuals, take an active part in political campaigns in partisan or nonpartisan elections
- **Can** campaign for candidates by making speeches, writing letters, drafting speeches for candidates or soliciting voters to support or oppose candidates
- **Can** attend political meetings or rallies and may serve on committees that organize or direct activities at campaign meetings or rallies
- **Can** serve as poll watcher
- **Can**, as individuals, take an active part in political management
- Political parties, organizations or clubs:
  - **Can** be members
  - **Can** attend and participate in meetings and political conventions
  - **Can** serve as delegates, alternates or proxies at conventions
- **Can** be candidates for and hold office in political party, club or organization
- **Can** do volunteer work for partisan candidates, campaign committees, and other political party activities
- **Cannot** use their official authority or influence as CAA employees for the purpose of interfering with or affecting the result of a partisan election or nomination for office.

The Office of Special Counsel views this prohibition as principally affecting supervisors, such as requiring a subordinate to vote for a particular candidate as a condition for giving the subordinate a raise, but also applying to any covered CAA employee (even a non-supervisor) in dealings with other employees. The prohibition would also bar the use of official CAA authority to influence elections in dealings with non-employees, such as vendors, sub grantees and clients.

### ***Political Contributions***

- **Can**, as individuals, make contributions, either financial or in-kind, to partisan or non-partisan campaigns or political organizations
- **Can**, as individuals, solicit and collect political contributions, but cannot directly or indirectly coerce, command or advise another covered CAA employee or a state or local employee covered by the Hatch Act (i.e. whose principal employment is in connection with federally-funded activity) to make a political contribution in connection with a partisan election or other partisan political activity

**Note:** The U.S. Merit Systems Protection Board (MSPB), which adjudicates actions brought by its Office of Special Counsel for enforcement of the Hatch Act, takes the position that *any* solicitation

of funds from subordinates is inherently coercive and is therefore prohibited. Therefore, although it is theoretically possible for a CAA employee to non-coercively solicit political contributions from a subordinate, such activity is subject to inquiry by the Office of Special Counsel; a safer course would be to ban all solicitation of campaign contributions from subordinate employees. As with any political activity in a gray area, a wise approach would be to seek a written advisory opinion from the Office of Special Counsel before engaging in the activity.

## **Infectious Disease/Respiratory Virus Plan**

GB Approved: March 28, 2024

The Menominee Delta Schoolcraft Community Action Agency (“CAA”) infectious disease/respiratory virus plan is based on information and guidance from the Centers for Disease Control (CDC) and the Occupational Health and Safety Administration (OSHA) at the time of its development.

### **Responsibilities of CAA Supervisors and Managers**

All CAA managers/supervisors must be familiar with this Plan and be ready to answer questions from employees. Additionally, CAA expects that all managers/supervisors will set a good example by following this Plan. This includes practicing good personal hygiene and jobsite safety practices to prevent the spread of viruses. Managers and supervisors must encourage this same behavior from all employees.

- Provide facility cleaning and disinfection to limit exposure to viruses, especially on high-touch surfaces (e.g., door handles), paying special attention to shared equipment (e.g., office equipment, copy machines, postage machines, vehicles, etc.).
- Adopt protocols to clean and disinfect the facility in the event of an outbreak of an infectious disease/respiratory virus.
- Make cleaning supplies available to employees upon entry and at the worksite and provide time for employees to wash hands frequently or to use hand sanitizer.
- Post for employees on how to report unsafe work conditions.

### **Responsibilities of Employees**

CAA has instituted several best practices to minimize exposure to viruses and prevent its spread in the workplace. This includes specific cleaning efforts. Beyond these best practices, CAA requires employees to report to their managers or supervisors immediately if they are experiencing signs or symptoms of illness and to not report to work until you communicate with your supervisor.

If an employee develops a fever and symptoms of respiratory illness they are not to report to work. Individuals must notify their supervisor immediately if sick.

An employee may return to work when:

- At least 24 hours have passed since the resolution of fever without the use of fever-reducing medications **and**
- All other symptoms have improved.

- Employees should also take additional precautions for 5 days after they can return to work. This can include mask wearing, distancing, and testing when applicable.

**Sick Leave**

Employees have PTO they can use when they are ill and cannot report to work. Through the 2024 calendar year, there will be 5 days of paid COVID days that staff will have access to if they need to remain at home. Staff need to provide a picture of a positive test to the Human Resources Department and their Supervisor to get access to the 5 days.

## Pandemic/Epidemic Response

**Reasons for Policy:** A pandemic is a global disease outbreak. An epidemic is a widespread occurrence of an infectious disease in a community at a particular time. It is the intent of the Menominee Delta Schoolcraft Community Action Agency, Inc. ("CAA") to protect its employees and clientele from communicable diseases and to respond to the effects of a pandemic or an epidemic.

**Statement of Policy:**

1. If a pandemic or an epidemic has been declared by the World Health Organization and by Agency's local Public Health Department - Delta Menominee (PHDM) or county emergency manager, and a state of emergency is declared where organizations must close, CAA will follow all such orders and close office sites. CAA will respond as determined by the State of Michigan on whether a service is considered an essential service and will continue operating. CAA will provide essential services as long as possible.
2. Employees who are actively at work when the federal, state, or local government, PHDM or the local Emergency Manager declares a state of emergency or a pandemic/epidemic in the counties of Delta, Menominee, or Schoolcraft, will be sent home by their manager, or to the nearest health care facility, or community organization designated to assist during an emergency/epidemic. Employees scheduled to work on the day of the declared emergency/epidemic and are asked to go home will be paid for the full day of work. Employees scheduled to work on such a day who have not yet reported to work, will be notified not to report to work by an authorized CAA manager/supervisor and will be credited for that day as if they worked.
3. Employees scheduled to use Agency approved leave time on the day of the Agency closures will be required to use their leave time as scheduled.
4. Once a state of emergency/epidemic/quarantine is declared by the federal, state, or local government, emergency manager or PHDM or official in charge of such declaration, the Executive Director will determine whether the declaration of the emergency will result in a CAA office closure. The Executive Director will notify the Board Chair, Finance Director, Human Resource Director, and all Program Directors of a closure. These positions will notify all people within their department or designated program. The mechanism for this notification will be at the discretion of the manager. Notification of the closure will also be placed on the local television station and radio stations under closures.

5. Employees who are able to perform their essential duties from home or off-site during a declared quarantine shall be required to do so, unless individual permission to work onsite is given from the Program Director or Executive Director. Employees will work with their supervisor and/or Program Director to establish work responsibilities, timekeeping, and ongoing contact with the supervisor. If an employee continues to work with consumers/clients or has to be on site during the stay at home orders, the Program Director may authorize a temporary pay increase due to increased responsibilities.
6. Each Program Director and Department Director shall be responsible for identifying and ensuring employees and other critical inputs required to maintain business operations under their control and function will occur during the state of emergency/epidemic/quarantine.
7. If a stay at home order is declared by the Governor, employees working from home due to the order will be paid their wages if the funding source allows.
8. MDSCAA will follow all applicable rules and regulations set forth by the State Legislature and Federal Government regarding appropriate leave and benefits for employees.
9. If an employee comes to work and appears ill to their supervisor, the employee will be sent home and required to use their leave or government mandated leave if available and applicable.
10. If an employee has known exposure to the current pandemic illness, and comes to work, they will be asked to self-quarantine at home and public health will be notified. The employee will be required to use their leave, have unpaid time off, or use government mandated leave if applicable.
11. When an employee is required to self-quarantine because they were in close contact, while working for CAA, with a client or fellow employee who is now being tested for COVID-19, their normally scheduled hours will be paid while they await the COVID-19 test results. Any employee who is being paid their normally scheduled hours, but is unable to report to their worksite while they await test results will be required to telework if this option is applicable to their position. If the test results are positive and the leave is available and applicable, the employee will begin to utilize the COVID-19 emergency sick leave. If the test results come back negative, the employee will be able to return to their regular work site with their supervisor's approval or continue their telework.
12. All Agency travel outside of Menominee, Delta, and Schoolcraft counties must have prior approval from the Program Director and Executive Director. Centers for Disease Control, Federal Government, or State Government travel health

notice guidelines and restrictions will be followed by the Program Director or Department Head.

13. If an employee traveled outside of work time and traveled to an area affected by the current pandemic, the employee may be asked to self-quarantine prior to returning to work. The employee will be required to use their leave or have unpaid time off if they have no leave if asked to stay home by their supervisor or Program Director.
14. CAA Centers and work sites may be closed or have restricted access on a case- by- case basis, following protocols from the federal government, State of MI, PHDM and other local entities, such as schools, that may share the same populations. All restrictions and closures will require approval from the Executive Director. The Executive Director will notify the Board Chair of any such closures.

The personal safety of all CAA employees and clients is the primary concern of this policy.

## Employee Client Relationship Policy

### Purpose:

The purpose of this policy is to maintain professional standards and boundaries between employees and clients of Menominee Delta Schoolcraft Community Action Agency (“CAA”). It aims to prevent conflicts of interest, protect the integrity of our work, and ensure that all interactions with clients remain within the scope of our professional services.

### Scope:

This policy applies to all employees of CAA including full-time, part-time, substitute and temporary staff.

### Policy:

1. **Professional Conduct:** Employees must conduct themselves professionally at all times when interacting with clients. Personal relationships with clients are discouraged as they can lead to potential conflicts of interest or perceptions of bias.
2. **Boundaries:** Employees should establish and maintain clear boundaries with clients. This includes avoiding non-work-related communications and activities that could compromise professional relationships.
3. **Conflict of Interest:** Any personal relationship with a client that could influence an employee's objectivity or decision-making must be disclosed to HR immediately. Employees are prohibited from using their position to benefit friends or family members or to obtain personal favors from clients.
4. **Confidentiality:** Employees must respect the confidentiality of client information. Personal relationships should not be used to share or solicit confidential information.
5. **Reporting:** Employees are encouraged to report any concerns or breaches of this policy to their supervisor or HR. Reports can be made anonymously, and all reports will be investigated promptly and discreetly.
6. **Enforcement:** Violation of this policy may result in disciplinary action, up to and including termination of employment.



## Work Hours and PTO Policy for Salaried and Hourly Employees

### Purpose:

To establish clear expectations for work hours, time tracking, and Paid Time Off (PTO) usage for both salaried and hourly employees.

### Policy:

#### 1. General Expectations

##### Salaried Employees

- Salaried employees must maintain a consistent work schedule aligned with their role and program needs
  - Each employee must have a current, supervisor-approved Employee Work Schedule Form on file and should follow this schedule as closely as possible
  - Employees should discuss how to communicate schedule changes with their supervisor
- Schedule flexibility is permissible (e.g., starting/leaving late or starting/leaving early), but employees must ensure responsibilities are met
- Salaried employees must accurately record their work hours on their timesheets, ensuring they align with the supervisor-approved Employee Work Schedule on file. If scheduled hours are not met within the pay period, Paid Time Off (PTO) should be requested to cover the shortfall.

##### Hourly Employees

- Work hours are based on **assigned schedules** and must be accurately recorded
- Hourly employees must clock in and out for all hours worked
- Any deviation from the schedule (e.g., arriving/staying late, coming in/leaving early) must be approved by the employee's supervisor and accurately reflected on the timesheet

#### 2. Time Away from Work

##### Salaried Employees

- Salaried employees are expected to fulfill a work requirement, which generally equates to 40 hours per week or 80 hours per biweekly pay period; however, the Agency recognizes that work schedules may vary throughout the year
- **Guidelines:**
  - If an employee anticipates falling short of the pay period requirement due to planned or unplanned time off, they are expected to either:
    - Make up the time within the same pay period, or

- Use available Paid Time Off (PTO) to cover the shortfall
  - PTO must be applied before payroll is processed for the period in which the shortfall occurs
- **Responsibilities:**
  - Employees are responsible for monitoring their hours and coordinating with their supervisor to ensure compliance with this policy; supervisors may request a plan for how the employee intends to make up any time not worked

### Hourly Employees

- Must clock in and out for all hours worked
- PTO must be used for any **scheduled time not worked**, unless otherwise approved
- Unauthorized absences or failure to report time accurately may result in corrective action

### 3. Time Tracking and Reporting

- All employees must **accurately record** their time worked using the Agency's timekeeping system
- **Salaried employees** must accurately record their work hours on their timesheets, ensuring they align with the supervisor-approved Employee Work Schedule on file. If scheduled hours are not met within the pay period, Paid Time Off (PTO) should be requested to cover the shortfall.
- **Hourly employees** must clock in/out at the beginning and end of each shift and for meal breaks as required
- Failure to report time accurately may result in corrective action

### 4. Communication and Approval

- All planned time off should be **requested and approved** in advance
- Unexpected absences should be communicated to the supervisor **as soon as possible**
- Supervisors are responsible for ensuring compliance with this policy and addressing any discrepancies in time reporting or attendance