

# 2017-2018 Personnel Policies & Procedures



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Kids' Corps, Inc.

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Head Start & Early Head Start

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**INTRODUCTION**

The purpose of this Personnel Policies and Procedures Manual is to serve as a guide, which outlines Kids' Corps, Inc. (KCI) expectations and familiarizes employees with KCI's practices.

KCI makes personnel decisions that are fair and equitable while at all times assuring that the best interests of KCI are served.

**MISSION STATEMENT**

We provide a head start to families with children who need it most.

**OUR PRIMARY GOAL AS AN AGENCY**

Promote school readiness and family well-being by providing a comprehensive program that fosters sound growth and development

**PROGRAM PHILOSOPHY**

- Help each child to achieve school readiness by supporting good health and nutrition and sound, physical, cognitive, language, social and emotional development
- Ensure all enrolled families have access to all our services
- Embrace the diversity and uniqueness of the children and families we serve
- Keep families at the center of decision making for their children
- Help families help themselves
- Engage our community to develop resources that promote the healthy growth and development of young children who live in poverty
- Provide a high quality program by using our resources effectively and responsibly

**INTENT OF KIDS CORPS, INC. PERSONNEL POLICIES**

The intent of these policies is to maximize KCI's effectiveness in fulfilling agency goals and objectives and to comply with all federal, state and local laws applicable to KCI and its operations. If any part of this policy conflicts with any law, rule, regulation and/or condition mandated by any funding source or regulatory body, those regulatory specifications shall prevail.

The personnel policies have been developed to assist agency personnel in understanding their responsibilities as employees of KCI.

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This Personnel Policy and Procedures Manual is designed to acquaint you with KCI and provide you with information about working conditions, employee benefits and some of the policies affecting your employment. You should read, understand and comply with all provisions of the Personnel Policy and Procedures Manual.

No manual can anticipate every circumstance or question about policy, and as KCI continues to grow, the need may arise to revise, supplement or rescind any portion or policy of this manual. KCI, therefore, in its sole and absolute discretion, reserves the right to revise, supplement or rescind any policies or portion of this Personnel Policy and Procedures Manual from time to time, as it deems appropriate.

KCI, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this manual at any time without prior notice. Any such action will apply to existing as well as future employees. No statement of promise by a supervisor or manager may be interpreted as a change in policy nor will it constitute an agreement with an employee contrary to any policy specified in this manual.

### **NATURE OF EMPLOYMENT**

This Personnel Policies and Procedures Manual is not an employment contract and is not intended to create contractual obligations of any kind. **Your employment at KCI is “at will,” which means it is not for a specified period of time, and this manual does not limit your right or KCI’s right to terminate employment at any time for any reason or no reason.** No supervisor or director is authorized to enter into anything other than an at-will employment relationship with any employee on behalf of KCI.

### **CHANGES AND REVISIONS TO PERSONNEL POLICIES AND PROCEDURES**

Personnel policies and procedures are reviewed and approved at least annually by the Head Start Policy Council (PC) and the Board of Directors (Board) of KCI (Reference 45 CFR 1302.90).

Recommendations for changes to these policies and procedures shall be forwarded in writing to the Executive Director. They will be placed in a file for review during the next revision cycle.

Any policy that becomes outdated and/or hampers the effective operation of business should be brought to the attention of the Executive Director.

The Executive Director or Designee of the Executive Director oversees the proposal of revisions to the Personnel Policies and Procedures Manual. Changes are made at the discretion of KCI and are provided to staff as soon as practical after approval by the PC and the Board.

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**Section I. EMPLOYMENT PRACTICES**

**1.01 EQUAL OPPORTUNITY**

It is the policy of KCI to recruit, hire, train and promote for all job classifications without regard to a person's race, religion, color or national origin, age, physical or mental disability, sex, sexual orientation, marital status, changes in marital status, pregnancy, parenthood, status as a Vietnam-era or disabled veteran, or any other impermissible characteristic as defined by law when the reasonable demands of the position do not require distinction of the aforementioned items.

**1.02 WHISTLEBLOWER ANTI-RETALIATION**

Employees will not be discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment by KCI for good faith reporting of incidents under the Whistleblower Act. Anyone wishing to make a good faith report under the Whistleblower act should contact:

US Department of Health and Human Services  
Administration for Children and Families  
Region X, Head Start  
701 Fifth Avenue, Suite 1600, MS-76  
Seattle, Washington 98104  
(206) 615-2547

**1.03 HARASSMENT**

KCI, in keeping with federal and state law and good business practice, expressly prohibits any form of harassment based on a person's race, religion, color or national origin, age, physical or mental disability, sex, sexual orientation, marital status, changes in marital status, pregnancy, parenthood, status as a Vietnam-era or disabled veteran, or any other impermissible characteristic as defined by law. Interference with the ability of KCI's employees to perform their expected job duties is not tolerated.

**(a) Workplace Harassment**

Workplace harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, calendars, e-mail jokes or statements, pranks, intimidation, physical assaults or contact or violence.



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**(b) Reporting**

If you experience any job-related harassment based on your sex, race or another factor, or believe you have been treated in an unlawful, discriminatory manner, you should immediately contact your supervisor. This should be done in writing. All reports will be promptly investigated with due regard for the privacy of everyone involved. If, after conducting an investigation, management believes that any of its employees have acted inappropriately, disciplinary action will be taken against the offending employee. If the alleged offender is the Executive Director, you should contact the President or acting President of the Board of Directors in writing.

It is the policy of KCI for employees to have a working environment free from all forms of unlawful discrimination and conduct, which can be considered harassing, coercive or disruptive. Improper behavior of an employee which is not welcome, which is personally offensive, which is severe or pervasive and adversely impacts morale, and which, therefore, improperly interferes with work effectiveness may result in disciplinary action, up to and including termination.

**(c) Retaliation**

Retaliation of any sort will not be permitted. No adverse employment action will be taken for any employee making a good faith report of alleged harassment.

**(d) Sexual Harassment**

Sexual harassment by supervisors, employees or volunteers is illegal and will not be tolerated. Unwelcome sexual advances, inquiries, request for sexual favors, derogatory verbal and visual displays and verbal or physical conduct of a severe or pervasive sexual nature constitutes sexual harassment. Additionally, sexual harassment also occurs when:

- submission to such behavior is made explicitly or implicitly a term or condition of an individual's employment or volunteer service; or
- submission to or rejection of such behavior by an individual is used as the basis of decisions affecting the employee or volunteer; or such behavior has the effect of interfering with an individual's work performance by creating an intimidating, hostile or offensive work environment.

**Harassment Reporting Procedures**

1. Reports of harassment should be immediately communicated to the complainant's manager. Reports may be written or verbal. If the manager who supervises the department is not available, the report should be forwarded to another manager. Upon receiving a written

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report, the manager should forward it to the Executive Director immediately without screening or investigating the report. If the report was given verbally, the manager shall commit it to written form within 24 hours and forward it to the Executive Director. Failure to forward any harassment report or complaint as provided herein shall result in disciplinary action leading up to and including termination. If the complaint involves the manager, the complaint shall be filed directly with the Executive Director. If the complaint involves the Executive Director, the complaint shall be filed with the board of director's president or acting president.

2. Submission of a good faith complaint or report of harassment will not affect the individual's future employment or work assignment.
3. Use of formal reporting forms is not mandatory.

Investigation and Recommendation

- The Executive Director or designee, upon receipt of a report or complaint alleging harassment, shall immediately authorize an investigation. This investigation may be conducted by the company officials or by a third party designated by the company. The investigating party shall provide a written report of the status of the investigation within 10 working days to the Executive Director. In addition to the 10-day status report, the investigator shall make a final report to the Executive Director upon completion of the investigation.
- In determining whether alleged conduct constitutes harassment, the company should consider the surrounding circumstances, the nature of the conduct or speech, the relationships between the parties involved and the context in which the alleged incidents occurred.
- The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and review of documents deemed pertinent by the investigator.
- In addition, the company may take immediate steps, at its discretion, to protect the complainant and employees pending completion of an investigation of alleged harassment.

Non-Harassment

- The company recognizes that not every advance or act of a sexual, insensitive, or apparently offensive nature constitutes harassment. Whether a particular action or

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incident is permissible requires a determination based on all the facts and surrounding circumstances. False accusations of harassment can have a serious detrimental effect on innocent parties.

Right to Alternative Complaint Procedure

- These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with a human rights commission, initiating civil action or seeking redress under state or federal law.

Discipline

- Kids' Corps, Inc. will take such disciplinary action it deems necessary and appropriate, including warning, suspension, or immediate discharge to end harassment and prevent its reoccurrence.
- Kids' Corps, Inc. will respect the confidentiality of the complaint and the individual(s) against whom the complaint is filed as much as possible, consistent with the company's legal obligation and the necessity to investigate allegations of harassment and take disciplinary action when the conduct has occurred.

Sexual harassment may be grounds for immediate termination. Any employee who feels this policy is being violated should report this to the Executive Director. In the event the Executive Director is the alleged harasser, the complainant should make a report (in writing) directly to the President or acting President of the Board.

**1.04 DISABILITY PROVISION**

It is the policy of KCI to comply with federal and state laws concerning the employment of individuals with a disability. Accordingly, KCI will not discriminate against qualified individuals who have a disability with respect to selection and hiring, advancement, termination, compensation, training or other terms, conditions, and privileges of employment. Further, KCI will make reasonable efforts to accommodate qualified individuals with a disability so that they can perform the essential functions of a job. In this provision, "disability" means a physical or mental impairment that substantially limits a major life activity, as defined by law.

**1.05 GENERAL ADMINISTRATION OF THE PERSONNEL SYSTEM**

The Executive Director is responsible for the general administration of the personnel system.

Confidential personnel files shall be maintained for every employee. These records will be maintained in locked cabinets in the KCI Administration office at 101 Davis Street in the care of the Human Resources Manager.

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Managers are responsible for developing training plans and overseeing training for the staff they supervise. The Human Resources Manager tracks and compiles evaluations for all training and maintains training records.

Personnel records are filed in folders and sections. Personnel records include, but are not limited to, the following or a copy of the following:

**Personnel:**

- Hiring information including application and resume
- References
- Education documentation that meet the requirements for a position
- Copies of licenses, certificates or notices related to qualification for a position
- Performance appraisals
- Personnel actions
- Letters of commendation, awards and other documents related to employee performance
- Emergency contact information
- Copy of Criminal history that is available to an interested person (IPR) from the State of Alaska Department of Public Safety
- Release of Information (ROI) signed for permission to check background when submitting fingerprints to the State of Alaska Background Check Program
- Employee Standards of Conduct Policies (required by 45 CFR 1302)
- New Employee Orientation Forms (required by 45 CFR 1302)
- Background and sex offender registry check information (required by 45 CFR 1302)
- Waivers of job requirements
- Child Care Worker Orientation Checklist (positions working with children and families)

**Benefits and Payroll:**

- W-4 withholding information
- Payroll Status and Change Reports
- Benefit information
- Authorization for Direct Deposit
- Changes or orders related to payroll and benefits
- CDA Agreement Form
- Voluntary salary reduction agreements
- Voluntary Tuition Withholding form
- Salary redirection agreements
- Garnishments

**Training and Technical Assistance:**

- Documentation of training and training related expenses
- Certificates of training attendance
- Individual Professional Development Plans

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**Worker's Compensation Records:**

Confidential Worker's Compensation files are maintained separate from other personnel records.

**Medical Records:**

Confidential medical records are maintained for every employee in a location separate from all other personnel records and may include the following:

- Medical Examinations
- TB Screening and results
- Doctor release forms (e.g., return to work, new hire)
- Emergency medical information

Family and Medical Leave information is kept in separate files in the medical records file cabinet. I-9 and 401 K information are kept in separate binders in the personnel file cabinet.

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**SECTION II. EMPLOYMENT PROCESS, ORIENTATION AND PERSONNEL DOCUMENTATION**

The Human Resources Manager is responsible for coordinating the recruitment and selection process and initiating employee orientation set forth in this Section.

The Board of Directors is responsible for hiring, evaluating and if necessary firing the Executive Director. The Board is responsible for planning and initiating recruitment for the position of Executive Director.

**2.01 RECRUITMENT AND SELECTION OF REGULAR EMPLOYEES**

Employment opportunities typically will be offered to internal applicants first, then external applicants. However, at the discretion of management, positions may be offered simultaneously to internal and external applicants. The Administrative Assistant posts internal and external position openings as directed by the Human Resources Manager. The Human Resources Manager as well as the Education and/or Family Services, Health, Early Head Start Manager review applications. The Human Resources Manager notifies all candidates by phone or in writing of the outcome of their application and/or interview. The Human Resources Manager will maintain application packets on file for two years from the date of submission.

Substitute recruitment is an ongoing open process. Applicants for substitute positions must complete an interview and receive Policy Council approval like all other staff. After completing the KCI and childcare worker orientation, the substitute is added to a list to be called on an as-needed basis. Substitutes must meet Municipal Licensing Requirements for caregivers.

**(a) Internal and External Advertisement of Position Openings**

KCI staff is notified through the internal posting of all job openings by use of the Teamwork Times, [kcialaska.org](http://kcialaska.org), or e-mail sent to staff.

Advertisements for all external openings are placed on the State of Alaska Job Bank, Indeed, Facebook, Twitter, LinkedIn, and Craigslist websites. If a closing date exists for the position it will be noted in the advertisement. Otherwise, the position is considered open until filled. KCI also posts all job openings on its website. Occasionally, position openings are posted in the classified section of local area newspapers.

Head Start parents are notified by text message of all job openings. Additionally all position openings are listed in the center specific newsletters, on the website [kcialaska.org](http://kcialaska.org), and on KCI's Facebook page.

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**(b) Selection of Employees**

Before a person is hired, including contractors, consultants, and transportation staff who may be in contact with children and/or families, management conducts an interview, verifies references, and performs a state and national sex offender registry check and a state and federal fingerprint based background check (required by CFR 1302.90).

Interview Committees for regular staff positions are comprised of at least one supervisory staff member and, whenever possible, at least one parent. The Executive Director will lead the interview committee for all management positions, including the Human Resources Manager and Finance Manager. In the event a parent is not available or is scheduled but unable to attend, the Interview Committee may be comprised of two supervisory staff members. Upon completion of the interview process, it is the responsibility of the hiring manager, or the Executive Director for management positions, to assure that the Interview Committee recommendations are presented to the Policy Council (PC).

The Board in collaboration with the PC and the Human Resources Manager is responsible for developing the recruitment and selection process for the Executive Director. The Board, in collaboration with the PC, is responsible for determining the composition of the Interview Committee and for conducting interviews for the position of Executive Director.

**(c) Approval of New Hires**

All applicants recommended by the Interview Committee are presented to the PC for approval and may not begin employment until such approval is granted.

Approval is granted in one of two ways:

- 1) By telephone vote – where Policy Council representatives are contacted either by telephone or by e-mail and are provided the names of the persons on the interview committee, the persons selected for hire by the interview committee, and the positions the candidates were selected to fill. This list may include some who were selected as potential candidates for the positions in the next 90-days should a vacancy arise.
- 2) At the next regular Policy Council meeting – if the meeting is to be held prior to the position's projected start date.

In all cases, a list of new staff and Substitute staff will be presented to the Policy Council at the next regular meeting in order to ratify the telephone vote. Because of the dynamic nature of the Substitute list, the PC approves the Substitute List at their regular meeting each month.

Sometimes, a position needs to be filled prior to gaining PC approval (in an emergency situation). In these instances, KCI management will make a job offer that is contingent

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upon PC approval. In no instance will approval be more than 30 days after the offer is made.

The Executive Director and Finance Manager positions also require the approval of KCI's Region X Head Start Program Specialist. The Executive Director will request approval from Region X for the position of Finance Manager. The Board of Directors is responsible for ensuring Region X approval of the Executive Director. The Board of Directors is also responsible for negotiating the Executive Director's salary in compliance with the requirements of the Head Start Act.

**2.02 EMPLOYMENT STATUS CATEGORIES**

KCI has employment categories that assist in making distinctions in benefits and employee status. **However, all KCI employees are considered at-will whose employment with KCI can be terminated at any time for any reason by either KCI or the employee.**

**(a) Regular Employees**

Employees who work a minimum of thirty (30) hours per week on a regular basis are considered regular employees. Regular employees are eligible for all KCI sponsored benefits.

**(b) Part-Time Employees**

Employees who work less than thirty (30) hours per week are considered to be part-time employees. Part time employees are eligible for paid time off benefits, holidays, and position experience increases.

**(c) Introductory Employees**

Employees who were recommended by an Interview Committee for hire, approved by the PC, but have worked less than ninety (90) days (managers and Executive Director - 180 days) are considered introductory employees. Introductory employees are eligible for benefits once their introductory period has ended successfully. However, all staff are eligible for health insurance after 60 days.

Introductory employees are unable to accrue paid time off (PTO) until successful completion of their introductory period. The introductory period may be extended at the supervisor's discretion. There are two exceptions to this provision: (1) managers are eligible to accrue and use PTO after 90 days even though their introductory period is 180 days.

Introductory employees are eligible for holiday pay if they work the day before and the day after a holiday.



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**(d) Substitute Employees**

Employees who are contacted from a Substitute list on an as needed as available basis are considered substitute employees. Substitute employees are not eligible for KCI sponsored benefits.

**2.03 EMPLOYMENT OF RELATIVES**

Employee's relatives will be eligible for employment with KCI as long as no conflicts in supervision, safety, security, morale, or other areas exist. Any individual whose relative is a member of the Board or PC, however, is not eligible for hire. Employees may not directly supervise a relative.

Relatives of children and families enrolled will be eligible for employment. However, employees are not permitted to provide direct services to child/families related to them. Center directors may not supervise the staff at centers where their child/related child is enrolled.

For purposes of enforcement of this policy, relatives are defined as an employee's parent, child, spouse, sibling, foster placement, step relationship, grandchild, niece, nephew, aunt, uncle and "significant others".

**2.04 ORIENTATION**

The Human Resources Manager will initiate the orientation process of all new staff members in accordance with 45 CFR 1302.92 and Municipality of Anchorage Child and Adult Care Licensing Codes. Arrangements are then made to complete the orientation process based upon the specific job position. There are five different days of orientation that each employee receives. Orientations will be completed within fifteen (15) days of hire. The Human Resources Manager tracks, files orientation documentation, and the required documentation described below.

A comprehensive 5-day orientation agenda is available from the Human Resources Manager. Content of orientation includes:

**Day One Conducted by the Human Resources Manager and Direct Supervisor**

- Personnel file completion
- Overview of Kids' Corps and Head Start that includes mission, philosophy, goals, and strategic plans
- Personnel policies and procedures overview
- Standards of conduct
- E-mail and website use

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- Training and tuition assistance
- Time sheets and attachments
- Program calendar
- Child abuse and neglect recognition and reporting
- Health and safety requirements applicable to the employee
- Employee assistance program
- Job Description
- Supervisory expectations (using Job Description, Performance Appraisal, Head Start Performance Standards, and Municipal Code)

**Day Two Facilitated by Education Coordinator**

- Introductions and overview of Education Coordinator's role
- Job specific orientation (based on position description, success indicators, and other job-related expectations)
- Center tour and introductions
- Parent Handbook review and quiz
- Standard Operating Procedure reviews on health and safety
- Child Care Worker Orientation Checklist for staff with regular child contact
- Active Supervision Observation focused on person in similar position
- Food worker card certification training

**Day Three Facilitated by Education Coordinator, Supervisor, and Designated Peer**

- Policies and procedures overview
- Documents and forms review
- Classroom sanitizing procedures
- Assign new employee for TSG trainings required
- Job shadowing

**Day Four Facilitated by Education Coordinator, other coordinators, and specialists**

- Meet with Coordinators and support staff for training
- Room arrangement, dual language plan, CLASS
- Transportation safety training conducted for staff involved with classrooms and on buses
- Bus ride along if applicable (staff rides 2 routes, one for pick up and one for drop off, CD accompanies new staff for 1 route)
- Standard Operating Procedure review for classroom and transportation SOP's

**Day Five Facilitated by Education Coordinator and management**

- Curricula review and continue policies and procedures review as needed
- National Center for Quality Teaching and Learning (NCTQL) videos
- Meet with managers
- Benefits offered review
- Achievement Gap and First Five Years PowerPoint and video

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**2.05 REQUIRED DOCUMENTATION FOR ALL EMPLOYEES AND APPLICANTS**

**Prior to hire**, all applicants will have completed or provided the following (Reference 45 CFR 1302.90):

- Interview
- Proof of Education—Diploma, transcripts, certificate, military documentation (Transcripts must be provided prior to an interview for any position requiring a degree in which the degree is not in early childhood but considered related)
- Policy Council Approval to hire
- An employment application with no gaps for the previous 5 years
- An Interested Persons Report (IPR) from the State of Alaska Department of Public Safety
- Release of Information for the State of Alaska DHHS Background Check Program and/or the Municipality of Anchorage Child Care Licensing Program
- State and Federal Sex Offender Registry Check Results
- State and Federal Fingerprint Based Background Check Results
- At least two references on KCI forms

**Fingerprinting and Criminal History Report for Volunteers and Contractors**

- Volunteers who work more than 8 hours a month in one of KCI's facilities with children must meet standards for caregivers as described in Municipality of Anchorage Child and Adult Care Licensing Codes. Kids' Corps, Inc. conducts fingerprinting for these volunteers and results of background checks go directly to the Municipality of Anchorage. The Municipality maintains the records of the results and provides clearance for volunteers to continue working with children – the Municipal database is updated every six months with new information.
- KCI maintains background checks for consultants and contractors whose activities involve direct contact with and/or direct services to children and families. Documentation is kept with the contract for service.

**Upon hire**, all applicants will have completed or provided the following:

- **Medical Examination (Reference 45 CFR 1302.93)**
  - Employees are provided a form to take to their health care provider. KCI will pay for the examination in full if the employee selects one of KCI's examination service providers. Employees may use their own health care provider, but the amount KCI will reimburse an employee will be limited to the amount KCI pays its providers.
- **Employee, Volunteer, Contractor Conduct Form (Reference 45 CFR 1302.90)**
- **W-4 Employee Withholding Allowance Certificate**
- **I-9 (Immigration and Naturalization Service Form)**
- **Employee Information Form**
- **Signed Job Description**
- **Annual Health History**

Within the first fifteen (15) days of employment, unless otherwise arranged with the hiring manager and approved in writing, the following personnel records must be completed and on file for all employees:

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- New Employee Orientation and Child Care Worker Orientation
- At least 3 references on KCI forms (both business and personal)

<b>Document</b>	<b>Positions Affected</b>	<b>Comments</b>
Requirements of Anchorage Municipal Licensing Code	All staff and volunteer positions with more than eight hours per month of child contact	These are requirements as outlined for caregivers under AMC 16.55.330-350.

Other documents may be required to be completed or updated periodically. This includes:

<b>Document</b>	<b>Positions Affected</b>	<b>Frequency of Updates</b>
Annual Self Prepared Health History	All staff positions working with children and families	Annually
Proof of insurance	All Staff	Attached to every mileage reimbursement form submitted
Employee Information Form	All Staff	Annually or as needed
Employee Job Description	All Staff	Annually and with a position change
Employee, Volunteer, Contractor, Conduct Policy	All Staff	Annually

**2.06 INTRODUCTORY PERIOD**

All newly hired employees (interviewed, hired and approved by the PC) undergo a ninety (90) day introductory period. Management employees and the Executive Director undergo a one hundred eighty (180) day introductory period. This allows KCI to monitor and review employee performance. This also allows the employee to better understand and become familiar with KCI and his/her position.

**The existence and/or successful completion of the introductory period does not alter the at-will employment status of any employee.**

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**SECTION III. EMPLOYEE CONDUCT**

The nature of the work performed by employees of KCI requires frequent contact and interaction with members of the public. All employees are expected to maintain conduct that is courteous and professional and reflects favorably upon the agency and the employee. Staff annually sign an agreement to abide by KCI's code of conduct.

**3.01 GENERAL CONDUCT**

In accordance with 45 CFR 1302.90 (c), all staff, consultants, contractors, and volunteers are required to:

- implement positive strategies to support children's wellbeing and prevent and address challenging behavior
- respect and promote the unique identity of each child and family, and refrain from stereotyping on the basis of gender, race, ethnicity, culture, religion, disability, sexual orientation, or family composition
- adhere to program confidentiality policies concerning information about children, families and other staff members;
- not allow any child to be left alone or unsupervised while under their care; and
- use positive methods of child guidance
- staff must not engage in ignoring a child for an extended period, corporal punishment, emotional, verbal, or physical abuse which includes: humiliation, rejecting, terrorizing, or corrupting a child, using profane, sarcastic language, threats, or derogatory remarks about a child or child's family, using toilet training methods that punish, demean, or humiliate a child. In addition, staff will not bind or tie a child to restrict movement or tape a child's mouth, or employ methods of discipline that involve isolation, the use of food, physical activity or outdoor time as a punishment or reward, or deny a child's basic needs

**3.02 REGULAR ATTENDANCE**

Employees are expected to attend regularly and work within their designated work hours to perform their duties. Excessive absenteeism, tardiness, and early departures are not acceptable and are grounds for disciplinary action up to and including termination.

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**3.03 CRIMINAL RECORDS AND IMPENDING CRIMINAL CHARGES**

KCI staff are required to notify their supervisor in the event that they are arrested or otherwise charged with a crime while employed at KCI. The supervisor should immediately report this information to the supervising manager, who will inform the Executive Director. The Executive Director or designate, in consultation with KCI's Human Resources Manager, will determine the need for action based upon Municipality of Anchorage Child and Adult Care Licensing Code and Head Start Performance Standards.

**3.04 USE OF OFFICE ELECTRONIC EQUIPMENT AND COMMUNICATION, COMPUTERS, AND E-MAIL**

KCI has established a policy with regard to access and disclosure of electronic communications – fax, e-mail, telephone and Internet. KCI intends to honor the policies set forth below, but reserves the right to change them at any time as may be required under the circumstances.

- KCI maintains an electronic communication system. This system is provided to assist in the conduct of business within the organization.
- The electronic systems, software and hardware are KCI's property. Additionally, all messages composed, sent or received on these electronic systems are and remain the property of KCI. They are not the private property of any employee.
- The electronic systems may not be used to solicit or proselytize for commercial ventures, religious or political causes; outside organizations; or other non-job-related solicitations.
- The electronic systems are not to be used to create or store any offensive or disruptive messages. For example, any messages, which contain sexual implications, racial slurs, gender-specific comments or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin or disability, are considered offensive.
- The electronic systems shall not be used to access, send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, nude or sexually graphic or inappropriate data or pictures, or similar materials without express prior written authorization.
- KCI reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received, sent or maintained over these electronic systems for any purpose. The contents are properly obtained for legitimate business purposes and may be disclosed without the permission of the employee.

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- The confidentiality of any message should not be assumed. Even when a message is erased it is still possible to retrieve and read that message.
- Notwithstanding KCI's right to retrieve and read any electronic messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any electronic messages that are not sent to them. Any exception to this policy must receive prior approval.
- Employees should not use a code, access a file, or retrieve any stored information unless authorized to do so. Employees should not attempt to gain access to another employee's messages without the latter's written permission.

Any employee who discovers a violation of this policy shall notify his/her immediate supervisor, who will in turn notify the appropriate manager.

Any employee who violates this policy or uses these electronic systems for improper purposes may be subject to discipline, up to and including termination.

KCI employees are expected to use KCI office equipment, computers and email in a manner consistent with the type of work performed by the agency.

**3.05 USE OF PERSONAL CELLULAR TELEPHONES AND ELECTRONIC DEVICES**

Employees must not use personal cellular telephones, smart watches, or any other type of device (for calling, text-messaging, e-mail, internet, etc.) while supervising children. KCI staff and volunteers are prohibited from bringing their personal cellular telephones into any KCI classroom, bus, or playground. Staff with agency cell phones must turn the cell phone into the off position before entering the classroom. Only supervisors or coordinators are allowed to bring their personal cell phones on field trips unless approved by a supervisor.

Employees who need to receive telephone calls during the day are instructed to have calls come through the main telephone for the center so that coverage can be arranged before the employee takes the telephone call. All efforts will be made to get emergency calls to staff members as quickly as possible. However, KCI must fulfill its obligation to assure child safety by assuring adequate supervision prior to removing the staff member from the classroom.

Non-classroom staff must follow the guidance of their supervisor with regard to appropriate personal cellular telephone use.

Cellular telephones will be turned off (not set to vibrate) during meetings and training sessions.

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**3.06 CONFIDENTIALITY**

All employees are required to maintain confidentiality of agency, family and staff in accordance with applicable laws and regulations. Employees acknowledge this requirement by signing the Employee, Volunteer and Contractor Conduct Form.

**(a) Family Information**

All employees are informed in the orientation process that information concerning families is private information. This information is not to be discussed outside of the agency, with family friends or relatives, or with other employees who do not have a need to know the information.

There are circumstances where KCI can disclose personally identifiable information (PII) without parent consent. These circumstances are described in the Head Start Performance Standards, 1303.22(c)(1-8) and must be reviewed prior to sharing PII. Parent participation in any program activity is voluntary, including consent for data sharing, and is not required as a condition of the child's enrollment.

In any other circumstances, KCI staff are required to secure parental consent in writing before disclosing PII. Staff use an exchange of information form to document consent for records disclosure. The exchange of information specifies (1) what records we wish to disclose; (2) why we wish to disclose the records; and (3) identifies the parties or class of parties to whom the records will be disclosed. The form includes a notice to the parent that the granting of consent is voluntary on the part of the parent and may be revoked at any time.

**(b) Personnel Information**

Employees who have knowledge of KCI personnel information are bound by the same rules of confidentiality. KCI safeguards personal employee information in its possession to ensure the confidentiality of the information. Additionally, KCI will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements.

Personal employee information will be considered confidential and as such will be shared only as required and with those who have a need to access such information. Participants in KCI benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

Personal information that may be shared and not be considered a breach of confidentiality include the following:



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- Release of partial employee birth dates i.e., day and month and work anniversary dates are not considered confidential and may be shared to recognize employees on such dates
- Personal telephone numbers or e-mail addresses may be distributed to supervisors and management in order to facilitate company work schedules or business operations

**(c) Confidential Documents**

Confidential documents are to be secured and locked when not in use. Breach of confidentiality is subject to disciplinary action, up to and including termination. Confidentiality permanently binds employees after separation from employment with KCI.

**3.07 ENROLLMENT FRAUD**

Knowingly accepting false or incomplete eligibility information is an act subject to disciplinary action, up to and including termination.

**3.08 PERSONAL APPEARANCE STANDARDS**

Employees are expected to present themselves during working hours in attire that is appropriate to their position and the nature of the work to be performed. Employees should be particularly conscious of maintaining dress, grooming and hygiene standards that reflect favorably on them and on KCI.

Dress length, cut of clothing, footwear, etc. should be considered based upon the regular work environment of the employee. The impression staff makes on families and the community is a direct reflection on the agency. Therefore, some articles of clothing or body art are considered to be inappropriate.

The following is intended to provide examples of inappropriate personal appearance but is not intended to be comprehensive:

- Sandals with toe-straps between the toes are not permitted for health and safety reasons. This includes flip-flops or thong-style footwear of any type.
- All articles of clothing and accessories must be free from promotion for alcohol, bars or alcoholic clubs, tobacco products, legal and illegal drugs, sexual innuendo, gang-related symbols, discriminatory remarks, offensive language, offensive symbols, or anything otherwise deemed inappropriate for working around families and children.
- All visible tattoos must be covered appropriately.
- Facial jewelry (tongue, eyebrow, nose, lip, etc.) shall be removed or covered. Tongue jewelry is not allowed unless it is the flat, flesh tone or clear style cover-up jewelry.

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- Clothing should be free from holes and in good repair (this includes clothing purchased with intentional rips and tears). Sweatpants are not allowed.
- Any clothing with spaghetti straps, tank tops, tube tops, clothing that reveals bare backs or bare midriffs is not appropriate. Sleeveless blouses must cover the shoulders to the arm. Staff may wear leggings but they must wear a shirt that covers in length to mid-thigh.

The determination of what is inappropriate or appropriate is made by supervisory staff as long as such standards are within reason and are applied fairly and equitably. If a supervisory staff member is uncertain about the appropriateness of a staff member's attire, he/she should contact the appropriate manager for further guidance.

**Other Personal Appearance Reminders:**

- Hair should be clean, combed and neatly trimmed or arranged
- Hair should not be dyed purple, pink, green or other unnatural color
- Good personal hygiene habits must be maintained

In the event that an employee appears for work not meeting the personal appearance standards, the employee will be asked to correct the areas of concern (either by changing clothing or accessory or by covering it). If the employee must leave and return to make the corrections, the time will be considered employee's personal time and will not be compensated as work time.

These standards apply at all times while working. This includes Parent Committee Meetings, classroom cleaning, trainings, meetings, etc.

**3.09 CONFLICTS OF INTEREST**

Conflicts arise on occasion when an employee engages in activities that can create potential problems for the agency.

**(a) Unacceptable Personal Benefits from Employment**

Employees will not be allowed to solicit, obtain, accept or retain any personal benefit from any supplier, vendor, parent or any individual or organization doing or seeking business with KCI. As used here, personal benefit means a gift, gratuity, favor, service and compensation in any form, discount, special treatment or anything of monetary value. Employees should consult with supervisory personnel in circumstances, which the employee believes may be in question.

Any employee who is offered a personal benefit as a result of their employment with KCI must report it immediately to his or her supervisor. The acceptance of a personal benefit by a KCI employee, which can or appears to offer benefit to the donor in any program operated by KCI, is grounds for disciplinary action, up to and including termination.

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Employees should not solicit business in the workplace (e.g. Avon, Mary Kay, PartyLite Candles, etc.).

**(b) Employment Outside of KCI**

An employee may hold a position with another organization provided that he/she satisfactorily performs the responsibilities of their position with KCI. All employees are held to the same performance standards and are subject to the same scheduling demands, regardless of any existing outside employment requirements.

An employee's outside employment activities must not create a conflict of interest with KCI. Employees engaging in any other employment activity, which might constitute a conflict of interest, must notify the Executive Director in writing. Outside employment will present a conflict if it has an adverse impact on KCI or the employee's performance of duties for KCI.

Employees who are performing outside employment may not use a KCI facility, resources or equipment while conducting outside employment nor conduct such business on KCI time. Should a conflict arise as the result of other employment activities, KCI will notify the employee in writing and will state recommendations based upon findings and the employee will be asked to resolve the conflict.

**(c) Community Boards/Representatives**

Employees who accept positions on community boards and commissions or speaking engagements must clearly indicate they are speaking for themselves only and not as a representative of KCI. The Executive Director may approve an employee to speak or act in an official capacity on behalf of KCI. This approval will be in writing on KCI letterhead (or stationery).

**(d) Political Activities**

No employee shall participate in partisan political activities while on official duty status. Employees must not identify themselves as working on behalf of KCI in any partisan or nonpartisan political activity. It is the responsibility of each employee, prior to engaging in political activity during off duty time, to determine their individual status with regard to the Federal "Hatch" Act.

**3.10 STAFF CHILDREN IN THE WORKPLACE**

Children of staff members are not permitted in the workplace without prior approval from the employee's direct supervisor. Approval will be granted only for special projects or events. This approval must be obtained in writing and each time a request is made.

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Any employee who appears for work with his/her child/children without prior approval from his/her supervisor will be required to return home. This absence will be treated as leave time.

For purposes of enforcement of this policy, "staff children" are defined as natural, step, adopted, foster, or other significant relationships (nephew, niece, living in the home, etc.)

**3.11 STAFF TRANSPORTING CHILDREN**

Staff may transport children enrolled in KCI in their own insured vehicle if they are on the child's emergency information form and, they are not working while transporting. A staff member must receive management approval prior to transporting a child enrolled in KCI if transporting will occur during the employee's scheduled work time.

**3.12 STAFF BABYSITTING**

Staff members cannot babysit for families with children enrolled in our program unless the employee is related to the child and family through blood, marriage, or adoption.

**3.13 SMOKING**

All KCI sites are designated as smoke-free. Smoking is not permitted in buildings, on buses or on playgrounds. Smoking by employees while on field trips or home visits is prohibited. Smoking is prohibited within fifty (50) feet of any entrance or window of any KCI facility. Smoking is permitted in a privately owned vehicle or in an otherwise designated smoking area. Designated smoking areas are available at most sites. Smoking should never occur in the presence of children and families.

**3.14 DRUG-FREE WORKPLACE**

No employee may unlawfully manufacture, distribute, possess or use a controlled substance in the workplace. A violation of this policy will result in disciplinary action, up to and including termination.

An employee who is arrested or charged with violation of a criminal drug statute or is convicted under any criminal drug statute for a violation occurring in the workplace must notify KCI of this arrest, charge, or conviction within five (5) days after the incident. Notice of the conviction will result in disciplinary action, up to and including termination. Such action will be taken no later than thirty (30) days after receiving notice of the conviction. If covered by federal regulation, the funding source for the employee's position will be notified of such a conviction within ten (10) days of receipt of the notice of

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conviction. Failure of the employee to notify KCI of any criminal drug statute violation will result in personnel action, up to and including termination.

Definitions for the purposes of this policy are defined as:

- *Workplace* – any place or time when the employee is performing work for KCI.
- *Controlled Substance* – any substance that is listed in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and is further defined in federal regulations at 21 CFR 1308.11-1308.15.
- *Conviction* – means a finding of guilt, including a no-contest plea or imposition of sentence or both by any judicial body, charged with the responsibility to determine violations of federal or state criminal drug statutes.
- *Criminal drug statute* – a federal, state or local criminal law involving the manufacture, distribution, possession or use of any controlled substance.

KCI retains the right to direct employees, during their working hours, to provide breath or urine samples for medical testing when probable cause exists. Probable cause exists if the employee is involved in an accident, sustains a reportable injury while in the workplace, or exhibits behavior or actions that may indicate they may be under the influence of alcohol or drugs. The decision to direct employees for drug or alcohol screening lies with the supervising manager or his/her designee.

Reporting for work under the influence of drugs or alcohol is not permitted. Employees reporting for work under the influence of drugs or alcohol will receive disciplinary action up to and including termination.

### **3.15 VIOLENCE IN THE WORKPLACE**

Violence in the workplace will not be tolerated. Any employee who engages in violence on any KCI site or at any KCI sponsored event will be immediately suspended without pay and be subject to disciplinary action, up to and including termination, pending the results of the investigation.

Violence is defined as any act or imminent threat of physical harm to another person (staff, child, client, volunteer, vendor or contractor).

Violence in the workplace will be reported to the appropriate authorities (e.g., Alaska State Troopers, Municipality of Anchorage Police Department).

### **3.16 WEAPONS IN THE WORKPLACE**

Weapons of any type are not allowed in any of KCI's workplaces. This includes personal lockers, desks, or other storage areas provided by KCI for its employees, which remain solely the property of KCI. These items are subject to search at any time and no employee should have any expectation of privacy for any materials placed in these items.

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Even those licensed to carry concealed or other weapons shall adhere to this policy. Discovery of a weapon at work will result in disciplinary action up to and including termination and will result in a report to appropriate authorities.

**3.17 SECURITY**

It is the policy of KCI to maintain strict control over the entrance to each of the sites and access to files, equipment, materials and anything of monetary value.

Employees who are assigned keys or provided special access to facilities, materials and equipment are expected to use sound judgment and discretion when carrying out their duties. Employees will be held accountable for any wrongdoing or acts of indiscretion as a result of having access to facilities, materials and equipment and will be subject to disciplinary action, up to and including termination.

Employees holding keys, materials, identification tags, business cards or equipment belonging to KCI will surrender the items prior to leaving at any time when he/she will be away from the agency for more than Twenty (20) days, including employees going on summer lay-off.

**3.18 INTERNAL COMMUNICATION**

**1) Communication Expectations**

KCI employees are expected to use KCI's website to find recent information for program related activities. KCI's website should be accessed at least once a day during work hours.

KCI employees are expected to access their e-mail at least once each work day to assure timely flow of information.

KCI employees are expected to participate fully in meetings and training activities. KCI employees are expected to maintain positive communication with families.

KCI employees are expected to maintain professionalism in their communications with co-workers, families, children, vendors, and the community.

**2) Communication Expectations for Grants and Fund Raising Activities**

KCI employees who wish to write a grant on behalf of KCI must inform the Executive Director prior to moving forward.

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**3.19 INTERNAL CONFLICT RESOLUTION**

Personal or professional conflicts may occur in any workplace. KCI employees are expected to always attempt to resolve a workplace conflict by first meeting with the person(s) with whom the conflict exists.

If the individuals in conflict cannot reach a mutually satisfactory resolution, either employee may contact his/her supervisor to request mediation between the conflicting parties. If this meeting facilitated by the supervisor(s) of conflicting employees does not resolve the conflict, either employee may address a written request for conflict resolution to the responsible manager. The manager, in consultation with the Human Resources Manager, will meet with the conflicting parties to develop a plan for timely resolution of the conflict.

If the conflict involves an employee and his/her supervisor, the employee should still first seek a face to face meeting with the supervisor to attempt to resolve the conflict. If this meeting does not produce a resolution, the employee may address a written request for conflict resolution to the responsible manager. (This request should be addressed to the Executive Director if the employee's supervisor is a manager.)

**3.20 CIRCUMVENTION**

Any discussion by an employee with Board members/parents that is designed to circumvent KCI personnel policies and procedures or is intended to interfere with the ability of administrative personnel to carry out their duties shall be grounds for disciplinary action, up to and including termination.

The Board of Directors and Policy Council of Kids' Corps, Inc. is responsible for setting policies for its employees. These governing bodies employ the Executive Director to whom they delegate responsibilities for the day-to-day management of KCI. KCI employs and manages employees with policies set and approved by these governing bodies.

KCI's employees are accountable to the Executive Director, through whom all communication to the Board and Policy Council is channeled. An employee who does not follow the stated policy of channeling information through the Executive Director may be subject to disciplinary action.

Reports of Harassment by the Executive Director are exempted from this policy (cross reference Harassment in Section 1).

#### **SECTION IV. CHILD ABUSE AND NEGLECT REPORTING**

All KCI employees are required to report suspected child abuse and neglect or child sexual abuse to the appropriate authorities.

##### **4.01 REPORTING CHILD ABUSE AND NEGLECT**

In accordance with Alaska State Child Abuse/Neglect Reporting Law, as defined in Alaska Statutes 47.17, Program staff must report suspected child abuse, child sexual abuse or neglect of a child to the Office of Children's Services (OCS). In addition, KCI will ensure the following:

- All staff members are informed of their responsibility to report suspected child abuse and neglect. This is documented in the orientation process.
- Each staff member, staff substitute and classroom volunteer will receive a copy of KCI's Suspected Child Abuse and Neglect Reporting Procedure within their first week of work.
- All staff that work with families or children are required to participate in mandatory annual training that reviews the Child Abuse and Neglect Law and KCI's reporting procedure.

##### **(a) Reporting Process**

Staff members who suspect a child has suffered abuse or neglect should immediately contact the Family Services Coordinator or their Supervisor. If the Coordinator or Center Director is not available, staff members may contact management. The staff member and Coordinator make the decision whether to file a report with OCS.

- If a report of harm needs to be filed, the staff member closest to the incident will complete the Referral for Suspected Child Abuse or Neglect form, available from the Family Services Coordinator or Center Director, and call OCS.
  - The Family Services Coordinator and each Supervisor has access to the referral form. Copies of the form are not circulated or maintained in the standard Forms File Cabinet.
- After completing the referral, calling OCS, and faxing the referral to OCS, the Supervisor forwards the original to the Family Services Coordinator or designated back-up such the appropriate Manager. The Family Services Coordinator will place the referral in a binder kept in a locked filing cabinet.



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- The reporting staff member records in the family contact section of the child's file that a report was faxed to OCS and that an intake social worker was contacted, either directly or through a telephone message. Staff must not place the OCS referral in the child's file nor describe its contents in the family contact section of the child's file.

**(b) Volunteers and Substitutes Concerned with Suspected Child Abuse and Neglect**

Any substitute, parent or volunteer who becomes concerned about the safety of a child is required to discuss the situation with the Center Director. If the Center Director is unavailable, the concern is taken to the Family Services Coordinator or Teacher.

Special care is taken to protect the confidentiality of the family involved when volunteers or parents approach staff with child abuse and neglect concerns. KCI staff is responsible for making the determination for filing a report.

**(c) After a Report is Made**

The Family Services Coordinator and Family Advocate assigned to the family involved work together to support the family and assist them in locating resources that the family may need.

**(d) Child Abuse and Neglect Training**

KCI is committed to increasing its effectiveness in protecting all children. With this goal in mind, KCI provides training to staff, parents and volunteers in recognizing the obvious signs, as well as the "gray areas" of child abuse and neglect. This training is offered at least one time per year to all staff working with families and children directly. KCI staff working with children and families are required to attend once a year.

**EMPLOYEE HEALTH AND SAFETY**

KCI is committed to providing a safe and healthy working environment for employees. Health and safety information is included in the Teamwork Times. At times, training on specific health and safety issues will be offered, or in some cases, required.

Employees are responsible for managing their own health and assisting in keeping themselves safe in the workplace.

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**4.02 HEALTH**

Employees with communicable diseases such as strep throat or conjunctivitis will not be allowed to work until such a time that a physician has provided a written release to work notice. Releases are maintained in an employee's medical file.

If a health issue involves a physical and/or mental disability, the supervising manager or his/her designee will need to be notified immediately. In the case of an employee returning to work or a new hire being employed with a physical and/or mental disability the Executive Director, in consultation with the Human Resources Manager, will work with the employee and others, as appropriate, to determine if and what reasonable accommodations and temporary job modifications may be appropriate to accommodate illness, injury or other disability to allow the employee to perform the essential functions of the position.

**4.03 SAFETY**

KCI will make every effort to provide a safe work environment. Employees are expected to be conscientious about safety and accident prevention. Guns are absolutely prohibited in the workplace. Pocket knives or other potentially dangerous instruments should not be brought to work or used in any threatening manner.

Employees' responsibilities include, but are not limited to, the following:

- Ensuring that the Administrative Assistant has the most current information on emergency contacts
- Using appropriate barriers when assisting children with injuries
- Using ice-gripping devices on shoes whenever outside in slippery conditions or ice buildup is present
- Using agency provided checklists and procedures to document safety of the workplace
- Having a current pediatric First Aid & CPR certification on file with the Human Resource Department (required for employees who have direct child contact only)
- Taking reasonable safety precautions at all times during working hours
- Using carts and dollies for lifting and moving heavy items
- Using appropriate ladders and step stools to reach high places
- Immediately reporting potential safety hazards to their supervisor
- Fire prevention and control
- Knowing and following accident and reporting procedures
- Following OSHA requirements
- Complying with the Drug-Free Workplace policy
- Using proper work methods (e.g., ergonomic equipment, seat belts, carts, etc.)
- Avoiding known hazards
- Using ergonomically correct equipment to avoid repetitive motion injuries

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- Not performing tasks that may be physically harmful to themselves or others because of a disability or for any other reason
- Reporting to their supervisor that they are unable to safely perform an assigned or expected task

KCI's safety policies will be strictly enforced. Employees who fail to follow or uphold these safety policies will be disciplined.

**4.04 WORKERS' COMPENSATION**

Disabilities or illnesses that arise out of and in the course of employment with KCI are compensable through KCI's Workers' Compensation insurance carrier. Employees injured on the job must immediately notify their supervisor of the injury and report the injury to the supervising manager as soon as possible in order for the appropriate paperwork to be completed. A Report to the worker's compensation insurance must be submitted within 3-days of accident or injury. For more information on reporting a staff injury, see the Standard Operating Procedure, "Reporting a Staff Accident or Injury." The Administrative Assistant typically files these reports after they are entered and reviewed by the Human Resources Manager.

In the case of serious injury where time loss from work occurs, the Human Resources Manager will work with the supervising manager and the employee and the Workers' Compensation insurance carrier to determine the appropriate course of action. In the event that time loss occurs, an employee will not be allowed to return to work without a release from a qualified physician.

On a case-by-case basis where a qualified physician has approved a partial resumption of work, KCI may consider if any reasonable accommodation can be made to assist an employee in returning to work. These accommodations must be approved by the Executive Director. In no instance will an accommodation be made that KCI does not believe is appropriate or reasonable, or will cause undue hardship to the agency.

## **SECTION V. HOURS, BREAKS AND ATTENDANCE**

### **5.01 GENERAL HOURS OF WORK**

Work schedules are established that assist KCI in meeting its goals and objectives for service provision. All employees are expected to work within their scheduled work hours. Permanent changes to work hours must be approved in writing by management personnel and formally recorded in the employee's file. KCI's primary work is conducted from August through May each year. Temporary adjustments to regular work schedules for special events are arranged with supervisors.

### **5.02 WORK WEEK**

KCI's workweek begins at 12:01:01 a.m. on Sunday and ends at 12:00 midnight on Saturday.

### **5.03 REST AND MEAL PERIODS**

Most employees are entitled to a sixty (60) minute-unpaid lunch-break each workday. Typically, the lunch period will be between the hours of 11:00 a.m. and 2:00 p.m., as established by the employee's immediate supervisor.

Employees may be allowed additional rest periods during the workday. Typically, two (2) fifteen (15) minute rest periods will be observed during the day, one rest period during the morning and one in the afternoon. In no instance will breaks be allowed if services will be compromised. Employees will not be allowed breaks during times where classroom/bus child and adult ratios will be compromised.

### **5.04 ATTENDANCE**

Employees are expected to be at work during their scheduled working hours. Excessive tardiness, absenteeism and early departures are disruptive to the services provided by KCI.

- KCI expects employees who are going to be late or absent to notify their supervisor a minimum of one (1) hour in advance of their starting time. If the employee's supervisor is unavailable, the employee is expected to do the following depending on position: education staff notify the Education Manager, EHS classroom staff notify the EHS Manager, family services and health staff leave a message with their supervisor. Lack of a telephone is not an adequate excuse for failure to notify.

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- Failure to call in an absence will result in disciplinary action, up to and including termination.
- Failure to use appropriate channels to communicate an absence will result in disciplinary action up to and including termination
- KCI has a Leave Request Plan form available on its website [www.kcialaska.org](http://www.kcialaska.org). Most leaves of absence should be requested in advance and approved by the employee's supervisor prior to the dates of leave. Advance leave requests of 3 or more days must be approved by the employee's supervisor AND the manager who oversees the program in which the employee works.
  - Leave Plan/Request forms should be submitted before purchasing airline tickets or making other reservations.
  - Leave Plan/Request forms may be filled out 90-days in advance
- Employees are expected to remain at work for their entire work period, excluding the employee's scheduled sixty (60)-minute lunch break if applicable.
- Early departures must be scheduled in advance with the employee's immediate supervisor or manager.
- Excessive tardiness, absenteeism and/or early departures are grounds for disciplinary action, up to and including termination.
- Patterns of lack of attendance (absent every other Monday, 1 day every pay period, etc.) may be subject or follow-up by the employee's supervisor.
- Unscheduled absences of 3 or more days will be reported to the supervising manager for follow-up. The manager may require proof of reason for the absence (physician's note, legal authority, etc.) depending upon the reason stated by the employee. The determination of any disciplinary follow-up will be made by the manager after review of documentation. All information used in making the determination will be placed into the employee file. As with any disciplinary situation, the manager may seek guidance from KCI's Human Resources Manager at any time.

Most of KCI's work is performed between Mid-August and Mid-June. Employees are expected to be at work as often as possible in order to assure quality, consistent services to families and children enrolled.

Early Head Start program staff work year round and need to work together to schedule absences.

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**SECTION VI. COMPENSATION AND PAYROLL PRACTICES**

**6.01 COMPENSATION PHILOSOPHY**

KCI is committed to paying equitable wages that are based on an assessment of the position, training, experience, education and the market for similar jobs.

Compensation for each job is based on several factors. These factors include job analysis and evaluation, the essential duties and responsibilities of the job, KCI budgetary concerns and salary survey data (how other employers pay comparable employees). KCI periodically reviews its salary administration program and changes it as necessary.

KCI complies with all applicable payroll and compensation regulations.

**6.02 SALARY/WAGE PLAN**

The Salary and Placement Ranges will be maintained in the Human Resources office and will be reviewed and updated at least annually. Salary Ranges will become effective after approval by the Board and PC. The Finance Manager and Executive Director will establish Placement Ranges. The Human Resources Manager will conduct a salary survey no less than once every three years.

Salary and Placement Ranges are maintained with Job Descriptions as an attachment to Personnel Policies and Procedures once they are approved by the PC and the Board of Directors each year (Reference 642(c)(1)(E) of the Head Start Act).

**6.03 INITIAL COMPENSATION RATES**

New employees will be hired at a pay rate within the designated Placement Range for each position. All new employees will be advised on their first day of work their starting rate of pay, date of pay, place of pay, leave accrual rate, benefits, mileage reimbursement procedures and holidays.

Employees who transfer to a new position will start at the pay rate within the designated Placement Range, plus any annual experience increases they may have earned. For non-exempt staff, the annual experience increase will be added to the starting hourly rate designated by the Placement Range for the new position. For exempt staff, the annual experience increase will be added to the designated annual salary for the new position.

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**6.04 EXEMPT AND NONEXEMPT CLASSIFICATIONS**

**(a) Exempt Employees**

An employee who meets the criteria for exclusion from overtime pay within the guidance of the wage and hour laws (e.g., administrative, professional, managerial) is considered an exempt employee. Exempt employees do not receive overtime pay for hours worked in excess of eight (8) hours per day or forty (40) hours per week.

**(b) Non-exempt Employees**

Non-exempt employees will be compensated for actual hours worked and are eligible for overtime pay at one and one-half (1 ½) the regular rate of pay for all hours worked over eight (8) hours per day or forty (40) hours per week. Non-exempt employees will not be paid for time not worked unless such time is designated as annual leave or holiday time for which the staff member qualifies.

**6.05 SALARY AND WAGE ADJUSTMENTS**

**(a) Increase After Successful Completion of the Introductory Period**

Initial compensation rates remain in effect until the successful completion of the introductory period. New employees may be awarded an increase to their initial compensation rate after successful completion of their introductory period. Introductory employees who become eligible will receive the increase on the first day of the pay period after the completion date.

**(b) Increase for Educational Accomplishment**

Employees who accomplish a degree related to their position or Child Development Associate for classroom staff, are eligible for an increase as described under Compensation for Educational Achievement. Employees who have reached the top of their salary range will not receive the increase if it will place them over the top of the salary range for their position.

**(c) Cost of Living Allowance (COLA)**

Depending on availability of funds, a cost of living adjustment may be approved by the Board and PC for all employees.

Only regular employees and introductory employees are eligible for a retroactive cost of living allowance increase. Employees must be employed with KCI on the date that KCI is

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approved for the increase in order to be eligible for the increase and any retroactive award. Former employees are not eligible for any retroactive awards.

**(d) Position Experience Increase**

A position experience increase may be awarded to eligible employees, depending upon the availability of funds. Provided at least a satisfactory performance appraisal is achieved and no performance improvement plan is in effect, employees will be eligible for approved experience-pay increases one year after the first day of employment in that position, or on the one-year anniversary of the previous experience increase. Part time employees are eligible for this increase.

The Board of Directors (BOD) in consultation with the Policy Council annually determine before summer layoff whether sufficient funds exist to provide a position increase for eligible staff. The Human Resources Manager and Executive Director communicate with employees the decision made by the BOD.

**(e) Exceptional Performance**

The Executive Director has authority to provide increases for exceptional performance based on selected criteria, available funds, etc.

The Board of Directors and Policy Council can provide an increase for the Executive Director for exceptional performance based on selected criteria, available funds, etc.

**6.06 CHANGE IN POSITION**

Any regular employee who assumes a different position as a regular employee will have an introductory period of 90 days or 180 days if a management position. His/her pay rate will be increased or reduced to the rate consistent with the range in which the new position is based, according to his/her qualifications for the new position. Prior position experience increases will be added to the new pay rate. An introductory increase will be awarded after successful completion of the introductory period for the new position. The Executive Director approves the placement in the range in writing on the Status/Payroll Change Report Form.

**6.07 TEMPORARY WORK IN HIGHER POSITION**

An employee may temporarily be assigned to a position in a higher pay range. The employee will be paid at the level of the Placement Range for the position based upon their education, as long as the level is greater than the present rate of pay for the incumbent. The Executive Director approves this action.



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**6.08 EXTRA HOURS (NOT OVERTIME)**

Some employees are scheduled to work less than 8 hours in a day. Therefore, additional hours must be requested in advance by supervisory staff and presented to management for approval. In the event that extra hours were worked and the employee did not receive prior approval, a notation must be made on the timesheet explaining the reasons for the extra hours and initialed by the supervisor the next working day after the extra hours were worked.

**6.09 OVERTIME COMPENSATION**

All non-exempt employees are eligible to receive overtime compensation at the rate of one and one-half (1-1/2) times their regular rate of pay for hours worked in excess of forty (40) hours each workweek (defined as: Sunday through Saturday) or eight (8) hours each day, rounded to the nearest quarter hour.

- The respective department manager must approve all overtime worked by nonexempt employees in advance. Overtime hours worked without prior approval will be grounds for disciplinary action, except in cases of emergency in which case all overtime hours shall be reported by an employee to his/her supervisor within twenty-four (24) hours and documented and explained on the timesheet.
- Exempt employees do not receive overtime compensation.
- Leave, jury leave, and holidays do not count as hours worked for the purpose of determining overtime pay eligibility.
- All overtime must be documented and submitted within 1 day after the overtime work occurs to the supervisor who approved the overtime hours.

**6.10 COMPENSATION FOR EDUCATIONAL ACHIEVEMENT**

Salary increases and awards for educational accomplishments may be initiated by the Human Resources Manager after appropriate documentation is received. Increases may be awarded for completion of position related degrees from accredited institutions as follows:

Associate's Degree = (\$200 award)	Master's Degree = (\$400 award)
Bachelor's Degree = (\$300 award)	

If a degree accomplishment would place an employee into a higher salary range the employee will be placed in the higher salary range. The employee will also receive the one-time award for the accomplishment.

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Awards are processed when certified documentation is received. Awards are a one-time only reward for each educational accomplishment.

Assistant Teachers who receive their CDA Credential will receive a \$100 award.

Some certifications may qualify for increase and/or award if they are from an accredited source on a case-by-case basis. This action will be approved by the Executive Director.

If an employee receives a double major or a second degree of a same level, they will only receive one reward for the accomplishment of one of the degrees earned.

If the employee has already reached the top of the wage scale for their position, the employee is not eligible for any further increase in pay. However, the employee will receive the one-time award for the educational accomplishment.

CDA renewal and second-setting CDA credentials are not eligible for educational accomplishment awards and pay increases.

**6.11 COMPENSATION FOR OUTSIDE TRAININGS AND FUNCTIONS**

KCI will pay regular wages in accordance with applicable wage and hour regulations for employees engaged in agency requested/required training whether it is locally obtained or out of town.

Whether or not travel time is considered compensable is dependent upon the determination of Human Resources and approval of the Executive Director in accordance with applicable state regulations. KCI uses the mileage reimbursement rates established by the Internal Revenue Service.

**6.12 MILEAGE REIMBURSEMENT**

Mileage reimbursement is available to any staff person who drives their own vehicle while working for meetings, trainings, home visits, etc. KCI does not pay employees for mileage to and from work or to and from lunch breaks. Employees must submit their mileage report form and current proof of insurance at the end of each month. Failure to turn in mileage for reimbursement in the month in which it occurred will result in the denial of a reimbursement.

**6.13 PAYROLL RECORDS**

Employees are responsible for submitting complete and accurate time records for the purposes of processing payroll. Time records must be submitted to supervisors by close of business on the day that a pay period ends.

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Payroll information and attachments will be written in ink or typed. They will contain at a minimum the following:

- Employee name
- Employee job title
- Payroll period ending date
- Dates and hours of overtime worked if applicable
- Dates and hours of paid leave and holiday time
- Signature of employee with date
- Verification that the employee's supervisor or his/her designee has reviewed and concurs with the hours noted on the timesheet

**6.14 PAYDAYS**

Timesheets are turned in on the 15<sup>th</sup> of each month (or the last working day before the 15<sup>th</sup>) and the last working day of each month. Pay days follow in 3-7 days depending upon processing and timeliness of necessary documentation.

Paydays may be earlier at the discretion of management. The following procedures and options apply:

- KCI encourages all employees to sign up for direct deposit of their payroll checks.
- Payroll checks may be received by mail if an employee elects a payroll check instead of direct deposit. Payroll checks are not distributed at KCI's offices or centers
- Employees are paid by KCI's bank draft or electronic funds transfer
- Employees are required to notify the Administrative Assistant in writing of any address changes to assure correct mailing address for check
- Final payroll checks are either mailed or electronically deposited

Late timesheets create a delay in payroll processing for the employee whose timesheet is not received on time. Employees who turn in late timesheets will receive notice from the Finance Manager or his/her designee with regard to anticipated timeline for compensation. In no event will the compensation be delayed beyond the next pay period after the discovery of the missing timesheet.

**6.15 PAYROLL ERRORS**

Employees need to review their payroll for accuracy. In the event that there is an error in payroll:

1. Employee reports error to his/her supervisor immediately upon discovery
2. Supervisor reports the error to the Finance Manager
  - If the error has resulted in underpayment, the Finance Manager will work to correct the error and will make the employee aware of when they will

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receive the difference in what they were paid and what they should have received

- If the error has resulted in overpayment to the employee, the Finance Manager will provide guidance to the employee for returning the funds to KCI.

**6.16 PAYROLL DEDUCTIONS**

There are two types of deductions from each employee's gross earnings.

**(a) Voluntary Deductions**

Voluntary deductions are those requested by the employee. Examples are health insurance, tuition deduction agreements, and 401 (k) contributions. These deductions will not be made without written authorization from the employee.

Employees may elect special voluntary deductions by using a Voluntary Payroll Deduction form. These forms are completed by the employee and must be approved by the Executive Director.

**(b) Mandatory Deductions**

Mandatory deductions are those required by law or court order.

- Standard deductions required by law are deductions such as federal income tax, FICA and ESC.
- Court ordered deductions are deductions ordered for wage garnishments by the court or with court authority through another source such as Child Support Enforcement.

Deductions are made automatically by KCI in accordance with applicable legal requirements.

KCI relies on information provided by employees to make deductions. Therefore, it is the employee's responsibility to provide KCI with accurate information for payroll purposes.

**6.17 FINAL PAYCHECKS**

Employees leaving employment with KCI will be provided their final pay within three business days after the termination of employment. Final pay will include all hours worked since the last payday and any accrued but unused leave that is not in excess of two hundred forty (240) hours if the employee qualified for leave benefits as provided under 7.04 of these Policies.

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**SECTION VII. EMPLOYEE BENEFITS**

KCI provides health, dental, vision, disability, 401(k), life accidental death and dismemberment insurance to all regular employees once they have met eligibility requirements. Employees are eligible for health insurance the first of the month after 60 calendar days. Employees are eligible for other benefits after successful completion of their introductory period or 90 days in the case of Management or the Executive Director (the introductory period is 180 days for these positions).

For an accurate detailed description and eligibility requirements regarding employee benefits, please refer to the specific benefit booklets available from Human Resources. KCI reserves the right to modify, amend or rescind its benefit plans.

**7.01 HEALTH INSURANCE**

**(a) Premiums**

If the employee elects a health insurance plan, KCI will share in the cost of the premium for the employee only. The total cost of any voluntarily elected dependent coverage and the employee's portion of their own coverage will be withheld from the employee's paycheck. This is considered a voluntary deduction from payroll and the employee must complete an insurance enrollment form and voluntary deduction form.

The portion of premiums paid by KCI depends on availability of funds and is subject to change as determined by the Board and Policy Council.

**(b) Premiums for employees on Family and Medical Leaves of Absence**

Employees on Family and Medical Leaves of absence will pay premiums under the same provisions as employees who are working. If an employee on a Family and Medical Leave of absence fails to return to work the day after the expiration of the leave, they will be required to reimburse KCI for the portion of the premium KCI paid on their behalf. Employees required to pay back the portion paid by KCI will be mailed an invoice for the amount owed or the appropriate amount will be withheld from their final paycheck.

**(c) Termination and COBRA/HIPAA**

The same coverage which was in effect just prior to termination for employees and their dependents will continue through the last day of the month in which the employee was terminated, provided their share of the premium has been paid.

Employees will be advised by the Human Resources Manager during their check out procedure of the opportunity to continue coverage through COBRA (Consolidated Omnibus Budget Reconciliation Act) insurance and of the costs involved. Once KCI's

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COBRA Administrative Service (Navia Benefit Solutions) provider receives a written notice of a qualifying event, Navia will notify the qualified beneficiary of their rights to continue coverage under COBRA. Navia will handle all of the comprehensive record keeping and documentation from that point forward.

Under COBRA insurance rules an employee must pay the full premium for elected medical, dental, and vision policies and will be required to pay an administrative fee as well. Termination of coverage will result if a qualified COBRA beneficiary fails to pay the premium. COBRA insurance includes only major medical, dental, and vision insurance that was in effect at the time of the "qualifying event" or termination. Life and Accidental Death and Dismemberment insurance are not included in COBRA coverage.

The COBRA administrative service provider is also responsible for administering Health Insurance Portability and Accountability Act (HIPAA) for KCI.

**7.02 401(K) DEFINED CONTRIBUTION PLAN**

Employees may elect to participate in KCI's 401(k) retirement plan. This allows qualifying employees to contribute on their own behalf to a retirement plan. KCI provides matching funds as determined by the Board and the PC based upon funding availability. Information about KCI matching funds (if available) can be found on the Employee Benefits Information Sheet available at the administrative office or on KCI's website at [www.kcialaska.org](http://www.kcialaska.org).

Employee contributions to the 401(k) plan will be deducted from the employee's paycheck at the employee's direction. This deduction is considered to be a voluntary deduction with the employee having completed an enrollment/change form.

KCI contributions are determined by the Board and PC and based on funding availability and follow a vesting schedule based upon years of service (one year of service equal to at least 1,000 hours):

Years of Service	1	2	3	4	5	6
Vested Percentage Vested Portion	<b>0%</b>	<b>20%</b>	<b>40%</b>	<b>60%</b>	<b>80%</b>	<b>100%</b>

**7.03 EMPLOYEE ASSISTANCE PROGRAM**

All regular employees are entitled to use the Employee Assistance Program (EAP). This program is available to any staff member wishing to consult with an outside resource regarding a personal problem or issue. The EAP is provided at no cost to employees for the purpose of staff wellness. (Reference 45 CFR 1302.93)

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The services provided by the EAP provider are confidential and are not shared with KCI. However, the EAP provider may provide information that is statistical in nature in order for KCI to monitor the effectiveness of the benefit.

**7.04 PAID TIME OFF**

KCI offers an accrued paid time off (PTO) plan that can be used for illness and/or vacations. This allows for more flexibility of use as employees may use their annual leave for either purpose.

**(a) Paid Time Off Accrual Rate**

All regular employees begin accruing paid time off leave after successful completion of an introductory period or at 90 days in the case of Management or the Executive Director (the introductory period is 180 days for these positions).

Accrual rates are based upon length of service as follows:

<b>Hourly Employees less than three (3) years of service</b> .06 (6%) of every hour worked	<b>Salaried Employees less than three (3) years of service</b> 5.2 hours accrued each pay period
<b>Hourly Employees more than three (3) years* of service</b> .10 (10%) of every hour worked	<b>Salaried Employees more than three (3) years of service</b> 8.6 hours accrued each pay period

Employees are eligible for the leave accrual rate increase after completion of more than three years of service from their date of hire.

Employees may not use leave or cash out leave until after they have successfully completed their introductory period. There is one exception to this provision: (1) managers are eligible to use leave after 90 days even though their introductory period is 180 days.

Employees are provided with an accounting of their leave balance with every paycheck received. It is the responsibility of each employee to monitor and ensure the accuracy of their leave balance.

Employees may accrue no more than two hundred forty (240) hours of leave at any time. Employees who reach a balance of two hundred forty (240) hours of accumulated leave will not accrue additional leave until their leave balance falls below two hundred forty (240) hours.

Employees will be paid for all accumulated leave up to two hundred forty (240) hours upon termination if they have met the qualification for use of leave. The last hourly rate the employee received will be the pay rate used to pay the accumulated leave.

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Employees who separate from KCI will forfeit all leave if they have been employed less than one calendar year.

**(b) Use of Leave**

Employees may use accumulated annual leave for any purpose after successful completion of their introductory period of employment. Leave is charged to the employee's leave balance until the balance of the leave account is zero. Employees can determine their last accumulated balance by reviewing their most recent paycheck stub, which indicates an accounting of the employee's leave.

Employees requesting planned leave submit a Planned Leave Request Form to their supervisor prior to taking the planned leave. Leave request forms are available on KCI's website at [www.kcialaska.org](http://www.kcialaska.org).

- Supervisors are responsible for scheduling and tracking employee leave time and leave requests. Under no circumstances will planned leave be approved if the agency's operations will be compromised as a result of approving the leave. If employee leave is requested for 3 or more days, the request requires the approval of management.
- Supervisors will notify the employee as soon as possible if their leave request is to be granted or denied. Therefore, it is the responsibility of each staff person to provide a clear plan for backup that is thoroughly discussed and agreed upon with the supervisor.
- A positive leave balance is not an automatic approval for leave – all leave usage must be approved prior to usage.

**(c) Leave Donation**

Employees may donate leave to another employee with written notification to the Bookkeeper for a specific pay period. However, employees wishing to make a donation must retain a balance of at least forty (40) hours after the donation is made. Leave Donation Forms are available on KCI's website [www.kcialaska.org](http://www.kcialaska.org).

The recipient must use the donated leave within the pay period the donation is specified.

No employee, supervisor or manager should solicit leave donations from others.



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**7.05 JURY DUTY LEAVE**

Employees who receive a jury summons are eligible for Jury Duty Leave. They will be paid for their jury service for up to ten (10) working days in a twelve (12)-month period.

- The employee must notify their supervisor as soon as possible by completing a Leave Form noting jury duty dates (if known) and attaching a copy of the summons. If dates are not known, the employee should designate jury duty on the timesheet and attach the court's summons to the timesheet.
- When the jury duty week arrives, the employee must contact their supervisor as soon as he/she knows the date(s) of jury service anticipated.
- When called, employees are expected to obtain a receipt from the Jury Clerk. This receipt states the time the employee was on Jury Duty. This receipt is turned into the supervisor upon return to work.
- Hours of jury service are included in payroll documentation along with a receipt from the Jury Clerk.
- Money received from the court, excluding parking fees, must be paid to KCI in order for the employee to receive Jury Duty leave pay.

Hours of jury service are not considered work time for purposes of calculating overtime pay.

If jury service falls on a KCI paid holiday, the employee will receive the holiday pay only without additional compensation for jury service.

**7.06 MILITARY LEAVE**

Employees who go on active military duty or are required to attend training or field exercises in conjunction with reserve, guard or auxiliary duties may return to their position as long as they:

- Provide KCI with a copy of their orders prior to leaving or in the case of an extreme emergency, as soon as practical.
- Return to work the next working day after duty is completed or at a time agreed to in writing with KCI in advance.
- Notify KCI of the duration of the duty.

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- If the duration of duty is included in the orders, a copy of the orders will serve as notification. However, if new orders are issued, the employee must provide a copy as soon as practical.
- In the case of active duty when the duration is unknown, the employee must notify KCI every thirty (30) days if possible, but not less than every ninety (90) days, that they are still on duty and intend to return to work.

Regular employees may elect to receive pay from KCI within the limits described below or take annual leave until it is exhausted and then go on leave without pay.

Regular employees called to active duty may receive their regular pay, for regularly scheduled work hours, for not more than five (5) working days if the procedures below are followed. After five (5) working days the employee will use annual leave until it is exhausted and then go on leave without pay.

Regular employees who are members of the Reserves or Auxiliary units who are required to attend training, field exercises, etc. may receive their regular pay, for regularly scheduled work hours, for not more than sixteen and one-half (16 ½) working days per twelve (12)-month period if the procedures below are followed. After sixteen and one-half (16 ½) working days, the employee will use annual leave until it is exhausted and then go on leave without pay.

To be eligible to receive pay for approved military leave, employees must:

- notify KCI in writing that they wish to be paid for the days allowed above;
- submit evidence and dates of the service;
- note service on their timesheets in the leave column with an asterisk identifying it as military leave (This leave will not be deducted from annual leave until the limits as described above have been exhausted.);
- submit evidence of the amount of pay received from the military with their time sheet; and
- submit reimbursement to KCI for the amount paid by the military for the time they are requesting compensation from KCI, prior to being paid.

**7.07 UNPAID LEAVE**

Unpaid leave (leave without pay) is discouraged because of the high number of paid leave hours provided each employee annually.

Leave account balances must be used prior to taking unpaid leave. Therefore, an employee must exhaust his or her leave accrual before being granted unpaid leave unless there are special circumstances which are approved by management. Employees have the option of using unpaid or paid leave during spring and winter break as well as summer layoff.

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Requests for leave without pay must be submitted in writing to an employee's immediate supervisor and receive final approval from management. Should a leave of absence be granted for a period of greater than thirty (30) days, the employee will be required, at management's request, to report periodically on his or her leave status and intent to return to work.

Unpaid leave is granted solely at the discretion and convenience of KCI.

Excessive use of unpaid leave is grounds for disciplinary action, up to and including termination.

**7.08 FAMILY MEDICAL LEAVE ACT**

A Family and/or Medical Leave of absence shall be defined as an approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave per year under particular circumstances that are critical to the life of a family. Leave may be taken upon the birth of the employee's child; upon the placement of a child with the employee for adoption or foster care; when the employee is needed to care for a child, spouse or parent who has a serious health condition; or when the employee is unable to perform the functions of his or her own position because of a serious health condition.

**(a) Eligibility Requirements**

To be eligible for Family or Medical Leave under this policy, an employee must have been employed by KCI for at least twelve (12) months in total, and must have worked at least 1250 hours during the twelve (12) month period preceding the commencement of the leave.

Spouses who are both employed by KCI are entitled to a total of twelve (12) weeks of leave, rather than twelve (12) weeks each, for the birth or adoption of a child or for the care of a sick parent, spouse or child.

**(b) Use of Paid Leave Concurrently**

The provisions of this policy shall apply to all Family and Medical Leaves of absence. If an employee is entitled to be paid leave under another benefit plan or policy, including PTO, the employee must take paid leave concurrently with leave granted under this policy. If an employee does not have sufficient PTO, the remaining leave will be unpaid.

An employee does not accrue any PTO hours while on FML.

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**(c) Intermittent or Reduced Leave**

If medically necessary for a serious health condition of the employee or his or her spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on this basis, however, KCI may require the employee to transfer temporarily to an alternative position, which has equivalent pay and benefits and which better accommodates recurring periods of absence, or to a part-time schedule.

**(d) Medical Certification Requirements**

KCI may require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. For the employee's own medical leave, the certification must include a statement indicating that the employee is unable to perform the functions of his/her position and the expected length of time of the condition will last. For leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. In its discretion, KCI may require a second medical opinion and periodic re-certification at its own expense. If the first and second opinions differ, KCI, at its own expense, may require the binding opinion of a third health care provider, approved jointly by KCI and the employee.

Requests for Family and Medical Leaves of absence due to illness will include sufficient medical certification stating the following:

- the date on which the serious health condition commenced,
- the probable duration of the condition and
- the appropriate medical facts within the knowledge of the health care provider regarding the condition.

For purposes of leave to care for a child, spouse or parent, the certificate should also give an estimate of the amount of time that the employee is needed to provide such care. For purposes of leave for an employee illness, the certificate must state the employee is unable to perform the functions of his/her position. In the case of certification for intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected must be stated.

**(e) Process for Requesting Family and Medical Leaves of Absence**

In the event that an employee needs to take Family and Medical Leave, the following procedure is followed by managers to provide information for KCI's Family and Medical Leave Process:

- Employee works with the Human Resources Manager to complete Family and Medical Leave form and appropriate paperwork.

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- KCI will require doctor's certification prior to granting foreseeable Family and Medical Leave for personal medical reasons.
- After reviewing the completed Family and Medical Leave form and any supporting documentation the Human Resources Manager will notify the requestor by certified mail of the approval or denial of a Family and Medical Leave request
- After certifying the Family and Medical leave, the Human Resources Manager notifies the employee of his or her rights by providing the "Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act) form to the employee in person whenever possible. It is mailed to the employee if the employee is unavailable to meet in person.
- In case of a qualifying emergency, no advance notice is required. The Human Resources Manager will notify the employee in writing that KCI is considering the leave to be Family and Medical Leave based upon any information available that qualifies the leave as Family and Medical Leave.

Family and Medical Leave information will be maintained in a file folder separate from all other Personnel information to protect the employee's confidentiality.

Employees will be required to, at management's request, report periodically on his or her leave status and intention to return to work.

For more information, see the Standard Operating Procedure, "Family and Medical Leave."

**(f) Benefits During Family Medical Leaves of Absence**

Employees granted unpaid Family and Medical Leaves of absence will be responsible for retaining group insurance coverage by arranging to pay the employee portion of premium contributions during the period of unpaid absence. In the event the employee elects not to return to work upon completion of an approved unpaid leave of absence, KCI may recover from the employee the cost of any payments made to maintain insurance coverage, unless the failure to return to work was for reasons beyond the employee's control. Benefit entitlement based upon the length of service will be calculated as of the last paid workday prior to the start of the unpaid leave of absence. Service for benefit entitlement purposes will resume upon the employee's return to work.

**(g) Protection While On Family and Medical Leave**

Once an employee is approved for Family and Medical Leave, he or she receives protection as outlined in the Family and Medical Leave Act of 1993:

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- The employee will be restored to their position or to an equivalent position with equivalent benefits, pay and terms and conditions of employment upon their return (on or before the date designated as the return date).
- Employment benefits accrued prior to the commencement date of the leave will be maintained.
- KCI will continue to pay its portion of the employee's health care benefits during the approved Family and Medical Leave period as long as the employee pays his/her share of the premium as agreed to on the Payroll Deduction Form.
- An employee does not accrue any PTO hours while on FML.

#### **MILITARY FAMILY LEAVE ENTITLEMENTS**

**Military Caregiver Leave:** is available for any eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness up to a total of **26 workweeks of unpaid** leave during a "single 12-month period" to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating. The "single 12-month period" for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later. An eligible employee is limited to a **combined** total of 26 workweeks of leave for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.)

**Qualifying Exigency Leave:** KCI will grant an eligible employee up to a total of **12 workweeks of unpaid** leave for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Under the terms of the statute, qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces.

Qualifying exigencies include:

- Issue arising from a covered military member's short notice deployment (i.e., deployment on seven or less days of notice) for a period of **seven** days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;

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- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a daycare facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Taking up to **five** days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member;
- Any other event that the employee and employer agree is a qualifying exigency.

Spouses employed by KCI are limited to a **combined** total of 26 workweeks in a "single 12-month period" if the leave is to care for a covered service member with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

**(h) Reinstatement Upon Return From Family and Medical Leave**

An eligible employee who is returning from Family and Medical Leave will be restored to their position or to an equivalent position with equivalent benefits, pay, terms and conditions of employment.

An employee who suffered a serious health condition may need to provide certification that they are able to return to work and perform the essential functions of their position.

Key employees (those who are among the top 10% highest paid employees) may be denied restoration of their position if their return to work would cause "substantial and grievous economic injury" or hardship (not inconvenience) to agency operations. Key employees will be notified in writing prior to taking the Family and Medical Leave that there is a possibility that they may not be reinstated at the end of their leave.

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**7.09 HOLIDAYS**

A list of holidays is distributed to all employees in the fall of each year or upon hire. All regular employees are eligible to receive holiday pay, if the following conditions are met:

- the holiday occurs on a normally scheduled workday for Kids' Corps, and
- the employee is either paid or on paid leave the day before and the day after the holiday
- all regular employees are paid both Christmas and Memorial Day holidays regardless of working or taking paid time off the day before and day after

If an employee works a partial day or is on paid leave for a partial day, the hours the day before the holiday and the hours the day after the holiday are added together and averaged for purposes of calculating the amount of holiday pay the employee is entitled to receive. In no case will holiday pay exceed 8 hours for a day.

**7.10 HOLIDAY PAY**

Overtime is not considered when calculating holiday pay. Therefore, if an employee works overtime the day before and/or the day after the holiday, the maximum number of hours the employee will be paid for a holiday is eight (8) hours.

Employees are entitled to take leave in order to accommodate an individual religious holiday. Leave would need to be requested as planned leave.

**7.11 INCLEMENT WEATHER/HAZARDOUS CONDITIONS PAY**

In the event that KCI closes its programs for a day due to inclement weather or other environmental concerns that make it unsafe for employees to work, KCI will treat those days as paid days off from work. Employees will be notified of which closure days were considered to be paid days. In no case will the period paid exceed 5 working days in a calendar year. If KCI is open for the day and the employee is unable to get to work because of the conditions, the employee will use paid-time off (or leave without pay should PTO not be available) to cover the day away from work.

All employees are eligible to receive inclement weather/hazardous conditions pay if the following conditions are met:

- the resulting program closure occurs on a normally scheduled workday for KCI, and



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- the employee is either in pay status or on paid leave the day before and the day after the closure.

If an employee works a partial day or is on paid leave for a partial day, the hours the day before the closure and the hours the day after the closure are added together and averaged for purposes of calculating the amount of inclement weather/hazardous conditions pay the employee is entitled to receive.

**7.12 EMPLOYEE RECOGNITION**

For the improvement of working conditions, employee-employer relations, employee morale and employee performance, KCI customarily provides employee recognition activities for all KCI employees. Sometimes, pay increases are a part of this recognition.

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**SECTION VIII. JOB DESCRIPTIONS AND POSITION RECLASSIFICATIONS**

Managers are responsible for preparing and maintaining current job descriptions for all positions, which are reviewed and approved by the PC. The Board will also approve the job description for the Executive Director.

Job descriptions contain information about the duties, physical qualifications, minimum job skills qualifications, minimum educational level and whether or not the position is exempt or nonexempt.

Positions whose duties, responsibilities and/or qualification requirements have changed from the current job description may be authorized by KCI to be reclassified. Should the current employee meet the requirements, the employee, with the approval of the PC, may be assigned the new position. If the current employee does not meet the requirements, all efforts will be made to transfer the employee to a position for which he or she is qualified.

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**SECTION IX. PERFORMANCE APPRAISALS**

Performance appraisals are conducted annually with all KCI employees. The intent of the Performance Appraisal process is to evaluate an employee's performance as it relates to his/her specific job duties. The overall purpose of the Performance Appraisal process is to acknowledge and identify work performance and make determinations regarding an employee's training needs and career development goals and to provide methods for correcting performance deficiencies.

Performance expectations are discussed with supervisors in the orientation process for all new employees. If an employee is transferred to a new position or is assigned to another supervisor, it is the new supervisor's responsibility to inform the employee of any expectations he or she may have.

The Human Resources Manager monitors Performance Appraisal due dates for employees ending their introductory period. All other Performance Appraisals are completed May through July. The performance appraisal process and the performance improvement agreement process are further explained in Standard Operating Procedures.

**9.01 EXECUTIVE DIRECTOR PERFORMANCE APPRAISAL**

The Executive Director notifies the Board and PC at least two (2) months prior to the expiration of the Executive Director's Performance Appraisal.

The Board will work with the PC to determine the process for evaluating the Executive Director's performance.

**9.02 PERFORMANCE IMPROVEMENT AGREEMENTS**

A Performance Improvement Agreement outlines objectives for correcting any performance issues and for reaching the goals and timelines discussed during the Performance Appraisal. The Agreement is attached to the Performance Appraisal Form. Regular follow-up occurs for Performance Improvement Agreements. Within 45 days of the Performance Improvement Agreement, or in October (whichever comes first), the employee and his/her supervisor meets to discuss the plan and progress toward improvement. Documentation of this meeting is forwarded to the supervising manager along with any revisions or additions to the plan. The updated plan is returned to the Human Resources Manager.

**9.03 DISCRETIONARY PERFORMANCE APPRAISAL**

The Discretionary Performance Appraisal is used to acknowledge performance changes between performance appraisals. Supervisors must secure the authorization of the Executive Director or his/her designee before completing the discretionary appraisal

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indicating the performance change (can be excellence in an area or a severe drop in performance). Once completed, the form is forwarded to the Executive Director for approval.

## **SECTION X. TRAINING AND DEVELOPMENT**

### **10.01 INDIVIDUAL PROFESSIONAL DEVELOPMENT PLANS**

Supervisors begin an Individual Professional Development Plan for each of their reports in April for the upcoming program year or within the first 60 days of employment for staff hired after April. All plans should be forwarded to the supervising manager for review. The employee and supervisor will keep working copies of the plan. After review, the supervising manager will forward the plan to the Human Resources Manager. A copy will be filed in the employee's personnel file.

Individual Professional Development Plans are updated quarterly. Plans should evolve as training needs are met and new goals are developed. (Reference 45 CFR 1302.92). The employee may update Individual Professional Development Plans any time by contacting their supervisor. Follow up documentation for existing plans needs to be submitted to the supervising manager in April along with the new plan for the next year.

### **10.02 STAFF TRAINING AND DEVELOPMENT**

Training and staff development are ongoing processes at KCI. Employees are encouraged to continually work toward professional goals that will enhance their skills and abilities.

KCI offers a variety of training internally that assists staff in better understanding Head Start Performance Standards, child development, outcome measures, nutrition, preventing communicable disease and child abuse and neglect reporting requirements. Training is also offered to assist individuals in fine-tuning skills in an area of need.

#### **(a) Required Training**

Staff must attend training that is required as part of their job position. These are trainings required by Head Start Performance Standards, Municipality of Anchorage Child and Adult Care Licensing and any other applicable regulations and/or agencies.

An employee may also be required to take certain training as a result of findings from a Performance Appraisal or as indicated in an Individual Professional Development Plan or Performance Improvement Agreement.

#### **(b) Recommended Training**

Recommended training is training either offered within KCI or in the community that relates to an employee's Individual Professional Development Plan or the employee's

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position. The Human Resources Manager monitors the completion of mandatory training and tracks all staff training.

**(c) Personal Professional Development Training**

All employees are encouraged to further their professional development. Examples of personal professional development training may include Child Development Associate and workshops/seminars offered through KCI and throughout the community.

At the time of hire, all assistant teachers must be enrolled in a program to complete the CDA or AA early childhood education degree process within two years. Other employees who wish to complete their CDA credential or other credential through KCI's training program must have completed their introductory period with KCI prior to starting the program, or they will need approval from Management.

If an employee leaves KCI within 1 (one) year of completion of the training or receipt of the CDA Credential for which KCI paid the cost, the employee may be required to reimburse KCI for costs associated with the credential. Employees acknowledge this policy by signing a CDA Agreement Form.

**10.03 EMPLOYEE EDUCATION ASSISTANCE PROGRAM**

Dependent upon funding, KCI may assist in some of an employee's tuition with a college or university if conditions are met in accordance with KCI's Training Plan and Policies.

If an employee leaves KCI within 3 years of completion of a college class where KCI assisted with the tuition, the employee will be required to reimburse KCI for all tuition, fees, books, etc. associated with the training and/or college classes. This is limited to all tuition and expenses paid for by KCI during the 3-year period preceding the employee's termination.

**10.04 EMPLOYEE SELF-PAY TUITION ASSISTANCE PROGRAM**

Employees can enter into an agreement with KCI to have college tuition deducted from their payroll check if the employee wishes to pay for his/her own tuition through the use of a voluntary deduction form. This can be arranged with the Human Resources Manager at any time.

**SECTION XI. DISCIPLINARY ACTIONS**

KCI's disciplinary policies and procedures are designed to provide progressive (when deemed appropriate), fair and equal treatment to all employees. Any employee who does not agree with a disciplinary action may use the employee grievance procedures in Section XII of this Personnel Policy and Procedures Manual.

**However, the existence of progressive disciplinary procedures does not affect or change the at-will employment status of all KCI employees.**

**11.01 TYPES OF DISCIPLINE**

KCI uses several disciplinary techniques, which are applied on a case-by-case basis. These disciplinary techniques are used in a progressive manner when deemed appropriate. However, depending upon the severity of the incident, KCI may employ any level of discipline at its sole discretion. In addition, any failure by KCI to follow any particular aspect of these disciplinary procedures does not affect the disciplinary action taken or the employee's at-will status.

**(a) Verbal Warning**

A verbal warning is normally given by a supervisor to a subordinate and is intended to be corrective or cautionary. When a verbal warning is given, the following procedure is followed:

- The supervisor meets with the employee and explains the reason for the verbal warning. The supervisor discusses any actions taken to date with the employee and discusses steps for changing the behavior or practice.
- The supervisor documents the conversation in memorandum format and reviews the memorandum with the employee. The memorandum must include a statement that failure to improve may result in stronger disciplinary action. The employee is encouraged to comment if they are in disagreement with the content of the memorandum.
- The employee and supervisor both initial and date the original memorandum to indicate that the conversation took place.
- The supervisor provides the employee with the original memorandum and forwards a copy of the memorandum to Human Resources.

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**(b) Written Reprimand**

A written reprimand is more serious than a verbal warning. It is intended to be corrective and is issued usually by the employee's supervisor.

A written reprimand will typically include the following content and should be reviewed by the supervising manager and the Human Resources Manager prior to review with the employee:

- the reasons for the written reprimand;
- training or other disciplinary steps that have taken place resulting in a written reprimand;
- action steps that will be taken to resolve the problem;
- a statement that explains that further disciplinary action will occur if the issue does not improve; and
- the signatures of both the employee and the supervisor (if the employee refuses to sign, a manager must witness the refusal on the document).

The original copy of the written reprimand is forwarded to the Human Resources Manager and a copy is provided the employee.

**(c) Suspension Without Pay**

Suspension without pay is a form of corrective discipline used when it is deemed that a written reprimand is not strong enough and termination is too strong.

The Executive Director will determine suspensions without pay. Suspensions are issued with improvement plans and clear indicators of the next disciplinary action the employee can expect if there is no improvement.

The employee's supervisor will issue a suspension without pay after all documents are prepared with the assistance of the Human Resources Manager.

**(d) Termination**

The Human Resources Manager and the Executive Director work together in the event that termination becomes necessary.

The Human Resources Manager will advise and assist the supervising manager in preparing all documentation necessary for the Executive Director to present to the PC. The Policy Council must approve all terminations. (Reference 45 CFR 1301.3 (d) (1) (x) and (xi)).

The Policy Council is provided all information gathered at a special session of the Policy Council arranged for the purpose of requesting the termination of an employee. Policy



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Council Representatives present must agree to maintain confidentiality of all information shared in the special session.

Employees who are recommended for termination may be suspended with pay until approval is gained from the PC. The suspension will in no case be longer than five (5) working days without pay.

**(e) Suspension With Pay**

Suspension with pay is issued with the authorization of the Executive Director. Suspension with pay may be for disciplinary reasons or to conduct an investigation into the allegations the behavior and/or actions of the employee are in conflict with the organization. Granting of suspension with pay is at the sole discretion of the Executive Director.

**(f) Non-Disciplinary Administrative Leave with Pay**

In some cases, paid administrative leave may be assigned a situation that requires more investigation of a situation to determine if disciplinary or other action is warranted. Non-disciplinary administrative leave is usually assigned for no more than 5 workdays.

**11.02 EXAMPLES OF PROGRESSIVE DISCIPLINARY ACTION**

The following examples of disciplinary actions are for illustrative purposes only. They are not meant to be limiting. All discipline is reviewed on a case-by-case basis, which takes into consideration the severity of the offense.

- Minor rule violations are those which have a less severe effect on the continuity, efficiency, or safety of work, but which cannot be permitted and which warrant corrective action. Repetitive violations of these rules could result in more severe corrective action, including possible suspension or termination: tardiness or unexcused absenteeism, failure to observe work hour schedules (starting time, quitting time, rest and meal periods), loafing or other abuse of time during assigned working hours, leaving assigned job without permission, performing unauthorized personal work during work time and defacing bulletin boards or notices posted therein.
- Major rule violations are those that could have a considerable effect on the continuity, efficiency or safety of work. Violations of these rules may result in termination without warning. The following list is illustrative of major violations, but does not necessarily cover all such violations: violations of safety rules and practices; deliberate or negligent acts which endanger the safety or life of others; willful failure to carry out proper instructions; willful falsification of records, reports, or statements; leaving work without your supervisor's permission or without being properly relieved; deliberately abusing, destroying, damaging, using without authorization or stealing KCI property,

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tools, equipment, or the property of others; using abusive language to supervisors or fellow employees, etc.

Any combination of disciplinary action may be appropriate depending upon the incident, historical documentation of similar offenses and other documentation. The Human Resources Manager will assist the supervising manager with assessing the situation and recommending the course of discipline. The chart that follows refers to those offenses that are referenced by the CFR.

<b>Examples of Offenses</b>	<b>Verbal Warning</b>	<b>Written Reprimand</b>	<b>Suspension</b>	<b>Termination</b>
Physical, sexual or emotional abuse of a child, emotional or physical abuse or humiliation. In addition, employing methods of discipline that involve isolation, demeaning, punishing, rejecting, terrorizing, extended ignoring, the use of food or physical activity or outdoor time as punishment or reward or the denial of basic needs. <b>(Reference 45 CFR 1302.90)</b>			<b>x</b>	<b>x</b>
Intentional violation of participant eligibility determination regulations			<b>x</b>	<b>x</b>
Breach of confidentiality. <b>(Reference 45 CFR 1302.90)</b>		<b>x</b>	<b>x</b>	<b>x</b>
Leaving a child unsupervised while under the care of KCI. <b>(Reference 45 CFR 1302.90)</b>		<b>x</b>	<b>x</b>	<b>x</b>
Violation or neglect of safety rules or contributing to hazardous conditions. <b>(Reference 45 CFR 1302.90)</b>		<b>x</b>	<b>x</b>	<b>x</b>
Any act or conduct that is discriminatory or harassing in nature toward another person's race, creed, color, national origin, sex, age or disability. <b>(Reference 45 CFR 1302.90)</b>		<b>x</b>	<b>x</b>	<b>x</b>
Soliciting or accepting personal gratuities, favors or anything of significant monetary value from contractors or potential contractors.		<b>x</b>	<b>x</b>	<b>x</b>
Unintentional violation of participant eligibility determination regulations (errors and omissions that are easily identified as oversights)		<b>x</b>	<b>x</b>	<b>x</b>

**11.03 SERVICE OF DISCIPLINARY ACTION**

If unable to serve a disciplinary action in person, a notice will be prepared and mailed to an employee. All mailed disciplinary actions will be sent by first class to the last known address of the employee.

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**SECTION XII. EMPLOYEE GRIEVANCES**

Employees who have complaints, problems, concerns or disputes concerning an employee disciplinary action, performance appraisal or work condition may initiate the Employee Grievance Process.

Employees may use the Employee Grievance Process without fear of retaliation. Any complaints of retaliation will be dealt with swiftly and disciplinary action will be taken if necessary.

Supervisors and managers must disclose to their supervisor all complaints from subordinates that involve them. This allows the employee's supervisor the opportunity to determine if he/she should involve themselves at earlier stages of the Grievance Process. The Executive Director will notify the Board President.

Employees filing grievances may request that another employee (not involved in the grievance) act as witness throughout the grievance process. The employee selected will act as witness to the process and may do so without fear of retaliation as a result of their role in the process.

**12.01 INITIAL GRIEVANCE**

An employee who has a problem, concern, dispute or complaint should make every effort to resolve the issue through informal discussion with the parties involved. Should informal discussion not resolve the issue, the employee may file a written statement to his/her supervisor explaining the issues and naming all parties involved.

The supervisor shall attempt to resolve the issue within five (5) business days after receipt of the grievance statement.

If the employee is satisfied with the resolution after meeting with his or her supervisor, the issue will be considered closed.

If the employee is dissatisfied with the resolve, they may progress to a Formal Grievance.

**12.02 FORMAL GRIEVANCE**

An aggrieved employee who was unable to achieve resolve through use of the Initial Grievance process may file a written complaint with the Executive Director within five (5) business days after the meeting from the initial grievance. The written complaint must include information about the employee's initial complaint and information about attempts to resolve the issue.

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- The Executive Director will consult with the Human Resources Manager to determine the investigative process that will be used to investigate the complaint.
- The Human Resources Manager and the Executive Director will agree on the timeline for the investigation of issues and concerns. The investigation may include consultation with a Human Resources specialist from Swan Employer Services or the Foraker Group. The Executive Director will respond in writing to the aggrieved employee within seven (7) working days of the date the complaint was received. The response will include the timeline for completion of investigation of the complaint (usually within 20 working days), and any temporary changes that may be put in place to maintain a comfortable working environment for all involved. The letter will provide any necessary time adjustments with regard to the timeline for investigation.
- The Human Resources Manager will conduct the investigation.
- After thorough investigation, the Human Resources Manager and the Executive Director will work together to formulate a written response to the complaint and present the proposed response to the Policy Council. The Policy Council may approve the proposed response or recommend additional investigation. After the Policy Council approves a response, it will be provided to the aggrieved employee. This written response will be considered the final response with regard to the issue.

#### **12.03 END RESULT**

The aggrieved employee will receive a copy of the written final report. However, he/she will not be entitled to information regarding the issuance of action taken with regard to another employee or person as a result of the investigation.

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**SECTION XIII. EMPLOYEE SEPARATION**

Employees and KCI may terminate or separate the employment relationship at any time and for any reason.

**13.01 SEPARATION BY RESIGNATION**

An employee wishing to leave employment with KCI should file a written resignation to his or her supervisor. Although two (2) weeks' notice is normally preferred, some positions may allow for more or less time for transition.

The supervisor must promptly route the original resignation letter to the supervising manager.

Employees who have previously resigned their position with KCI and are in good standing at the time of separation are considered eligible for rehire. These employees must submit an application and other necessary documentation at the time of rehire. Employees who return to employment on rehire status will lose seniority and will be started at the starting rate and starting leave accrual rate for the position in which they return.

**13.02 SEPARATION BY LAY OFF**

An employee may be subject to a separation from work due to shortage of funds, elimination of a position or lack of work performed by an employee or a group of employees. KCI will endeavor to give at least two (2) weeks' notice to employees being laid off for any reason.

If the employee is laid off temporarily, and the employee qualifies for the use of the leave benefit, the employee will be offered the opportunity to be paid for all accrued leave (not to exceed 240 hours) or to maintain a balance of 40 hours of leave throughout the period of layoff as long as the layoff is not projected to last longer than one hundred twenty (120) days. If the employee elects not to receive all accrued leave at the time of layoff, but the layoff exceeds one hundred twenty (120) days, KCI will automatically pay the remaining accrued leave.

Employees returning from layoff whose benefits were paid by KCI during the layoff period must continue to work for KCI for a period of 30 days or they will be required to repay the benefit amount paid by KCI.

Employees returning after lay off will regain their pre layoff wage, if employed in the same position, in addition to their same level of leave accrual.

In no instance will KCI hire temporary or substitute staff without placing a qualified laid off staff person into a position first.

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Employees on layoff status should visit KCI's website frequently to view any openings.

**13.03 SEPARATION DUE TO LOSS OF QUALIFICATIONS OR INABILITY TO RETURN**

Employees who no longer meet the qualifications for their position due to loss of a certification, credential, license or failure to meet the physical requirements of a position (where reasonable accommodations cannot be made) will be terminated from employment from KCI. These employees are considered eligible for rehire with KCI once they meet the qualifications for their position or if they apply to another position for which they qualify.

**13.04 SEPARATION DUE TO SUSPENSION**

Employees who are suspended for investigation purposes or as a result of disciplinary action are considered to be separated from KCI for the period of suspension

Suspended employees whether on paid suspension for purposes of investigation or unpaid suspension may be requested to surrender keys and KCI owned equipment prior to beginning his or her period of suspension.

**13.05 INVOLUNTARY SEPARATION**

Employees involuntarily separated from their position for disciplinary reasons are considered ineligible for rehire at KCI.

**13.06 CHECKOUT UPON FINAL SEPARATION**

Supervisors route all appropriate information (timesheets, completed performance appraisals forms and any other related personnel items specific to the employee) to the supervising manager. The Human Resources Manager or his or her designee will complete the employee exit paperwork and information process.

**13.07 FINAL PAYROLL**

Employees separating from KCI will receive their final paycheck and any accrued leave if they are eligible for leave (up to 240 hours) within three business days after separation if terminated from the position. If the employee resigned they will be paid on the upcoming payroll.

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**13.08 REFERENCES**

KCI will endeavor, in good faith, to provide accurate information based principally on the personnel records of the employee or former employee. The amount of information disclosed will be limited to the following information:

- Date of Hire
- Positions Held
- Date of Termination

Release of additional information will require a release signed by the employee or former employee authorizing KCI to release additional information about the employee at the discretion of KCI.