



Employee Guidelines

Revised: 08/07/2017

TABLE OF CONTENTS

| | Page Number |
|--|--------------------|
| INTRODUCTION | |
| Letter from Executive Director | 3 |
| | |
| GENERAL EMPLOYMENT POLICIES | |
| Equal Employment Opportunity | 4 |
| Employee Classification | 4-5 |
| Introductory Period | 5-6 |
| Work Assignments | 6 |
| Acting Appointment | 6 |
| Performance Appraisals | 6 |
| Personnel Records | 6 |
| Criminal Arrests, Convictions, Background Checks | 7 |
| Resignation or Dismissal | 7 |
| Layoff | 7 |
| | |
| SAFETY & HEALTH | |
| Safety | 7-8 |
| | |
| ATTENDANCE/OVERTIME | |
| Absenteeism or Tardiness | 8 |
| Overtime | 8 |
| | |
| EMPLOYEE BENEFITS | |
| Staff Training and Development | 8-9 |
| Workers Compensation Insurance | 9 |
| Return to Work | 9 |
| Unemployment Compensation Benefits | 9 |
| Jury Duty | 9 |
| Military Leave | 10 |
| Retirement, Medical, & Life Insurance | 10 |
| Holidays | 10-11 |
| Annual Leave | 11-12 |
| Sick Leave | 12-13 |
| Personal Leave | 13 |
| Bereavement Leave | 14 |
| Family Medical Leave Act | 14-17 |

CODE OF CONDUCT

| | |
|--|-------|
| Code of Conduct | 17 |
| Standards of Conduct | 17-18 |
| Code of Ethics | 18-19 |
| Sexual Harassment | 19-20 |
| Drug and Alcohol Policy | 20-21 |
| No Expectation of Privacy Policy | 21-22 |
| Workplace Violence | 22 |
| Smoking Policy | 22 |
| Confidentiality | 22-23 |
| Conflict of Interest | 23-24 |
| Gifts and Gratuities | 24-25 |
| Political Activities | 25-26 |
| Lobbying | 26-27 |
| Solicitation Policy | 27 |
| Transporting Participants | 27 |
| Personal Relationships | 27 |
| Personal Appearance | 27-28 |
| Computer/E-Mail/Internet/Voice Mail Policy | 28-30 |
| Cell Phone Policy | 31-32 |
| Use of Agency Equipment & Property | 32-33 |
| Outside Employment | 33 |

COMPLAINT PROCEDURE

| | |
|----------------------|----|
| Complaint Procedure | 33 |
| Whistleblower Policy | 34 |

EMERGENCY CLOSING

| | |
|-------------------|----|
| Emergency Closing | 34 |
|-------------------|----|

EMPLOYEE GUIDELINE UPDATES COMMUNICATION PROCESS

| | |
|--|----|
| | 34 |
|--|----|

TO ALL EMPLOYEES:

North Central West Virginia Community Action Association (“NCWVCAA”) is a private, non-profit organization dedicated to helping individuals and families reach their highest levels of social and economic independence while assisting communities to become stronger partners.

Collaborating with local, state, and national agencies, we provide a broad range of direct anti-poverty services for moderate to low-income customers and their communities. We maintain an ongoing commitment to reduce the effects of poverty and to empower individuals, families, and communities to meet the challenges of today and the changes of tomorrow.

Employees are expected to carry out their job duties and responsibilities in a positive manner and to act in the best interest of the Agency and its clients. We are all dependent upon each other to get the job done. It is the effort of our employees that helps make NCWVCAA one of the most well-respected social service agencies in the area.

NCWVCAA is proud to be able to provide employment opportunities to the citizens of this area. These employee guidelines have a dual role. The first is to protect the employees and the Agency by having guidelines to let employees know what is expected of them. The second is to enhance our desired group image through the behavior and appearance of our employees.

On behalf of NCWVCAA, I want to welcome you to the Agency. I look forward to working with you in providing direct anti-poverty services to individuals, children, and families of this area.

Sincerely,

Vicki Geary
Executive Director

EQUAL EMPLOYMENT OPPORTUNITY

NCWVCAA provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, or veteran status. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfers, leave of absence, compensation, and training.

NCWVCAA expressly prohibits any form of unlawful employee discrimination and/or harassment based on race, color, religion, sex, national origin, age, disability, veteran status.

Any employee that believes he or she may have been denied equal employment opportunity, or may have been subjected to unlawful discrimination and/or harassment, must report the matter immediately and in writing to the Human Resources Manager and the matter will be investigated. All employees shall cooperate fully in any investigation of unlawful discrimination and/or harassment. (Please also refer to NCWVCAA's Sexual Harassment Policy).

EMPLOYEE CLASSIFICATION

NCWVCAA has established the following employee classifications:

Full-Time/Full-Year

NCWVCAA staff normally scheduled to work forty (40) hours per week. Full-Time/Full-Year employees are eligible for benefits.

Part-Time/Full-Year

Personnel scheduled to work less than forty (40) hours per week. Part-Time/Full-Year employees are eligible for sick, annual, and personal leave if they work a regular schedule of at least twenty (20) hours per week. Their leave will be prorated according to hours worked. To be eligible for inclusion in NCWVCAA's retirement plan and for health insurance, the employee must work a regular schedule of at least twenty (20) hours per week.

Substitute

Personnel called to work on an as-needed basis. Substitute employees are not eligible for benefits.

Temporary

Personnel hired to fill short-term positions. The position may be Full- or Part-Time. Temporary positions should not last longer than one (1) year. They should have a definite beginning and ending date, and the person should be notified of such dates at the beginning of the employment relationship. A personnel action form can be utilized for this purpose. Temporary employees are not eligible for benefits.

Part-Year Employees

Part-Year employees can be either Full-Time or Part-Time and usually work during the school year for the Head Start and/or the Early Head Start program. The school year calendar will be determined by the Board of Education in each county. However, instructional days as set by the Head Start/Early Head Start program must be assured and could differ from the instructional days set by that county's Board of Education.

Part-Year employees who work a regular schedule of at least twenty (20) hours per week are eligible for sick and personal leave and are eligible for retirement and health care benefits. Part-Year employees are not eligible for annual leave. Part-Year

Head Start and Early Head Start employees are eligible for holiday pay based on the Part-Year holiday schedule.

INTRODUCTORY PERIOD

The first three (3) months of employment for all staff—except substitutes and temporary employees—is considered an Introductory Period. This includes any person who is newly hired or who is transferred, promoted, or assumes a new position within the organization. The first three (3) months is calculated from the first day of employment in this particular position and continues for three (3) consecutive calendar months.

For Head Start and Early Head Start part-year employees whose three (3) month period includes “no scheduled work days” in the summer, the Introductory Period will end at the conclusion of eight (5) calendar months from date of hire.

During the Introductory period, employees undergo orientation and receive instruction in the standards of performance for their job. The supervisor will be assessing the person's ability to carry out the functions of the job. At the end of three (3) calendar months worked, the supervisor shall evaluate the employee. The employee will be evaluated again at six (6) months.

NCWVCAA is an “at-will” employer and maintains the right to discontinue the employee relationship at any time, regardless of whether an employee has successfully completed the Introductory Period. Employees may be discharged with or without notice at any time for any reason or no reason.

WORK ASSIGNMENTS

The quality and efficiency of the services that each program provides is of prime importance to NCWVCAA. Employees may be required to work overtime or be assigned to other duty stations, and may be appointed to other job assignments on a temporary or full-time basis in order to meet agency goals, and—in the case of Head Start and/or Early Head Start—to comply with any applicable licensing requirements.

ACTING APPOINTMENT

The Program Director may appoint an employee to fill a position on a temporary basis. The employee may receive a salary adjustment during the acting appointment to compensate for any additional duties and responsibilities. The employee will return to his or her previous position and salary when the acting appointment is completed.

PERFORMANCE APPRAISALS

After the initial three (3) month and six (6) month performance reviews, NCWVCAA will conduct annual reviews of each staff member, with the exception of substitutes and temporary employees.

PERSONNEL RECORDS

Keeping personnel files and records up-to-date is important. It is the employee’s responsibility to provide NCWVCAA with any change in personal information and to provide any updated licensure, certifications, training and professional development documentation. Employees are to notify their supervisor immediately if they have updated information and documentation that needs to be put in their personnel file. All personnel files are the property of NCWVCAA.

CRIMINAL ARRESTS, CONVICTIONS, BACKGROUND CHECKS

All employees and staff members must, within twenty-four (24) hours, report, in writing to their immediate supervisor and Human Resources, any criminal convictions. Employees and staff members must include in their written notice a description of the nature of the conviction.

All employees and staff members must report, in writing, to their immediate supervisor and to Human Resources if they become the subject of an abuse or neglect investigation. Employees and staff members must include in this written notification a description of the nature of the abuse or neglect investigation.

New employees must undergo a complete Criminal Identification Bureau (CIB) background check which includes a WV State Police Online Sex Offender check. New hires may begin employment on a conditional basis after a cleared online background check is completed. Head Start/Early Head Start and Homeless Shelter new hires are subject to the criteria determined by the West Virginia DHHR. Head Start/Early Head Start new hires are also subject to the Head Start Program Performance Standards 45 CFR Chapter XIII RIN 0970-AC63. In certain circumstances, WV DHHR will entertain a request for a waiver when there is a problem with a criminal background check. In the case of a waiver request, the prospective employee cannot begin employment until and unless the request for a waiver is approved by the WV DHHR.

RESIGNATION OR DISMISSAL

Just as an employee who works for NCWVCAA has the right to quit employment at any time, NCWVCAA reserves the right to terminate an employee without notice or statement of reason at any time.

LAYOFF

Any layoff will become permanent after six (6) months. After such period of time, the individual must reapply for employment.

SAFETY

It is the goal of NCWVCAA to provide a safe, hazard-free environment for all employees. Each employee has a personal responsibility to work safely. If an employee becomes aware of any unsafe working condition, he or she must immediately notify his/her supervisor.

Any type of incident that appears suspicious should be reported to the supervisor; however, an employee should not hesitate to call the police and/or leave the premises

immediately if the employee determines a threatening or dangerous situation is evident.

ABSENTEEISM OR TARDINESS

Each employee is required to contact his or her supervisor prior to the employee's starting time if the employee is going to be late or cannot report for work. If an employee does not appear for work and has not contacted NCWVCAA, the employee will be considered to have resigned his or her employment.

OVERTIME

Hourly Non-Exempt Employees:

The nature of the duties and responsibilities of some employees may require overtime work from time to time. The employee's immediate supervisor, prior to the employee working the overtime hours, must approve all overtime. Overtime is a requirement if requested by your supervisor.

The NCWVCAA work week is 12:00 a.m. Thursday through 11:59 p.m. Wednesday. All hours worked in excess of forty (40) hours in that time frame will be paid at the rate of one and one-half (1-1/2) times the employee's hourly wage.

Within the same work week, a program manager or direct supervisor of an hourly employee may choose to reduce the number of hours to be worked on a given day by that hourly employee to compensate for the additional hours he/she worked on another day within the work week.

Hourly employees are paid for all hours worked and are required to document all hours worked on their time sheets. They are not allowed to work at home after regularly scheduled hours without having prior written approval from their supervisor.

Exempt Employees:

Exempt Employees are not eligible to receive overtime pay. Their compensation covers all hours worked, including hours worked over forty (40) hours per week.

STAFF TRAINING AND DEVELOPMENT

NCWVCAA encourages staff training and development. NCWVCAA will seek to provide opportunities for in-service training, staff meetings, conferences, and workshops within the limits of the work schedule of the Agency.

The knowledge gained at these training events must support or enhance the

program area in which the person is employed. Training events must be approved in advance by the employee's immediate supervisor.

NCWVCAA may grant up to three (3) hours of paid release time from work to pursue job-related education and training activities at an accredited learning organization. This time can include no more than actual travel and class time and cannot exceed more than three (3) hours per week. Prior written approval from the employee's immediate supervisor is needed.

WORKERS' COMPENSATION INSURANCE

NCWVCAA provides workers' compensation insurance coverage for employees for injuries that occur in the course of and resulting from employment. If an employee is involved in a work-related accident or injury, the employee must **immediately** report the accident or injury, no matter how slight, to the employee's supervisor and to the Human Resources Director.

Failure to properly report work-related injuries may jeopardize the employee's eligibility for benefits.

NCWVCAA will not tolerate fraudulent claims or misrepresentation of workers' compensation claims. Such activity will be reported to the proper authorities.

RETURN TO WORK POLICY

NCWVCAA is committed to returning the injured employees to meaningful work activity that has been approved by their physician as soon as possible following a job related injury.

UNEMPLOYMENT COMPENSATION BENEFITS

NCWVCAA is subject to the provisions of the West Virginia Unemployment Compensation laws.

JURY DUTY

NCWVCAA will pay Full-Time/Full-Year and Full-Time Part-Year employees the difference between the amount that is paid by the government for jury duty and the employee's regular rate of pay, up to ten (10) working days. Part-Year employees will not be paid if they are not working at the time of jury duty. Part-time employees will be paid on a pro-rated basis.

Should the judge excuse jurors early, the employee is required to report to work for the remainder of the day.

MILITARY LEAVE

If an employee is called to active military duty or for National Guard training, or if an employee volunteers, he or she will be granted a leave of absence without pay. Employees requesting leave for military duty must submit copies of their military orders to their supervisor as soon as possible. Employees will be granted a military leave of absence without pay in accordance with applicable federal and state laws. An employee's eligibility for reinstatement after their military duty or training is determined in accordance with applicable federal and state laws.

RETIREMENT, MEDICAL & LIFE INSURANCE

Information concerning retirement, medical, and life insurance benefits will be given to employees when hired, and is subject to change or cancellation at any time.

HOLIDAYS

In January of each year, the Executive Director shall post the holiday schedule. The Executive Director retains the right to make changes in the schedule at the beginning of each year. Generally, paid holidays are as follows:

| | |
|------------------------|------------------------|
| New Year's Eve | Labor Day |
| New Year's Day | Columbus Day |
| Martin Luther King Day | Veterans' Day |
| Presidents' Day | Thanksgiving Day |
| Good Friday | Day after Thanksgiving |
| Memorial Day | Christmas Eve |
| Independence Day | Christmas Day |

Also, the day on which any National or State election is held and any day that the President of the United States or the Governor of West Virginia declares to be a holiday.

Full-Time or Part-Time Full-Year employees who regularly work twenty (20) or more hours per week must work the scheduled workday before or the scheduled workday after the holiday or be on annual, personal, or FMLA (using accrued leave)—or be able to prove a bona fide personal illness—in order to be eligible to receive holiday pay.

Part-Time employees who work twenty (20) or more hours per week will be granted holiday pay based on the number of hours they are regularly scheduled to work.

Because of the nature of duties in some programs, some employees may be required to work a holiday. In this circumstance, the supervisor may arrange for the employee to substitute another day as the holiday in that same or the following pay period.

Holidays: Part-Year Head Start Staff

Part-Year Head Start staff will receive the following paid holidays:

| | |
|-----------------------------|------------------------|
| New Year's Day | Thanksgiving Day |
| Martin Luther King Birthday | Day after Thanksgiving |
| Good Friday | Christmas Eve** |
| Labor Day | Christmas Day |
| Veterans' Day | |

**When Christmas falls on Saturday, Christmas Eve will be celebrated on the Thursday preceding the holiday. When Christmas falls on Sunday, Christmas Eve will be celebrated on the Friday preceding the holiday.

In addition, Part-Year staff could be eligible for the following paid holidays if the holidays occur during the identified scheduled period of work:

- The day on which any National or State election is held.
- Any day that the President of the United States or the Governor of West Virginia declares a holiday.
- When the school year is extended beyond Memorial Day to meet required instructional days.

Full-Time Part-Year Head Start/Early Head Start staff must work their last scheduled day before or the first scheduled day after the holiday or be on annual, personal, or FMLA (using accrued leave)—or be able to prove a bona fide personal illness—in order to be eligible for holiday pay. Part-Time Part-Year Head Start/Early Head Start staff who are regularly scheduled to work twenty (20) or more hours per week must be regularly scheduled to work on the day of the week on which a holiday falls to be eligible for holiday pay.

Part-Time employees who work twenty (20) or more hours per week will be granted Holiday Leave based on the number of hours they are regularly scheduled to work.

ANNUAL LEAVE

Full-Time/Full-Year employees and Part-Time/Full-Year employees who are regularly scheduled to work twenty (20) or more hours per week will earn annual leave hours pro-rated according to years of service and the hours worked up to 80 hours per pay period. Annual leave will not accrue on overtime hours. Annual leave begins to

accrue upon hire and is available for use after successfully completing three calendar months of employment.

Part-Time, Full-Year employees who work less than twenty (20) hours per week, Part-Year employees, Substitutes, and Temporary employees are not eligible for annual leave.

Effective July 1, 2009, for eligible Full-Year new hires, Annual Leave accrual is based on the following rates per pay. There are twenty-six (26) pays per year:

0-3 yrs. = 12 days or 3.69 hours per pay for Full-Time or .04615 per hour per pay

3-5 yrs. = 15 days or 4.62 hours per pay for Full-Time or .05769 per hour per pay

5-10 yrs. = 18 days or 5.54 hours per pay for Full-Time or .06923 per hour per pay

10-15 yrs. = 21 days or 6.46 hours per pay for Full-Time or .08077 per hour per pay

15 yrs. & + = 24 days or 7.39 hours per pay for Full-Time or .09231 per hour per pay

No more than forty (40) hours may be carried over into the next calendar year. Thus, all Annual Leave hours over forty (40) need to be taken by the last day of December.

At the discretion of the Executive Director and dependent on the availability of funds, those employees with ten (10) or more years of service, or a program that is dependent on production, may buy out forty (40) hours of annual leave.

If an employee has earned at least one (1) week's annual leave, he/she is required to take one (1) full week of vacation during the calendar year. For Part-Time, Full-Year employees, a week could be less than 40 hours.

An employee who has completed at least six (6) months of employment with the agency will be paid all accrued annual leave upon termination of employment. Annual leave will not be paid at the time of termination to those who have not completed six (6) months of employment.

SICK LEAVE

Employees who regularly work twenty (20) hours or more per week are eligible for sick leave to be used for the employee's illness or medical visits that cannot be scheduled after work hours.

Sick leave will accrue at the rate of 3.69 hours per pay (approximately one day per month) for Full-Time employees.

Part-Time employees who work twenty (20) or more hours per week accumulate pro-rated sick leave according to the hours worked.

Effective July 1, 2009, new hires may accumulate a maximum of 480 hours to offset unforeseen medical situations.

Accrued sick leave carries no monetary value upon separation from employment. In other words, no pay for accrued, but unused, sick leave will be provided to employees upon termination of the employment relationship.

PERSONAL LEAVE

Two (2) eight (8) hour Personal Leave days are granted for the calendar year to Full-Time or Part-Time employees who regularly work twenty (20) or more hours per week and who have completed three (3) months of employment with the agency. An employee hired between July and October will be granted one (1) eight (8) hour personal leave day until the new calendar year begins. Temporary, Substitute, and Part-Time employees who work less than twenty (20) hours per week are not eligible for Personal Leave.

Personal Leave not used in the calendar year will be forfeited. Non-exempt employees may use Personal Leave in one-hour increments.

The immediate supervisor must give prior approval, if at all possible, for the Personal Leave day. Reasons for taking the Personal Leave do not have to be provided to the supervisor; however, if the personal day would present an undue hardship on the agency, the personal day for that particular date may be denied.

Personal Leave carries no monetary value upon separation from employment. In other words, no pay for unused Personal Leave will be provided to employees upon termination of the employment relationship.

BEREAVEMENT LEAVE

NCWVCAA will grant up to three (3) paid leave days in the event that an employee who is regularly scheduled for at least twenty (20) hours per week is required to be absent to travel, attend, or make arrangements for the funeral of the following:

| | | |
|--------------|-----------------|---------------|
| Husband | Mother-In-Law | Step Parent |
| Wife | Father-In-Law | Aunt |
| Mother | Son-In-Law | Uncle |
| Father | Daughter-In-Law | Niece |
| Sister | Brother-In-Law | Nephew |
| Brother | Sister-In-Law | Grandmother |
| Daughter | Step Brother | Grandfather |
| Son | Step Sister | Grandson |
| Foster Child | Step Child | Granddaughter |

Any person residing in the employee's immediate household also falls within the scope of this policy.

A paid leave day is equal to eight (8) hours or ten (10) hours, depending upon the regular work schedule for Full-Time employees, and is pro-rated for Part-Time employees.

FMLA - FAMILY, MEDICAL, AND MILITARY LEAVE ACT

An employee who has been employed by NCWVCAA for at least twelve (12) months, and has worked at least one-thousand two-hundred fifty (1,250) hours within the twelve (12) months immediately preceding the date of commencement of FMLA leave, is eligible for FMLA leave.

An eligible employee will receive up to twelve (12) weeks (or 26 weeks if the reason for the leave is to care for a covered service member with a serious injury or illness) of job-protected leave within a twelve (12) month period for the following: (1) birth and care for a newborn child, if concluded within twelve (12) months of the birth of the child; (2) placement with the employee of a child for adoption or foster care, if concluded with twelve (12) months after placement; (3) care for the employee's spouse, child, or parent (but not parent-in-law) of the employee who has a serious health condition; (4) employee's own serious health condition; or (5) military family leave.

Military Family Leave:

Military Caregiver Leave –An eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious illness or

injury, may be entitled to up to twenty-six (26) work weeks of unpaid leave during a single twelve (12) month period to care for the service member.

Covered service members also include veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness AND who were members of the Armed Forces, including the National Guard or the Reserves, at any time during the five (5) years preceding the date on which the veteran undergoes such treatment, recuperation, or therapy.

With respect to a veteran who was previously a member of the Armed Forces including the National Guard or the Reserves, a “serious injury or illness” is defined as “a qualifying injury or illness” that was incurred in the line of duty, or aggravated by service in the line of duty while on active duty in the Armed Forces

and that manifested itself before or after the individual became a veteran. Thus pre-existing conditions aggravated by military service may be covered.

Please check with Human Resources for additional information concerning the definition of a “covered service member” and the definition of a “serious injury or illness.”

Qualifying Exigency Leave – An eligible employee may be entitled to up to twelve (12) work weeks of unpaid leave during a single twelve (12) month period for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on “covered active duty.” Qualifying exigency leave is available to a family member of a military member in the regular Armed Forces, National Guard, or Reserves.

Qualifying exigencies include leave to address issues surrounding short-notice deployment, military events and related activities, childcare and related activities, financial and legal activities, counseling, rest and recuperation, and post-deployment activities.

For service members in a regular component of the Armed Forces, “covered active duty” means duty during deployment to a foreign country. For members of the National Guard or Reserves, it means deployment to a foreign country under a call or order to active duty.

FMLA leave, including military caregiver leave, may be taken all at once, intermittently, or on a reduced schedule, whenever medically necessary. FMLA leave may also be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. If intermittent leave is requested, the employee may be transferred, on a temporary basis, to an alternative position with equivalent pay and benefits which better accommodates the employee’s need for such

leave.

Employees must contact Human Resources to apply for FMLA Leave. An employee must submit a valid certification showing the necessity of the requested leave, complete and submit all applicable FMLA forms, and must provide recertification on a reasonable basis as requested. When leave is needed for planned medical treatment, the employee must make reasonable effort to schedule treatment so as not to unduly disrupt NCWVCAA's operation.

When the need for FMLA leave is foreseeable, an employee is required to give thirty (30) days written notice, or as much as practical, prior to the beginning of the leave—generally either the same day or the next business day. The employee must also detail in the written notice why the FMLA leave is being requested.

If both spouses are employees of NCWVCAA, they may ask to take FMLA leave at the same time if the purpose of the leave is 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. However, they will be limited to a combined total of twelve (12) weeks (or 26 weeks if the reason for the leave is to care for a covered service member with a serious injury or illness). Should both employees use only part of the twelve (12) week total entitlement, the remaining entitlement may be taken individually for other FMLA purposes, up to the twelve (12) week maximum cumulative. If, however, leave is requested by both employees/spouses because of one spouse's serious health condition or to care for a sick child, both employees are entitled to twelve (12) weeks of FMLA leave.

The twelve (12) month period within which FMLA is granted will be a fixed year beginning on the first day of the implementation of the FMLA leave being requested.

The employee is required to exhaust any applicable available paid leave (annual, sick, personal) during the period of FMLA leave.

Employees will be allowed FMLA leave until the total number of weeks of the leave equals twelve (12) weeks (or 26 weeks if the reason for the leave is to care for a covered service member with a serious injury or illness).

Any medical leave under FMLA leave will run concurrent with Worker's Compensation leave and/or any other disability leave. The FMLA leave period will be unpaid leave, with the exception of any accrued annual, sick or personal leave which the employee will be required to exhaust.

Upon returning to work, the employee will be placed in his or her previous position or an equivalent position without loss of benefits accrued prior to the leave unless the employee would have been laid off or otherwise terminated had he or she continued to

work during the leave period.

“Key employees” who are notified of that status at the time leave is requested may be denied the right to return to work to prevent substantial economic injury to NCWVCAA. A “key employee” is one who is among the highest paid ten percent (10%) of employees with seventy-five (75) miles of the work site.

Employee group health benefits, if given, will be granted throughout the FMLA leave. Employees will be required to pay his or her portion, if any, of the premium when due.

CODE OF CONDUCT

The Board of Directors and the Executive Director believe that the purpose of the Employee Conduct Policy is to improve employee performance. As such, this policy shall serve as a guide for supervisors and employees and shall be used to correct employee behavior and performance that does not meet NCWVCAA standards.

Employees should be informed of the types of behavior expected of them and the rules, regulations, policies, procedures, and practices by which they must abide. Employees are responsible to adhere to the rules and requirements of the NCWVCAA and shall be held accountable if they do not comply.

Employees are expected to conduct themselves in a professional manner. Employees shall refrain from actions or public announcements that reflect adversely upon the Agency. Employees shall exercise prudence and discretion in regard to all official business of the Agency.

STANDARDS OF CONDUCT

All staff, consultants, and volunteers must abide by the Agency’s standards of conduct. These standards include the following:

- Respect and promote the unique identity of each child and family, and refrain from stereotyping on the basis of gender, race, ethnicity, culture, religion, or disability;
- Follow program confidentiality policies concerning information about children, families, and other staff members;
- No child will be left alone or unsupervised while under an employee’s care; and
- Use positive methods with child guidance and do not engage in corporal punishment, emotional or physical abuse, or humiliation. Do not employ methods of discipline that involve isolation, the use of food as punishment or

reward, or the denial of basic needs.

Violating these standards of conduct or any other policies and procedures set forth in these employee guidelines may result in disciplinary action up to and including discharge.

CODE OF ETHICS

NCWVCAA expects all of its employees and volunteers to:

- Affirm that they will not discriminate against or refuse services to anyone on the basis of race, color, age, sex, religion, national origin, disability, or any other status protected by Federal, State, or local law.
- Evidence a genuine interest in all persons served and dedicate themselves to serving the clients' best interests and helping the client help themselves.
- Respect the privacy of persons served and hold in confidence all information obtained in the course of professional service.
- Maintain confidentiality when storing or disposing of client records.
- Refrain from falsifying, altering, or untimely destroying any account, record, and/or other business-related document(s).
- Maintain a professional attitude that upholds confidentiality toward individuals served, colleagues, applicants, and the Agency.
- Maintain client and co-worker confidentiality and, upon separation from employment, hold as confidential any information obtained concerning the Agency.
- Respect the rights and views of colleagues, and treat them with fairness, courtesy, and good faith.
- Refrain from exploiting the trust of the public and of co-workers, and make every effort to avoid relationships that could impair professional judgment.
- Refrain from engaging in or condoning any form of harassment or discrimination.
- Extend respect and cooperation to colleagues of all professions.
- Supervise and evaluate staff performance in a responsible, fair, considerate, and equitable manner.

- Have total commitment to provide the highest quality of service to those who seek their assistance.
- Continually assess personal strengths, limitations, biases, and effectiveness.
- Strive to become and remain proficient in professional practice and the performance of professional functions.
- Seek assistance for any problem that impairs performance.

SEXUAL HARASSMENT POLICY

It is illegal and against Agency policy for any employee, male or female, to harass another employee, client, customer, parent or family member, or others in the workplace in the following manner:

1. Making unwelcome sexual advances, favors, or other verbal or physical conduct of a sexual nature a condition of any employee's employment;
2. Using an employee's submission to or rejection of such sexually harassing conduct as the basis for, or as a factor in, any employment decision affecting the individual; or
3. Otherwise creating an intimidating, hostile, or offensive work environment by engaging in sexually harassing conduct.

Inappropriate conduct in the workplace that may rise to the level of sexual harassment includes the following:

- Demanding sexual favors in exchange for favorable treatment, assignments, promotions, continued employment, or promises of the same.
- Verbal: Repeated sexual innuendo, sexual epithets, name calling, degrading vulgar words or slurs, off-color jokes, advances or propositions, flirtations, threats, whistling, or suggestive insulting sounds.
- Graphic verbal commentary about an individual's body, sexual prowess, or the lack thereof.
- Visual: Suggestive objects or pictures, adult "gag" gifts, sexual posters, drawings, displays of graffiti, obscene letters, notes, photographs, cartoons, articles, or other pictorial materials of a sexual nature, graphic commentaries, leering, or obscene gestures.
- Physical: Unwanted physical contact, including touching, brushing the body, rubbing, grabbing, pinching, caressing, coerced interference with an

individual's normal work movement, or assault.

- Threats or Retaliation: Making or threatening reprisals as a result of a negative response to harassment.
- Using Agency computers, cell phones, facsimiles, e-mail, or any other electronic equipment/device for the viewing or sending of any type of sexually explicit or offensive material.

NCWVCAA will not condone nor permit any unlawful harassment of its employees. All employees, supervisors, and managers will be subject to severe discipline, up to and including discharge, for any act of unlawful harassment that they commit.

Do not allow an inappropriate situation to continue without reporting it, regardless of who is creating the situation. No employee is exempt from this policy. Any employee who is being harassed must immediately tell the harasser to stop such conduct.

An employee that believes he or she has been subjected to objectionable sexually harassing conduct from an employee, supervisor, customer, parent or family member, or vendor, etc., must report the matter immediately and in writing to the Human Resources Director or NCWVCAA's Executive Director for investigation. NCWVCAA will take appropriate corrective action where necessary.

Each member of management is responsible for creating an atmosphere free of sexual harassment. No employee will be subjected to any form of retaliation or discipline for pursuing a legitimate sexual harassment complaint or participating in the investigation of the same.

However, if after investigating any complaint of harassment or unlawful discrimination, it is determined that the complaint was not filed in good faith or that an employee has provided false information during the investigation of a complaint, disciplinary action may be taken against that employee.

DRUG AND ALCOHOL POLICY

NCWVCAA is committed to maintaining a drug free workplace. The following policy is designed to help ensure a safe, healthy, and more productive workplace for all employees. (See Drug Free Workplace Act):

1. The unlawful use, possession, manufacture, distribution, sale, or dispensation of controlled or illegal substances on Agency premises, in Agency-supplied vehicles, or while conducting Agency business is absolutely prohibited.
2. The possession or use of alcohol on Agency premises, in Agency-supplied vehicles, or while conducting Agency business is absolutely prohibited.

3. Being under the influence of alcohol or an illegal substance on Agency premises, in Agency-supplied vehicles, or while conducting Agency business is absolutely prohibited.
4. Employees whose physician has prescribed a drug or controlled substance that might adversely affect their ability to perform their work must provide a written statement from their doctor.
5. Any use, possession, manufacturing, distribution, sale, or dispensation of illegal drugs off premises and off Agency time that adversely affect the individual's work performance, his or her own or others' safety at work, or NCWVCAA's reputation in the community is absolutely prohibited.
6. Employees must report any conviction under a criminal drug statute for violations occurring on or off NCWVCAA property, if the violation occurred while conducting NCWVCAA business. A report of a conviction, including pleas of *nolo contendere* (i.e., no contest), must be made within twenty-four (24) hours of such conviction or plea.
7. Employees needing help in dealing with alcohol or drug-related problems are encouraged to use assistance programs and health insurance plans as appropriate.
8. Failure to adhere to the requirements of any drug treatment or counseling program in which the employee is enrolled is grounds for disciplinary action, up to and including termination.
9. Violations of this policy will result in disciplinary action, up to and including discharge, and may have legal consequences.

NCWVCAA reserves the right to require employees to undergo appropriate tests to detect the presence of alcohol, illegal drugs, or other controlled substances where it has reasonable suspicion that an employee may be under the influence of any of these substances or where the employee is working in a safety-sensitive position. Refusal to consent to such a test may result in disciplinary action, up to and including dismissal.

NO EXPECTATION OF PRIVACY POLICY

From time to time, NCWVCAA may conduct internal investigations pertaining to security, workplace misconduct, theft, conversion, violation of the drug and alcohol policy, or any other violation of policy, practice, or procedure. In this regard, NCWVCAA reserves the right to question employees and all other persons entering and leaving the work premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from the work premises.

NCWVCAA further reserves the right to search any employee's office, desk, file cabinet, company-issued computer and personal communication device, or personal

vehicle parked on Agency property or premises, or any other area or article on the work premises.

All NCWVCAA desks, cabinets, files, computers, laptops, cell phones, cameras, and any and all other Agency audio, video, and electronic equipment are considered to be the property of NCWVCAA and shall be used for work-related purposes only.

Inspections may be conducted at any time at the discretion of NCWVCAA. Employees are required to cooperate fully in any workplace investigation. NCWVCAA is not responsible for any employee's personal items brought to any NCWVCAA facility or on any work-related field trip or training.

WORKPLACE VIOLENCE

NCWVCAA will not tolerate nor permit any type of workplace threats or violence by or upon its employees. All employees, including supervisors and managers, will be subject to discipline, up to and including discharge, for any act of workplace threat or violence committed. Every employee has the responsibility to immediately report, in writing, to Human Resources or the Executive Director, any workplace threats or violence that he or she has experienced or witnessed.

When a report or complaint of workplace violence is received, NCWVCAA will investigate the matter and take appropriate and corrective action where necessary. No employee will be subject to any form of retaliation or discipline for bringing and pursuing a workplace violence complaint in good faith. All employees shall cooperate fully in any investigation of workplace threats or violence.

SMOKING POLICY

Smoking tobacco, as well as the use of smokeless tobacco or electronic cigarettes (vaping), is not permitted inside any NCWVCAA building, facility, center, office, or vehicle. If you take a smoke break outside the building, you must comply with any applicable state, county, or city public health smoking regulations or requirements (i.e. Board of Education).

Only one (1) employee at a time should be on a smoke break. In addition, smoke breaks should be limited to no more than one (1) break every three (3) hours. All employees must have permission from their supervisor prior to taking a smoke break. Further, all employees must sign in and out when taking a smoke break.

CONFIDENTIALITY

All NCWVCAA records and information relating to NCWVCAA, the children and families served by NCWVCAA, and staff members of NCWVCAA, are confidential, and employees must treat such information accordingly. No NCWVCAA or NCWVCAA-

related information—including documents, notes, files, records, oral information, or computer materials (except in the ordinary course of performing duties on behalf of NCWVCAA)—may be removed from the premises without permission of the supervisor.

Additionally, the contents of NCWVCAA’s records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for business purposes. Employees must not disclose any confidential information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside NCWVCAA.

Property of NCWVCAA, including documents and files developed by individuals as part of their employment with NCWVCAA, is considered to be confidential in nature and must be returned to the Program Director upon separation from employment.

Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Respecting confidential information is part of the ethics of NCWVCAA.

Anyone revealing business, client, personnel, or other confidential information to non-authorized parties will be subject to disciplinary action, up to and including discharge, for knowingly or unknowingly revealing information of a confidential nature.

CONFLICT OF INTEREST

A conflict of interest, insofar as it may affect NCWVCAA, is defined as an activity or interest which is inconsistent with or opposed to the legitimate best interest of NCWVCAA. It is the policy of NCWVCAA that all directors, officers, Policy Council members, contractors/consultants, and employees will avoid personal transactions or situations in which their personal interest will, or will appear to, conflict with those of the Agency.

For the purpose of this policy a member of an immediate family shall include any of the following persons:

| | | |
|--------------|-----------------|---------------|
| Husband | Mother-In-Law | Step Parent |
| Wife | Father-In-Law | Aunt |
| Mother | Son-In-Law | Uncle |
| Father | Daughter-In-Law | Niece |
| Sister | Brother-In-Law | Nephew |
| Brother | Sister-In-Law | Grandmother |
| Daughter | Step Brother | Grandfather |
| Son | Step Sister | Grandson |
| Foster Child | Step Child | Granddaughter |

Any person residing in the employee's immediate household also falls within the scope of this policy.

The following list is representative but not an all-inclusive list of examples of conflicts of interest:

- No employee shall do business with a member of his or her family on behalf of NCWVCAA, unless the circumstances of the proposed relationship have been clearly reviewed by the Executive Director and the Human Resources Director and have been deemed to have no potential or inherent conflict of interest qualities.
- All employees must deal with suppliers, contractors, customers, and all other persons doing business with NCWVCAA in the best interest of the Agency without favor or preference based on personal consideration.
- No employee shall misuse privileged information or reveal confidential data to outsiders for the purpose of personal gain or for other than Agency purposes.
- No employee shall deal with NCWVCAA or with one of the Agency's clients or suppliers as a representative of another firm or for his or her own benefit.
- No employees, members of their immediate family, or NCWVCAA Board Members may receive services of one of the programs of the agency (other than Head Start/Early Head Start) without first having the review and approval of the Services Application Review Team of the Board of Directors. Refer also to Head Start/Early Head Start protocol.
- No employee shall participate in the selection, award, or administration of a contract where the employee or an immediate family member of the employee has a financial interest.
- Former employees shall not serve on the Board of Directors until two (2) calendar years have elapsed since they severed employment with NCWVCAA.
- In the case of a child enrolled in the Head Start/Early Head Start program that includes direct services from an employee who is an immediate family member, every effort will be made to assign a different staff member to the enrolled family. If directly serving an immediate family member is unavoidable, it must be approved by Head Start/Early Head Start administrative, supervisory, and appropriate service staff. If a child must be enrolled for Center Based and Home Based and attend a specific classroom or attend a specific socialization, the employee related to that child will be transferred to another site if at all possible.

GIFTS AND GRATUITIES

Employees will not solicit or accept personal gratuities, favors, or anything of

significant monetary value from contractors, suppliers, vendors, etc., or potential contractors, suppliers, vendors, etc. The acceptance of gifts and gratuities could create the appearance of impropriety. Therefore, employees of NCWVCAA may only accept for themselves or others, including members of their families, items of **nominal value** from a supplier, client, or business associate. As a guide, these items would usually have only advertising value and would normally display the name of the donor. Monetary gifts should never be accepted. Meals provided by another entity should serve a business purpose and should not be a of a frequent or repetitive nature

Monetary donations or gifts which are offered to employees for the benefit of the clients of NCWVCAA should be referred to the Finance Director. If there is a question regarding the value or intent of any gift or offer, the employee should consult with his or her immediate supervisor. Violations of this policy will result in disciplinary action, up to and including discharge.

POLITICAL ACTIVITIES

NCWVCAA employees are subject to the provisions of the Hatch Act. In passing the Hatch Act, Congress determined that partisan political activity of certain employees be limited in order for them to function fairly and effectively. Employees **may**:

- be a candidate for public office in a nonpartisan election.
- campaign for and hold elective office in political clubs and organizations.
- actively campaign for candidates for public office in partisan and nonpartisan elections.
- contribute money to political organizations or attend political fundraising functions.
- participate in any activity not specifically prohibited by law or regulation.

Employees **may not**:

- in some cases, be a candidate for public office in a partisan election.
- use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office.
- directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

Note: An election is a partisan election if any candidate for an elective public office is running as a representative of a political party whose presidential candidate received electoral votes at the preceding presidential election.

NCWVCAA employees are subject to these political activity laws even if they are on any type of leave with or without pay. For further clarifications, please contact the Human Resources Department.

In addition, during hours of employment, on NCWVCAA premises, using NCWVCAA equipment, or with the use of agency funds, employees of NCWVCAA are prohibited from the following:

- Participation in any partisan or non-partisan political activity or any other political activity associated with a candidate or contending faction or group or an election for public or party office.
- Participation in any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election.
- Participation in any voter registration activity. Violation of this policy will result in disciplinary action, up to and including discharge.

LOBBYING

Project funds may not be used to support any of the following:

- Any activity which is planned and carried out in such a manner as to disrupt the orderly conduct of business by Congress or any other legislative body. This includes, but is not limited to, any disruptive action carried on in the chambers of Congress or any other legislative body or in any capitol or legislative office building.
- Any demonstration, rally, picketing, or other form of direct action aimed at the family or home of a member of a legislative body for the purpose of influencing his/her actions as a member of that body.
- Any campaign of advertising carried through commercial media for the purpose of influencing the passage or defeat of legislation.
- Any campaign of letter writing, or other mass communications, or of mass visits to individual members of Congress or State legislatures for the purpose of influencing the passage or defeat of legislation. This restriction does not prohibit purely informational and education activities involving target areas and groups.

These restrictions are not intended to limit the rights of individuals to express their personal views on public issues so long as they do so in their capacity as private citizens rather than employees. Nor are they intended to limit the freedom of local agencies to express their views on legislation so long as project funds are not used in violations of the foregoing limitations.

Violations of this policy will result in disciplinary action, up to and including discharge.

SOLICITATION POLICY

No solicitation of or by employees is permitted while working.

TRANSPORTING PARTICIPANTS

Employees shall not transport program participants/clients or volunteers for any program-related need in their personal vehicles.

PERSONAL RELATIONSHIPS

Personal relationships between supervisors and their subordinates and/or employees and clients can create a variety of problems, including conflict of interest, the appearance of favoritism, and an increase in the potential for claims of harassment, coercion, or retaliation.

Employees will provide clients with the best possible quality service. Clients, vendors, co-workers, and the public will be treated with courtesy, respect, and appropriate distance.

Employees shall discourage sexual advances and abstain from any intimate physical contact and involvement with clients.

Employees who are married, engaged, or cohabitating will not be permitted to occupy positions in which one supervises the other or has a significant influence in determining the other's advancement, compensation, or other terms and conditions of employment.

Violation of this policy will subject the employee to disciplinary action, up to and including termination.

PERSONAL APPEARANCE

All employees are expected to present a clean, neat, well-groomed appearance and to dress appropriately for their position. Although employees dealing with children may

normally be dressed in more casual attire, they must still be prepared to meet and deal with the public at any time.

Immediate supervisors will advise the employee if they feel his/her dress or personal appearance inhibits the process of conducting business at NCWVCAA or presents a health or safety hazard to themselves or participants and will ask them to make a modification. If this modification requires the employee to go home, he/she will not be paid for that time away from work.

Some facilities of NCWVCAA permit a “casual day” at the end of the workweek. Although jeans and more casual attire might be appropriate for some people on this day, employees are still expected to adjust their attire according to the type of business they will be conducting on that day. The immediate supervisor will be responsible for helping the employee define what is appropriate and what might be inappropriate. NCWVCAA reserves the right to adjust the personal appearance standard to meet program specific needs.

COMPUTER/ELECTRONIC COMMUNICATIONS/SOCIAL MEDIA POLICY

All NCWVCAA computers and electronic communication systems (i.e., computers, e-mail, voice mail, Internet, intranet, telephones, fax machines, cameras, video systems, wire services, etc.) are company property and can be used only for work-related purposes. Further, all information transmitted by, received from, or stored in such computers and electronic communication system is company property.

All NCWVCAA computers and electronic communication systems are provided to assist employees with performing their job duties. Therefore, employees have no expectation of privacy in anything they create, store, send, or receive on any company computer or electronic communication system.

Employees using NCWVCAA computers or electronic communication systems are not to waste these resources. This includes, but is not limited to, sending mass mailings or chain letters, playing games, “surfing the net,” engaging in online chat groups, unnecessarily printing multiple copies of documents, or otherwise creating unnecessary networking traffic. Employees are not to use any company computer or electronic communication system to access Facebook, Myspace, Twitter, or any other personal social networking or communication page or account.

NCWVCAA retains the right to monitor all aspects of its computer and electronic communication systems including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat and news groups, reviewing materials downloaded or uploaded by Internet users, reviewing e-mails sent or received by users, and reviewing voice mail and text messages. NCWVCAA expressly retains the right to

monitor, retrieve, and delete anything stored, created, received, or sent through its computers or electronic media systems without seeking the permission of the employee.

Employees are not to use a code, access a file, or retrieve any stored communication unless specifically authorized to do so. No unauthorized software or application is to be loaded onto any NCWVCAA computer or electronic communication system. Further, employees should not attempt to gain access to another employee's e-mail, Internet or voicemail files without the latter's express permission.

Employees can only use encryption software supplied to them by the System Administrator for purposes of safeguarding sensitive or confidential business information. Employees who use encryption on files stored in an Agency computer must provide the System Administrator with a sealed hard copy record (to be retained in a secured location) of all passwords and/or encryption keys necessary to access the files.

NCWVCAA computers and electronic communication systems are not to be used in any way that is disruptive or offensive to others, or in ways that could be harmful to workplace morale. Further, there is to be no display or transmission of sexually explicit images, messages or cartoons, or any transmission or use of such communications containing ethnic slurs, racial epithets, or anything that may be construed as offensive, harassing, or disparaging to others based on their race, color, religion, sex, national origin, ancestry, disability, veteran status, or any other status protected by state or federal law.

NCWVCAA computer and electronic communication systems are not to be used to solicit others for commercial purposes, religious and political causes, or for any other solicitations that are not work-related.

No employee may use NCWVCAA facilities, computers, or electronic communication systems to knowingly download or distribute pirated software or data. Any software or files downloaded via firm computers or electronic communication systems may only be used in ways that are consistent with their licenses or copyrights.

NCWVCAA computers and electronic communication systems must not be used to knowingly violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province, or local jurisdiction in any material way. Further, these computer and electronic communication systems must not be used to inappropriately disclose any information that is confidential or proprietary to the company or to any third party that has disclosed information to the Agency.

Any employee using NCWVCAA computers or electronic communication systems shall identify themselves honestly, accurately, and completely when corresponding or participating in interactive activities.

NCWVCAA assumes no responsibility or liability for an employee's misuse of the

company's computers or electronic communication systems. However, NCWVCAA reserves the right to immediately terminate any employee for improper use of such computer or electronic communication systems.

Nothing in this policy is intended to prohibit or inhibit employees from discussing terms and conditions of employment under the concerted activity protections of the National Labor Relations Act. However, NCWVCAA has established certain limitations regarding the use of any multi-media, social networking websites, blogs, or other forms of social media, regardless of whether such use is for personal or professional use. With that in mind, employees are hereby notified that:

1. Internet or electronic postings must not inappropriately disclose any information that is confidential or proprietary to the company or to any third party that has disclosed information to the company;
2. If an employee comments on any aspect of the company's business, they must clearly identify themselves as an employee and include a disclaimer such as "the views expressed are mine alone and do not necessarily reflect the views of North Central West Virginia Community Action Association;"
3. Internet or electronic postings should not include any company logo or trademark without the permission of NCWVCAA;
4. Internet or electronic postings must respect all applicable laws;
5. Employees should neither claim nor imply that they are speaking on behalf of NCWVCAA unless specifically authorized to do so;
6. Employees are expected to conduct themselves with appropriate professionalism. For example, never write anything you would not say out loud to all the parties involved;
7. Employees are strongly encouraged to refrain from "friending" clients of NCWVCAA; and
8. Employees should avoid providing personal information on company sites.

Any employee who believes he or she may have witnessed or discovered a violation of this policy must immediately report the matter to Human Resources or the Executive Director. Further, employees are hereby reminded that any violation of this policy may lead to disciplinary action up to and including termination from employment. Violations of this policy may in some instances lead to legal action and criminal liability.

CELL PHONE POLICY

Neither an Agency-issued cell phone nor an employee's personal cell phone is to be used in ways that are disruptive to the workplace. This includes the use of camera phones, text messaging, Internet access, etc.

Cell phones shall not be used for any communication containing ethnic slurs, racial epithets, or anything that may be construed as offensive, harassing, or disparaging to others based on their race, color, religion, sex, national origin, age, disability or veteran status, or status in any group protected by applicable state and federal laws.

Employees are expected to follow all applicable federal and state laws, regulations and policies relating to the use of cell phones.

Any employee driving a NCWVCAA vehicle or using his or her personal vehicle for Agency-related business must have the appropriate cell phone features, if available (i.e., hands-free, direct connect feature, or earpiece), to ensure the safe operation of the vehicle. Otherwise, employees are required to bring the vehicle to a complete stop in a safe place before using the cell phone.

NCWVCAA reserves the right to monitor the use of any Agency-issued cell phone or communication device for possible misuse. NCWVCAA will assume no responsibility and will assume no liability for an employee's misuse of these devices.

NCWVCAA reserves the right to discharge any employee for the improper use of an Agency-issued cell phones or the misuse of a personal cell phone in the workplace.

NCWVCAA recognizes that the performance of certain job responsibilities may require or be enhanced by the use of a cell phone or a Smartphone. Exempt employees, who hold positions that require a cell phone, may receive a cell phone allowance to compensate him or her for costs incurred when using their personal cell phones for business-related matters. An Administrative or Supervisory employee is eligible for a cell phone allowance if at least one of the following criteria is met:

- The job function of the employee requires considerable time away from his or her assigned office or work area, and it is important to NCWVCAA that he or she be accessible during those times;
- The job function of the employee requires him or her to be accessible outside of scheduled or regular working hours where time sensitive decisions/notifications are required; and/or
- The job function of the employee requires him or her to have wireless data and Internet access.

An employee who is only occasionally contacted for business purposes is not eligible for a cell phone allowance, nor are hourly employees.

An eligible employee is responsible for submitting required monthly documentation to the finance department for allowance reimbursement. The amount of the reimbursement will be paid as a flat rate and on a monthly basis. The reimbursement amount will be determined based upon the type of plan required for the employee to perform his or her job responsibilities. A tiered model based on the current market rates includes the following options:

- Voice only - \$30 per month
- Voice and Data - \$60 per month

Allowances are neither permanent nor guaranteed. NCWVCAA reserves the right to remove an employee from this plan and/or cancel the allowance for any reason at the discretion of management.

The eligible employee is responsible for purchasing a cell phone and establishing a service contract with a cell phone provider of his or her choice. Because the cell phone is owned by the employee, he or she must use the phone for Agency-related purposes in order to be eligible for reimbursement. The employee may, at his or her own expense, add extra services or equipment, as desired. If there are problems with service, the employee is expected to work directly with the cell phone provider for prompt resolution.

Non-exempt (hourly) employees may not use their personal cell phones for Agency-related business outside their normal work schedule. This includes, but is not limited to, reviewing, sending and responding to e-mails or text messages, or responding to or making calls.

Eligible employees are expected to delete all NCWVCAA information from their personal cell phones when their employment with NCWVCAA is severed, except in cases where they are required to maintain the data in compliance with a litigation hold notice.

In the event that a plan exceeds the designated limitations employees utilizing the allowance reimbursement program will continue to receive the same allotment stated in the employee handbook. If an individual is in possession of an organizational cellphone and the plan is exceeded, the employee agrees to take responsibly for the cost of the overage unless authorization of the overage has been approved by the Executive Director.

USE OF AGENCY EQUIPMENT AND PROPERTY

NCWVCAA provides equipment and property necessary for employees to carry out their job duties. Unless otherwise specified, these items are to be used solely for Agency

purposes. Employees are expected to exercise care in the use of such equipment and property and to use such property only for authorized purposes. Employees must report immediately to their supervisor any loss, damage, or theft of Agency equipment and property. Negligence in the care and use of Agency equipment and property may be considered grounds for discipline, up to and including discharge. Upon separation from employment, employees must immediately return all Agency equipment and property in their possession or control.

OUTSIDE EMPLOYMENT

Employees of NCWVCAA shall not engage in any outside employment that:

- Involves a conflict of interest with any NCWVCAA program.
- Interferes with the performance of his/her duties with NCWVCAA.
- Occurs during regular or assigned duty hours, unless on annual or personal leave.

Employees of the Head Start/Early Head Start program are prohibited from accepting employment or providing childcare services for any Head Start/Early Head Start participants as well as any Board of Education and/or childcare collaborative participants.

Employees shall present in writing, discuss with their supervisor, and get clarification on all issues of outside employment to avoid a violation of this policy. A violation of this policy may result in disciplinary action, up to and including discharge.

COMPLAINT PROCEDURE

Any employee who has a complaint regarding any personnel action affecting him/her should discuss it first with his/her supervisor. This initial discussion must take place within three (3) working days of the initial incident. If the issue is not resolved, the matter may be discussed with the Executive Director within five (5) working days of the supervisor's response. If the employee and Executive Director are unable to resolve the issue, the employee may then request a review by the Executive Committee of the Board of Directors. This request must be made within seven (7) working days of the decision of the Executive Director. The NCWVCAA Board's Executive Committee may render a decision, which is final, or submit a recommendation to the Board of Directors for final action.

No employee will be subject to any form of retaliation or discipline for bring and pursuing a complaint in good faith.

WHISTLEBLOWER POLICY

If an employee has reasonable cause to believe that some policy, practice, or activity of NCWVCAA with respect to use of government funds/grants is in violation of law, statute or governmental regulation, a written complaint should be filed by that employee with the President of the NCWVCAA Board of Directors and the matter will be investigated.

No employee will be subject to any form of retaliation or discipline for bringing a complaint in good faith.

EMERGENCY CLOSING

The final decision for closure of Corporate and County Offices will be made by the Executive Director or his/her designee.

Due to severe weather conditions in which a State of Emergency is declared and/or the Governor of WV declares that all state employees are not to report to work, or they can report to work at a later time, or they are to go home early, NCWVCAA employees may be released from work without loss of pay or charge to annual leave or personal leave. The Executive Director reserves the right to require NCWVCAA employees to work in any county of operations where emergency road/weather conditions do not exist.

In an emergency situation that might endanger the safety or health of employees or clients the Executive Director or his/her designee reserves the right to close a facility temporarily without loss of pay or charge to annual leave or personal leave for employees assigned to work at that location.

Absences due to emergency situations and/or inclement weather conditions which make traveling to and from work hazardous may be charged to accrued annual leave or personal leave. Supervisors are encouraged to grant such leave in this situation.

EMPLOYEE GUIDELINES UPDATES COMMUNICATION PROCESS

Upon employee guidelines being updated, through proper process and procedure, the Human Resources team sends the new information to all managers and supervisors via e-mail reporting the update and the instruction to communicate the update with their team members. The policy is then updated to the intranet and updated to the New Employee Handbooks within 5 business days.

ACKNOWLEDGEMENT OF 2018 REVISION OF EMPLOYEE GUIDELINES

I, the undersigned, acknowledge that I have received these Employee Guidelines from NCWVCAA.

I understand that it is my responsibility to read and understand the full contents of these Employee Guidelines, which describe important information about NCWVCAA and the expectations NCWVCAA has for its employees.

I understand that if I have any questions regarding the contents of these Employee Guidelines or my employment, which are not addressed by these Employee Guidelines, it is my responsibility to consult with NCWVCAA.

I understand that these Employee Guidelines and its provisions are designed to serve only as a guide to some of NCWVCAA’s policies, practices, and procedures. I understand that these Employee Guidelines do not create any type of contract of employment.

NCWVCAA has the right to make unilateral changes in its Employee Guidelines, including changes in wages and benefits.

I understand, if hired or currently employed, my employment can be terminated with or without notice at any time for any reason or no reason. I am an “at-will” employee.

I also understand that no management official or supervisor is authorized to make any oral assurances or promises of continued employment or terms and conditions of employment, including wages and benefits, and that any such promise, pledge or agreement must be in writing and signed by the Executive Director of NCWVCAA.

I understand that failure to comply with set standards can result in a written warning up to and including termination.

If currently employed, these Employee Guidelines will be in effect after one full pay period’s notice. For new hires, these Employee Guidelines are effective immediately.

I understand that these Employee Guidelines supersede all previous employee guidelines issued by NCWVCAA, 1304 Goose Run Road, Fairmont, West Virginia 26554 (304) 363-2170.

Employee Signature

Date