



INTERSTATE COMMISSION FOR JUVENILES

Serving Juveniles While Protecting Communities

Personnel Policies

Version 2.2

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Contents

1.0 GENERAL INFORMATION	5
1.1 HOURS OF OPERATION/EMPLOYEE WORK SCHEDULES	5
1.2 WORKPLACE SAFETY	5
1.3 HAZARDOUS CONDITIONS	5
1.4 TELECOMMUTING	5
1.5 OPEN DOOR POLICY	5
1.6 CONSULTANTS/CONTRACTORS.....	6
1.7 EMPLOYMENT/CONSULTING AGREEMENTS WITH CURRENT AND FORMER PUBLIC OFFICIALS ..	6
2.0 EMPLOYMENT	6
2.1 DEFINITIONS.....	6
2.2 RECRUITMENT AND SELECTION.....	7
2.3 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT.....	7
2.4 NEPOTISM AND FRATERNIZATION.....	7
2.5 INITIAL REVIEW PERIOD	9
2.6 PERFORMANCE APPRAISAL.....	9
3.0 COMPENSATION	10
3.1 PAYDAY	10
3.2 COMPENSATION GENERAL	10
3.3 SALARY INCREASES.....	11
3.4 OVERTIME	11
4.0 BENEFITS	11
4.1 BASIC BENEFITS.....	11
4.2 HOLIDAYS	15
4.3 PAID PERSONAL TIME (PPT)	16
4.4 PAID SICK TIME.....	17
4.5 PROFESSIONAL DEVELOPMENT AND EDUCATIONAL ASSISTANCE	18
4.6 EMPLOYEE ASSISTANCE PROGRAM	18
5.0 LEAVES OF ABSENCE	19
5.1 FUNERAL/BEREAVEMENT LEAVE	19
5.2 COURT AND JURY LEAVE	20
5.3 ELECTIONS/VOTING LEAVE	20
5.4 MILITARY LEAVE.....	21

5.5 FAMILY AND MEDICAL LEAVE ACT (FMLA)	22
5.6 MEDICAL LEAVE OF ABSENCE (MLOA)	25
5.7 ADMINISTRATIVE LEAVE	26
5.8 DISCRETIONARY LEAVE OF ABSENCE WITHOUT PAY	26
5.9 PAID PARENTAL LEAVE.....	27
6.0 PERFORMANCE GUIDELINES / WORK RULES	29
6.1 CODE OF CONDUCT.....	29
6.2 ANTI-HARASSMENT AND DISCRIMINATION POLICY	33
6.3 DRUG FREE WORKPLACE POLICY	36
6.4 ALCOHOL POLICY FOR COMMISSION FUNCTIONS.....	36
6.5 TOBACCO POLICY	37
6.6 USE OF COMMUNICATIONS SYSTEMS	37
6.7 SOCIAL MEDIA GUIDELINES	38
6.8 SOFTWARE CODE OF CONDUCT.....	39
6.9 CORRECTIVE ACTION.....	40

The Interstate Commission for Juveniles (“Commission”) is hopeful that each employee will find this organization to be a dynamic and rewarding place in which to work. The Commission’s employees are extremely valuable resources. This manual serves as a guide for the employer/employee relationship and it applies to all Commission employees.

This manual contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if an employee has any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to a particular situation, the employee should address any specific questions to the executive director. The Commission retains the right to interpret these policies, and any questions about the interpretation or application of any policy contained in this manual shall be determined by, and in the sole judgment and discretion of the executive director.

This manual does not create an express or implied contract of employment. Any employment contract between the Commission and any employee must be in a separate document that is clearly titled “Employment Agreement” and is signed by both the employee and the executive director. No employee, office or agent of the Commission other than the executive director has the authority to create a contract (whether verbal, written or implied) of employment with any individual. Unless documented in written agreement, signed by the employee and the executive director, every employee’s employment with the Commission is terminable at the will of either party. This means that either the employee or the Commission may end the employment relationship, at any time, for any reason or no reason at all, with or without notice.

Finally, the guidelines and policies contained in this manual are for employees’ information only. Because it is not possible to cover all of the potential issues that may arise, this manual is not all-inclusive and the Commission may add to, revise, change or eliminate any of these policies at any time. In the event of any significant changes, the Commission shall make changes available to its employees for review; but the Commission cannot guarantee receipt of revisions or notice thereof. If any discrepancy between this document and current policy arises, employees must conform to current company policy. Employees are responsible for ensuring they are aware of current policies and conforming to those rules.

1.0 GENERAL INFORMATION

1.1 HOURS OF OPERATION/EMPLOYEE WORK SCHEDULES

Commission offices shall generally be open from 8:00 a.m. to 5:00 p.m. ET on weekdays. However, individual employees' work schedules shall be determined by the executive director and may encompass hours prior to 8:00 a.m. and/or after 5:00 p.m. ET.

1.2 WORKPLACE SAFETY

The Commission is committed to maintaining a safe and healthy workplace environment for the benefit of all employees and others who visit Commission premises. Employees should immediately notify their supervisor of any hazardous conditions that might endanger the health or safety of Commission employees or guests. Employees must immediately notify the executive director if they are injured while working or are aware of an injury to an employee or guest.

1.3 HAZARDOUS CONDITIONS

In the event of inclement weather and/or other hazardous conditions in which travel to and from work may jeopardize the safety of employees, Commission offices may be closed at the discretion of the executive director or his/her designee. Employees will be notified of any such closure via email, text, or phone. When employees are uncertain regarding reporting requirements, employees are responsible for contacting the executive director.

1.4 TELECOMMUTING

Telecommuting arrangements are permissible at the sole discretion of the executive director. The specific parameters of any such arrangement may be customized on a case-by-case basis. Because telecommuting is a discretionary privilege and not a right, any such arrangement shall remain subject to termination by the Commission at any time, with or without cause. An employee who has been granted telecommuting privileges may request that such an arrangement be terminated, but the employee shall not be entitled to terminate the arrangement and return to the Commission workplace without the approval of the executive director. It is the responsibility of the employee to provide a written request for telecommuting privileges, with specific information that may be requested by the executive director.

1.5 OPEN DOOR POLICY

The Commission's open door policy promotes open communication in an environment of mutual trust and respect. The Commission will attempt to resolve all employees' issues within

a reasonable period of time while preserving the confidentiality and privacy of those involved to the extent feasible.

1.6 CONSULTANTS/CONTRACTORS

To the extent permitted by law, the Commission expects its consultants and contractors to honor and abide by Commission policies. Therefore, whenever possible without jeopardizing the legal status of any party, the Commission will seek to bind its consultants and contractors to agreements requiring them to comply with Commission policies in the performance of any work commissioned by the Commission.

1.7 EMPLOYMENT/CONSULTING AGREEMENTS WITH CURRENT AND FORMER PUBLIC OFFICIALS

Given the nature of the Commission's operations, caution must be exercised to avoid the appearance of any conflict of interest or undue influence as a result of the relationship between the Commission and current and former public officials. Accordingly, to avoid the appearance of any impropriety and/or potential conflicts of interest, the Commission will not enter into an employment or consulting relationship with any public official during the time in which a person holds public office and for a period of twelve (12) months following an individual's departure from public office unless the terms and conditions of the employment or consulting services are fully disclosed to the governing authority of the organization. For purposes of this policy, the term "public official" and "public office" shall relate to any person who has been elected or appointed to perform activities or functions of an administrative, executive, legislative, or judicial nature on behalf of any local, state or federal government.

2.0 EMPLOYMENT

2.1 DEFINITIONS

A. Full-Time

Full-time status includes employees who are regularly scheduled to work at least thirty (30) hours per week.

B. Part-time

Part-time status includes employees who are regularly scheduled to work less than thirty (30) hours per week. However, regular part-time employees must work at least an average regular schedule of twenty (20) hours per week to receive limited benefits.

C. Temporary

The temporary category includes employees whose positions are not expected to exist for more than six (6) months of continuous employment.

D. Regular

The regular category includes employees whose positions are expected to exist for more than six (6) months.

E. Exempt

Exempt employees are employees who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA).

F. Nonexempt

Unless an employee's job duties render the employee's position exempt from the FLSA's minimum wage and overtime requirements, an employee will be classified as nonexempt for minimum wage and overtime purposes.

2.2 RECRUITMENT AND SELECTION

No staff position shall be established or filled without prior approval of the executive director.

2.3 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The Commission is an equal opportunity employer. The Commission is committed to providing equal employment opportunity to all employees and applicants for employment. Therefore, in accordance with federal, state and local law, the Commission will not discriminate against a qualified employee or applicant for employment on the basis of race, gender, sexual orientation, gender identity, gender expression, color, religion, national origin, ancestry, age, disability, medical condition, marital status, pregnancy, covered veteran or military status or any other characteristic protected by law. This policy applies to all personnel matters, including but not limited to: recruiting, hiring, classification and compensation, benefits, promotions, transfers, layoffs, reinstatement, and educational programs.

The Commission will provide reasonable accommodation to qualified employees with disabilities to enable the employee to perform the essential functions of his or her job, unless to do so would impose an undue hardship to the Commission. An employee seeking a reasonable accommodation for a disability should direct his or her request for accommodation to the executive director.

2.4 NEPOTISM AND FRATERNIZATION

A. Purpose and applicability

The purpose of this policy is to provide a process that allows members of the same family or household, or employees within a supervisory/subordinate relationship who became involved in a romantic relationship, to be employed without placing them in a real or apparent conflict

of interest. Employees and applicants for employment shall not be denied employment opportunities because of their status as a family or household member of another employee.

B. Definitions

For purposes of this policy, “family or household member” means the employee’s spouse, child or step-child, ward of the employee or the employee’s spouse or domestic partner, parent of the employee or employee’s spouse or domestic partner, grandparent or grandchild of the employee or the employee’s spouse or domestic partner, nephew or niece of the employee or employee’s spouse or domestic partner, brother-in-law or sister-in-law of the employee or employee’s spouse or domestic partner or other members of the employee’s household, whether or not related by blood or marriage.

C. Nepotism prohibited

For the purposes of this policy, nepotism is defined as a bestowal of favors or appointment to a job or position based on kinship. Members of the same family or household are eligible for employment with the Commission. Except as provided in this policy, a direct supervisory relationship shall not exist between family or household members.

D. Fraternalization

Romantic involvement with a co-worker, particularly with employees within a reporting relationship, presents the potential for conflicts of interest, allegations of favoritism, or concerns about sexual harassment. An employee should immediately disclose any romantic relationship with a coworker within a reporting relationship to the executive director to determine whether the relationship affects the application of this policy.

E. Exceptions

In exceptional circumstances, a direct supervisory relationship may exist between employees who are family or household members or who are involved in a romantic relationship. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved or the lack of other available appropriate supervisory personnel. Any exception to this policy must be approved by the executive director, and all employment decisions affecting the subordinate employee, such as selection, hiring, corrective action, investigation, performance review, compensation, or furlough must be assigned to other supervisory personnel.

F. Change in relationship between employees

The supervisor or manager involved in a relationship covered under this policy shall notify the executive director when a change affecting application of this policy occurs. This includes employees in a supervisor and subordinate relationship who become family or household members, the development of a supervisor and subordinate relationship between family or household members, and/or the development of a romantic relationship between employees within a reporting relationship. When a change in a relationship occurs that affects application of this policy, the Commission will attempt to make suitable arrangements for transfer of one

of the employees, although no promise of continued employment of either person involved in such a relationship is made by the existence of this policy.

2.5 INITIAL REVIEW PERIOD

Newly hired employees, reassigned employees and employees who have been promoted must serve an initial review period of six (6) months. At six (6) months or sooner, if appropriate, the employee will receive a performance appraisal, at which time a decision will be made about continued employment.

2.6 PERFORMANCE APPRAISAL

All employees will receive performance appraisals after the first six (6) months of employment, or within six (6) months of reassignment to a position requiring the completion of another initial review period, and thereafter on an annual basis at the discretion of the appropriate supervisor. Any issues relating to an employee's job performance may be addressed at any time.

The purposes for which employee performance appraisals may be used include, but are not limited to, the following:

- To evaluate the employee and to inform the employee of strong and weak points, as well as training needs and expected improvements;
- To recognize the employee's potential for promotion;
- To determine the employee's eligibility for salary advancements; and
- To maintain a documented history of the employee's performance.

Employee performance will be evaluated in light of the employee's job description and all appropriate factors relevant to the fulfillment of the employee's job duties. All employees shall receive copies of their performance appraisals upon their completion. Performance appraisals become a permanent part of the employee's personnel file and are available for review upon request. In the event of an identified significant performance issue, the Commission shall follow steps outlined later in Section 6.9, Corrective Action.

Every spring, the Chair of the Commission is responsible for compiling and conducting the Executive Director's evaluation. The Chair will elicit comments and feedback from the Executive Committee to be included in the evaluation before the Committee reviews and approves the final document. The Executive Committee will also evaluate any salary increase at the time of the evaluation.

Effective evaluations require measurable goals. The Executive Committee should set goals with the Executive Director and monitor progress throughout the year. Strategic planning and establishing initiatives are an integral part of setting goals and expectations of the Executive Director.

3.0 COMPENSATION

3.1 PAYDAY

A. Payroll Schedule

Employees are paid twice monthly on the fifteenth (15th) and the last day of the month. If the payday falls on either a weekend or holiday, payday will be the last work day immediately prior to the fifteenth (15th) or the last day of the month.

The Commission pays its employees one pay period in arrears. Payment received on the fifteenth (15th) is for work performed from the sixteenth (16th) through the thirtieth (30th) or thirty-first (31st) of the previous month. Pay received on the thirtieth (30th) is for work performed from the first (1st) through fifteenth (15th) of the current month. Accordingly, a new employee will not receive pay until the second payday after employment begins.

B. Direct Deposit

Employees are required to utilize direct deposit for receipt of their pay. It reduces operating and processing costs while providing a convenient, timesaving benefit to employees. There is no worry that a check might be lost before it is deposited or cashed nor is there a need to arrange for paycheck pick-up in the event that the employee is off work on payday or in the case of inclement weather.

3.2 COMPENSATION GENERAL

A. Salary/Hourly Pay

An employee's salary or hourly pay is based principally on an employee's qualifications, level of responsibility and performance relative to position. Other factors to be considered include the salary/hourly pay range for the employee's position as determined by the job classification and the availability of budgeted funds for the position.

B. Bonus

Bonuses may be granted at the discretion of the executive director based on exceptional performance, extended and sustained performance of duties outside regular job classification, or other factors as determined by the executive director.

C. Salary Statements

Salary statements provide employees with information about gross and net pay, leave balances, and deductions. Copies of all salary statements are available through the online payroll services (as of March 2019: Paycor) and are accessible at any time. Employees who wish to dispute any of the information in a salary statement should contact the executive director and/or his/her designee immediately.

3.3 SALARY INCREASES

Salary increases may be granted at the discretion of the executive director, in light of exceptional service documented and per standards set in the annual performance evaluation.

3.4 OVERTIME

Employees who are not exempt from overtime under FLSA shall be paid overtime rates (one-and-a-half times their regular rate of pay or the rate required by applicable state or federal law) for hours worked in excess of the forty (40) hours per work week. All overtime worked by nonexempt employees must be pre-approved by the executive director.

4.0 BENEFITS

General Information

In addition to other forms of compensation, the Commission is committed to providing a wide range of competitive benefits to its employees and, as appropriate, to their family members. Benefits offered to Commission employees include, but are not limited to: a defined contribution retirement program, medical, dental and vision insurance, unemployment insurance, disability insurance, group life and accidental death insurance, Social Security (FICA), and workers' compensation. The availability of individual benefits, the nature and extent of Commission contributions, and the terms and conditions governing employee eligibility for such benefits are subject to all applicable statutory, regulatory, contractual, plan and/or insurance policy provisions.

4.1 BASIC BENEFITS

A. Eligibility

Except as described below, regular employees who are scheduled for and work twenty (20) hours a week or more are eligible for all benefits outlined in this summary. Eligible employees may elect to cover a spouse and/or dependent children up to the age limitations specified and allowable by each insurance carrier. Benefits are effective on the first day of the month following the date of hire.

For many benefits, eligibility and prior benefit year selections carry forward unless the employee wishes to change benefit coverage by adding, removing, beginning, or ending coverage. However, any employee participating in a Flexible Spending Account (FSA) or Dependent Care Account (DCA) must act every year by filing new forms to continue coverage.

B. Empower Retirement – 4-101(a) Defined Contribution Plan

1. Plan Description

A 401(a) plan is a money-purchase retirement plan set up by the Commission. This is an employer contribution plan in which the Commission contributes fifteen percent (15%) of the employee's salary into the plan on the employee's behalf.

2. Eligibility

Regular full-time employees are eligible to participate in the plan, regardless of age upon the first day of the plan year quarter following employment with the Commission. Employees who are part-time or seasonal with regularly scheduled service of fewer than 1,664 hours of service in a relevant computation period are excluded from participating in the retirement plan.

3. Vesting

Employees vest in the plan after five (5) years of service. Once vested, contributions are the property of the employee and may be withdrawn early by an employee under 59 ½; however, early withdrawal incurs a twenty percent (20%) penalty. No penalty results if the employee is above the minimum age, dies, retires, is disabled, or rolls over funds into a qualified IRA or other employer's retirement plan. If the employee retires prior to the defined retirement age or needs the money for financial hardship, the employee incurs a ten (10) percent early distribution penalty.

4. Contact Information

For the employee personal account page, please visit <http://www.empower-retirement.com/>.

C. Medical Benefits

Medical plans offered by the Commission provide flexibility for employees to manage care for themselves and their family. For full-time employees, the Commission pays 100% of the employee-only premium or 80% of the employee/spouse, employee/children or family premium. Children are eligible to age twenty-six (26) regardless of student, marital or financial dependency status. As of March 2019, these plans are administered through Anthem Blue Cross Blue Shield. Once enrolled, employees may visit Anthem's website at www.anthem.com to access claims payments, provider directories, request ID cards and inquire about eligibility. Eligible employees may elect to cover a spouse and/ or dependent children.

D. Vision Benefits

The Commission pays 100% of employee and family premiums for vision benefits for full-time employees. Eligible employees may elect to cover a spouse and/or dependent children. Children are eligible to age twenty-six (26) regardless of student, marital or financial dependency status. As of March 2019, the vision plan offered by the Commission is provided through Anthem Blue View.

E. Dental Benefits

The Commission pays 100% of employee and family premium for full-time employees. Eligible employees may elect to cover a spouse and/or dependent children. Children are eligible to age twenty-six (26) regardless of student, marital or financial dependency status. As of March 2019, the dental plan offered by the Commission is provided through Delta Dental, which includes an extensive network of providers. Once enrolled, employees may visit Delta Dental's website at www.deltadental.com or call 800-955-2030 to locate a provider. Detailed coverage may be reviewed online at www.deltadental.com.

F. Flexible Spending Account (FSA) (optional)

Employees may contribute funds to a flexible spending account on a pre-tax basis to pay for:

- Health care expenses not fully covered or ineligible for payment under the health care, dental, or vision plans such as deductibles, coinsurance, and copays. For 2019, the maximum amount employees can contribute to the healthcare expense account per year is \$2,650. Up to \$500 of unused funds in a healthcare flexible spending account may be rolled over at the end of the plan year and may be used in subsequent plan years.
- Reimbursable dependent care assistance such as daycare expenses for a child, disabled spouse or dependent that makes it possible for an employee or spouse, if applicable, to work. For 2019, the maximum amount employees can contribute to the dependent care account per year is \$5,000. Unused funds in a dependent care account at the end of the calendar plan year are forfeited.

As of March 2019, flexible spending accounts are offered through MacGregor. To login and view account details, please visit <http://www.mcgregoreba.com/>.

G. Basic Term Life Insurance

The Commission pays 100% of the employee premium for basic term life insurance in the amount of 200% of the employee's annual income for full-time employees, so long as the employee establishes provide of insurability. The first \$50,000 in coverage is guaranteed without evidence of insurability. Proof of insurability may also be required when salary increases result in increased insurance coverage. As of March 2019, this coverage is provided through Guardian. The Guardian employee portal may be established and accessed by visiting <https://www.guardiananytime.com/gafd/wps/portal/fdhome>.

H. Basic Accidental Death and Dismemberment (AD&D) Insurance

The Commission pays 100% of the employee premium for basic AD & D insurance in the amount of 200% of the employee's annual income for full-time employees, so long as the employee establishes provide of insurability. The first \$50,000 in coverage is guaranteed without evidence of insurability. Proof of insurability may also be required when salary increases result

in increased insurance coverage. As of March 2019, this coverage is provided through Guardian. The Guardian employee portal may be established and accessed through visiting <https://www.guardiananytime.com/gafd/wps/portal/fdhome>.

I. Long-Term Disability Insurance

The Commission pays 100% of the employee premium for long-term disability coverage for full-time employees, with a gross monthly benefit of 60% of the insured person earnings to a maximum benefit of \$6,000 (less the sum of benefits from other sources). The plan includes a pre-existing condition exclusion. As of March 2019, this coverage is provided through Guardian. The Guardian employee portal may be established and accessed through visiting <https://www.guardiananytime.com/gafd/wps/portal/fdhome>.

J. Voluntary Insurance Options

The following insurance may also be available for purchase by a full-time employee through Guardian, subject to underwriter minimum participant requirements.

i. Voluntary Life/AD&D

(subject to underwriter minimum participant requirement – may not be available)

An employee may purchase additional life insurance coverage beyond the Basic benefit in increments of \$10,000 not to exceed \$500,000. Rates are based on age and health conditions. Evidence of insurability may be required.

Guardian WillPrep Service for Voluntary Life participants is also available for participating employees.

ii. Voluntary Spouse Life

(subject to underwriter minimum participant requirement – may not be available)

Employees may also purchase life insurance coverage for their spouse in increments of \$5,000 not to exceed \$250,000. The guarantee issue amount at initial eligibility is \$25,000 and the cost is based on the spouse's age. Spouses are covered to age seventy (70) for the Life benefit and to age seventy (70) for the AD&D benefit. Evidence of insurability may be required.

iii. Voluntary Child Life

(subject to underwriter minimum participant requirement – may not be available)

Employees may also purchase life insurance coverage for their children. Elections can be made for \$5,000 or \$10,000. The entire benefit amount is guaranteed issue. The cost is per unit, regardless of the number of children covered.

Dependents are eligible for above options from birth to age twenty-six (26). Benefit reductions apply beginning at age sixty-five (65). Guaranteed Issue is only available to newly eligible employees and/or their dependents.

iv. Short-Term Disability

(subject to underwriter minimum participant requirement – may not be available)

Employee paid voluntary short-term disability coverage through Guardian provides a benefit of 60% of an employee's covered weekly earnings up to a \$1,200 maximum weekly benefit. This coverage is available on a guaranteed issue basis as a new hire. The plan includes a pre-existing condition exclusion.

If a covered disability occurs, benefits will begin on the fifteenth (15th) day for accident or illness and may pay for up to eleven (11) weeks, at which time company-paid long-term disability benefits would begin.

4.2 HOLIDAYS

A. Schedule

The following holidays are observed by the Commission, though the actual date may vary each year:

- New Year's Day
- Martin Luther King, Jr. Day
- Washington's Birthday (*Presidents Day*)
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Eve

B. Requested Modifications

The Commission engages in good faith efforts to reasonably accommodate the bona fide religious beliefs and practices of its employees. Employees may take time off for religious

holidays not included in the Commission holiday schedule with the approval of the executive director. Such time off should be covered by the use of paid personal time (PPT) or may be substituted for alternate official holidays at the discretion of the executive director. Requests for modification or substitution to the approved holiday schedule must be made in writing to the executive director in advance of the requested modification. The existence of this policy does not obligate the Commission to grant any accommodation.

C. Modifications Based on Date

When a holiday falls on either Saturday or Sunday, it will be observed on the previous Friday or following Monday, unless otherwise determined by the executive director. Holidays are to be observed on their prescribed days unless it is necessary for an employee to be at work.

D. Eligibility

Regular, full-time employees and regular, part-time employees who work at least twenty (20) hours per week are eligible for holiday pay as long as they are in an active status or are on an approved, paid leave of absence.

E. Holiday Pay for Regular, Part-Time Hourly Employees

Regular, part-time hourly employees who work at least twenty (20) hours per week will receive holiday pay based on the hours they would have been regularly scheduled to work on that day.

F. Pay for Hourly and Salaried Non-Exempt Employees who work on a Designated Holiday

Hourly and salaried non-exempt employees required to work on a designated holiday will receive their regular holiday pay as well as their regular, straight-time rate of pay for all hours worked on the holiday.

4.3 PAID PERSONAL TIME (PPT)

The Commission provides paid personal time (PPT) to all eligible employees. Eligible employees are encouraged to use their earned allowance each year. To every extent possible, PPT will be scheduled to suit the employee. Consideration of workloads and similar factors, however, may necessitate schedule changes.

PPT requests should be submitted as far in advance of the requested PPT dates as is practical and are subject to the approval of the appropriate supervisor.

A. Record of Paid Personal Time

A PPT record will be maintained for each employee. Accumulated PPT balances are available to employees and all PPT used will be documented by the employee and approved by the appropriate supervisor. Employees may use PPT in quarter hour increments.

B. Rate of Accrual

Full-time, regular employees will accrue PPT on the following basis:

- Employed less than one (1) year, four (4) hours per semi-monthly pay period or the equivalent of twelve (12) days per year.
- Employed one year but less than five (5) years, 5.6667 hours per semi-monthly pay period or the equivalent of seventeen (17) days per year.
- Employed five years but less than ten (10) years, 6.6667 hours per semi-monthly pay period or the equivalent of twenty (20) days per year.
- Employed ten (10) years or more, 7.3334 hours per semi-monthly pay period or the equivalent of twenty-two (22) days per year.
- Part-time, regular employees who work at least twenty (20) hours per week will accrue PPT on a pro rata basis with respect to the percentage of time worked based on a forty (40) hour week.

Eligible employees will accrue PPT while in a paid status. The executive director may determine eligibility for a term of service calculation.

C. Accumulation Cap

Employees may accrue up to 360 hours (45 days) of PPT which may be carried over from year to year. However, once an employee reaches this accumulation cap, the employee will cease to accrue additional PPT until the employee reduces his/her PPT accumulation through ordinary use of PPT.

Upon termination of employment, death while employed, or a break in service involving a period of leave without pay for more than one year, employees or their estates will receive a lump sum payment for unused PPT.

4.4 PAID SICK TIME

The Commission provides paid sick time to all employees. Paid sick time provides time off to employees who must be absent for personal or family medical reasons and for safe time related to domestic violence, sexual assault, and stalking.

A. Record of Sick Time

A record of paid sick time will be maintained for each eligible employee. Accumulated paid sick time balances are available to employees and all paid sick time used will be documented and approved by the appropriate supervisor. Employees may use paid sick time in quarter-hour increments.

B. Paid Sick Time Credit

Full-time employees will be credited with paid sick time at the rate of 4.0 hours per semi-monthly pay period. Part-time employees who work at least twenty (20) hours per week will be credited with sick leave on a pro rata basis with respect to the percentage of time worked

based on a forty (40) hour week. Part-time employees working less than twenty (20) hours per week will earn 2 hours per semi-monthly pay period. Eligible employees will be credited with paid sick time while in a paid status.

C. Accumulation Cap

Employees may be credited with a maximum of 800 hours (100 days) of paid sick time which may be carried over from year to year. However, once an employee reaches this accumulation cap, the employee will cease to accrue additional paid sick time until the employee reduces his/her paid sick time accumulation through the ordinary use of paid sick time.

Upon termination of employment, death while employed, or a break in service involving a period of leave without pay for more than one year, all unused sick time is forfeit and will not be paid to the employee or the employee's estate.

4.5 PROFESSIONAL DEVELOPMENT AND EDUCATIONAL ASSISTANCE

A. Professional Development

The Commission supports professional growth and development of its employees. At the discretion of the appropriate supervisor, and subject to the availability of sufficient budgetary resources, employees may participate in professional development activities (i.e. leadership programs, conferences, seminars, training courses).

B. Educational Assistance

Employees who have completed at least one year of continuous service with the Commission and who work at least twenty (20) hours per week are eligible to receive educational assistance from the Commission in accordance with the following guidelines. The Commission may review, approve, or deny educational assistance based on the availability of funds.

Grade A	80% of the cost of the course
Grade B	70% of the cost of the course
Grade C	60% of the cost of the course
Grade D, F, or Incomplete	None

4.6 EMPLOYEE ASSISTANCE PROGRAM

The Commission recognizes that employees may encounter personal and family problems. The Commission will endeavor to assist employees in identifying appropriate referral services to address such problems. The employee is responsible for maintaining satisfactory work performance and conduct on the job while participating in these referral programs. Under appropriate circumstances, and as provided in these policies, the Commission's employees may also be referred to the Employee Assistance Program by a supervisor and/or the Commission may mandate that an employee participate in the Employee Assistance Program (EAP). Employees have the right to protection from the improper release of information

concerning their access to employee assistance provided by the Commission, and the Commission shall seek to maintain that confidentiality at all times.

The Commission’s EAP provider, WorkLifeMatters, provides guidance for personal issues that an employee might be facing and information about other concerns that affect life, whether a life event or on a day-to-day basis. Services include:

- Unlimited free telephonic consultation with an EAP counselor available 24/7 at 800-386-7055
- Referrals to local counselors — up to three sessions free of charge
- State-of-the-art website featuring over 3,400 helpful articles on topics like wellness, training courses, and a legal and financial center.

WorkLifeMatters can offer help with:

<u>Education</u>	<u>Dependent Care & Care Giving</u>	<u>Legal & Financial</u>	<u>Lifestyle & Fitness Management</u>	<u>Working Smarter</u>
Admissions Testing & Procedures	Adoption Assistance	Basic Tax Planning	Anxiety & Depression	Career Development
Adult Re-entry Programs	Before/After School Programs	Credit & Collections	Divorce & Separation	Effective Managing
College Planning	Day Care	Debt Counseling	Drugs & Alcohol	Relocation
Finding a Pre-school	Elder Care	Home Buying		
Financial Aid Resources	In-home Services	Immigration		

For more information about WorkLifeMatters, go to www.ibhworklife.com; User Name: Matters; Password: Wlm70101

5.0 LEAVES OF ABSENCE

5.1 FUNERAL/BEREAVEMENT LEAVE

A. General Leave

An employee working at least twenty (20) hours per week shall be granted funeral/bereavement leave with pay upon the death of an employee’s spouse or domestic partner, parents, parents in-law (or those who stand in lieu of parents or parents-in-law), child, siblings, grandparent, grandchild or a member of the employee’s immediate household, or

other relatives of close association, if approved by the executive director. Up to five (5) days per instance will be provided for this leave.

B. Other Relationships

Approval of paid leave for attendance at funerals for another staff member, or family of a staff member, or others is subject to the discretion of the executive director.

C. Exhaustion of Leave

An employee who needs additional time off for funeral-related matters may request accrued paid personal time (PPT). If accrued leaves have been exhausted, the employee may request an unpaid leave of absence. Unpaid leave is not a right and is at the sole discretion of the executive director or appropriate supervisor.

5.2 COURT AND JURY LEAVE

The Commission supports employees in fulfilling their civic responsibilities when they are called to serve on jury duty or when they are subpoenaed to testify in a court case in which they are a disinterested third-party witness. For purposes of this policy, the following definitions apply:

1. Juror— an employee summoned to serve on a jury in a federal or state court.
2. Disinterested Third-Party Witness—an employee who is subpoenaed to testify in court in a capacity other than as a defendant, plaintiff or other interested party (one who initiated the legal action or has a stake in the outcome of the proceeding, whether monetary or personal).

Employees working at least twenty (20) hours per week on a regular basis who are called to serve on jury duty or are subpoenaed as a disinterested third-party witness will be paid their regular wages for the period of their service subject to the following:

1. The employee must present to his/her supervisor the summons or subpoena received from the appropriate government authority as soon as possible.
2. Upon completion of jury or witness service, the employee must submit to his/her supervisor the appropriate documentation verifying dates of service.
3. Employees receiving jury duty pay are entitled to keep the pay.

5.3 ELECTIONS/VOTING LEAVE

Regular employees who work at least twenty (20) hours per week may use voting leave at the employee's regular rate of pay for purposes of voting in public elections provided. Voting leave must be requested from the executive director or their designee in advance of leave.

5.4 MILITARY LEAVE

The Commission is proud to recognize and support the commitment and sacrifice of its employees who honor their country through service in the Armed Forces of the United States. Any employee who is a member of the National Guard or Reserves will be relieved from Commission duties to serve under orders on active duty (including long-term deployments) or training duty. The Commission shall comply with all applicable state and federal laws regarding the reinstatement rights and benefits of employees on military leave returning to work upon the completion of their military service.

A. Reemployment Rights

Qualifying employees have the right to reemployment provided that the Commission receives advance written or verbal notice of service and the employee has five (5) years or less of cumulative service in the armed forces while employed at the Commission. The employee must return to work after a qualifying discharge under honorable conditions within a reasonable period. Reemployment shall be with the same seniority, status, pay, promotion plan, increment, and other rights and benefits.

B. Compensation

The employee will be compensated at an amount equal to the difference in military pay and pay at the Commission for the period of time while on military leave. An employee requiring military leave shall provide the executive director with a copy of his/her reporting instructions, service orders, induction notice or other documentation as appropriate. Military leave shall not be charged against an employee's accumulated paid personal time (PPT) or paid sick time, unless the employee wishes to use his/her accumulated PPT or paid sick time for this purpose.

C. Extended Leave

During extended uniformed services active duty, employees with leave shall not accrue paid personal time or paid sick time. However, the Commission shall continue to make all employer contributions and payments for benefits provided to regular eligible employees. Medical insurance coverage through the Commission for the employee and dependents may be continued for up to twenty-four (24) months. Upon return from service, despite a break in health insurance coverage, the employee may be reinstated in the Commission's health plan without any waiting period or exclusion.

D. Time Limits for Return

- Less than 31 days service - By the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus the time required to return home safely and an eight-hour rest period. If this is impossible or unreasonable, then as soon as possible.
- 31 to 180 days - The employee must apply for reemployment no later than fourteen (14) days after completion of military service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.

- 181 days or more – The employee must apply for reemployment no later than ninety (90) days after completion of military service.
- Service-connected injury or illness - Reporting or application deadlines are extended for up to two (2) years for persons who are hospitalized or convalescing.

E. Spouse/Domestic Partner of Service Member

To assist families managing deployment or a return of a service member from extended deployment, any regular employee who is the spouse or partner of such a service member may be granted one (1) day of paid leave prior to deployment and one (1) day of leave upon return from deployment per each fiscal year.

For more information, visit <https://www.dol.gov/vets/programs/userra/compliance.htm> .

5.5 FAMILY AND MEDICAL LEAVE ACT (FMLA)

A summary of an employee’s rights and responsibilities under the federal Family and Medical Leave Act (FMLA) may be accessed at the following link:

<http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>.

Employees may, depending upon whether they meet defined eligibility and qualifications criteria, be entitled to take up to twelve (12) weeks of unpaid, job-protected leave each year in accordance with the Commission’s obligations under the Family and Medical Leave Act (FMLA). The Commission applies a rolling calendar method for determining an employee’s eligibility for leave. The Commission will also require an employee to concurrently use accrued paid sick time or paid personal time (PPT) during any period of leave designated under the FMLA until they have satisfied the eligibility period for any disability benefits for which they are eligible.

A. Eligibility Requirements

To be eligible for family and medical leave, an employee must have:

1. Completed at least twelve (12) months of service; and,
2. Worked or been on paid leave for at least 1,250 hours in the twelve (12) months immediately preceding the first day of family and medical leave.

B. Basic Leave Entitlement

FMLA requires covered employers to provide up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for the following reasons:

1. For incapacity due to pregnancy, prenatal medical care or child birth;
2. To care for the employee’s child after birth, or placement for adoption or foster care;
3. To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition;
4. For a serious health condition that makes the employee unable to perform the employee’s job;

5. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on "covered active duty"; or
6. To care for a covered service member with a serious injury or illness who is the employee's spouse, son, daughter, parent or next of kin (military caregiver leave).

C. Military Leave Entitlements under FMLA (Qualifying Exigency and Military Caregiver)

Eligible employees with a spouse, son, daughter or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their twelve (12) week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member during a single twelve (12) month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is in the temporary disability retired list.

D. Benefits and Protections

Group benefits such as health, dental, vision, life and disability for employees on approved FMLA leave will continue as long as the employee contributions are paid by the employee.

Employees on unpaid FMLA leave are not eligible for holiday pay benefits. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

E. Definition of Serious Health Condition

A serious health condition is an illness, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one visit and a regiment of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

F. Use of Leave

An employee does not need to use FMLA leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make a reasonable effort to schedule leave for planned medical treatment so as to not unduly disrupt Commission operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

G. Substitution of Paid Leave for Unpaid Leave

The Commission will require the use of accrued paid sick time and/or paid personal time (PPT) while taking FMLA leave until an employee satisfies the eligibility period for any disability benefits for which they are eligible. In order to use paid sick time or PPT for FMLA leave, employees must comply with the normal paid sick time and PPT policies of the Commission.

H. Employee Responsibilities

Employees must provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable. When thirty (30) days' notice is not possible, the employee must provide notice as soon as practicable. Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Commission if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees will be required to provide FMLA certification and may be required to provide periodic recertification supporting the need for leave. Employees must provide the Commission with documentation from their health care provider supporting their release to duty prior to returning to work in any capacity. Employees must return to work, or apply for an extension of FMLA prior to or on the expiration date of their approved FMLA leave.

I. Employer Responsibilities

The Commission will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employee's rights and responsibilities.

If they are not eligible, the Commission will provide a reason for the ineligibility. The Commission will inform employees if leave will be designated as FMLA eligible and the amount of leave counted against the employee's leave entitlement. If the Commission determines that the leave is not FMLA eligible, the Commission will notify the employee.

J. Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

1. Interfere with, restrain or deny the exercise of any right provided under FMLA;
2. Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

K. Enforcement

The Commission requests that any employee who believes that the Commission has not complied with the FMLA first bring the employee's concerns to the attention of the executive director so the Commission may first attempt to resolve the matter internally.

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the Commission if the employee believes the Commission has not complied with its obligations under the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

5.6 MEDICAL LEAVE OF ABSENCE (MLOA)

Full-time employees and part-time employees who work at least twenty (20) hours per week and who are not eligible for FMLA may apply for a medical leave of absence. MLOA may be granted due to personal medical conditions, including incapacity due to pregnancy, prenatal medical care or childbirth up to a maximum of twelve (12) weeks during any rolling twelve (12) month period.

Employees must provide thirty (30) days advance notice of the need to take MLOA when the need is foreseeable. When thirty (30) days' notice is not possible, the employee must provide notice as soon as practicable. Employees will be required to provide MLOA certification from their health care provider and may be required to provide periodic recertification supporting the need for leave.

MLOA is an unpaid leave. Employees are required to concurrently use accrued paid sick time or paid personal time (PPT) during any period of leave designated as MLOA until they have satisfied the eligibility period for any disability benefits for which they are eligible.

Group benefits such as health, dental, vision, life, and disability for employees on approved MLOA will continue as long as the employee contributions are paid by the employee. Employees on approved MLOA must contact the executive director prior to benefit payment due dates to discuss required immediate payment options. Employees on unpaid MLOA are not eligible for holiday pay benefits and may not receive declined benefit additional salary payments for the period the employee is on an MLOA. Additional salary calculations must, therefore, be prorated to exclude periods covered by the MLOA.

An employee does not need to use MLOA in one block. MLOA can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make a reasonable effort to schedule leave for planned medical treatment so as to not unduly disrupt the Commission's operations.

Employees must provide the Commission with documentation from their health care provider supporting their release to duty prior to returning to work in any capacity. Employees must return to work, or apply for an extension of MLOA prior to or on the expiration date of their approved MLOA.

The FMLA does not apply to MLOA granted under this policy, and therefore the rights and protections afforded by the FMLA do not apply to MLOA taken by an employee who is not otherwise eligible for leave under the FMLA.

MLOA under this policy will be granted at the discretion of the executive director, taking into account the business needs of the organization and its ability to provide the MLOA without causing undue hardship to the organization. Approval of MLOA granted under this policy must be provided in writing by the Commission to the employee taking MLOA.

5.7 ADMINISTRATIVE LEAVE

Administrative leave is a discretionary form of leave administered by the executive director or the appropriate officer(s). At the sole discretion of the executive director or the appropriate officer(s), an employee may be granted or required to take administrative leave, with or without pay and with benefits, for a specified period or periods. All applicable paid sick time and paid personal time (PPT) are exhausted prior to the granting of any administrative leave, unless an exception has been approved by the executive director. Employees who are required to take administrative leave need not first exhaust their other accumulated paid sick time or PPT. Administrative leave may only be taken in hourly increments.

5.8 DISCRETIONARY LEAVE OF ABSENCE WITHOUT PAY

In addition to all other forms of leave, an employee may be granted discretionary leave without pay at the discretion of the executive director. All applicable paid personal time (PPT), paid sick time, FMLA or MLOA are exhausted prior to being granted a discretionary leave of absence without pay, unless and exceptions has been approved by the executive director.

When an employee is on discretionary leave without pay, the employee may continue to participate, at his/her own expense, in the various benefit plans according to the plans' terms and conditions and Commission participation schedules. No contributions will be made by the

Commission to employee retirement plans during the period of any unpaid discretionary leave of absence.

Employees do not accrue PPT and are not credited with sick time while on discretionary leave of absence without pay. Discretionary leave of absence without pay may only be taken in hourly increments.

If granted, discretionary leave without pay is a benefit of employment at the Commission and its use may not be considered as a negative factor in employment actions such as hiring, promotions or performance reviews. However, employees on discretionary leave of absence without pay will not be eligible to receive any pay adjustments during the leave. Eligibility resumes after the resumption of regular, full-time or part-time work schedule.

5.9 PAID PARENTAL LEAVE

The purpose of the paid parental leave policy is to give parents additional flexibility and time to bond with their new child, adjust to a new family situation and balance their professional obligations without the burden of lost wages or the stress of exhausting vacation and sick leave.

The Commission will provide up to six (6) weeks (240 hours) of paid parental leave to regular, part-time and full-time employees for the birth of an employee's child or the placement within an employee's home of an adopted child under the age of eighteen (18).

A. Eligibility Criteria:

- Regular, full-time or part-time employees are eligible for paid parental leave on the first day of the month following their date of hire.
- For purposes of this policy, parents are defined as the birth or adoptive mother or father of a newborn child or newly adopted child under the age of 18). (Adoption of a spouse's or partner's child(ren) is excluded from this policy.)
- Surrogate mothers and sperm donors are excluded from coverage under this policy.
- If a birth or adoption event occurred prior to the employee's benefits eligibility date, the employee is not eligible for paid parental leave.

B. Leave Provisions:

- Paid parental leave must commence no later than three (3) months after the birth or adoption and may continue for up to six (6) consecutive weeks (240 hours).
- Paid parental leave may not be taken intermittently.
- Any unused leave at the end of the birth or adoption event will be forfeited.
- Employees on approved paid parental leave are not required or permitted to utilize paid personal time or paid sick time.

- Paid parental leave will be paid at 100% of an eligible employee's straight-time, regular pay. Regular, part-time employees will be paid on a pro rata basis with respect to the percentage of time worked based on a forty (40) hour work week when the employee is not eligible for the Commission's group short-term disability benefits or state disability benefits.
- Paid parental leave will run concurrently with any Commission short-term-disability benefits or state disability benefits that the employee is eligible to receive. In cases where an employee is eligible for short-term disability benefits or state disability benefits, the Commission will pay the difference in the benefit amount and the amount equal to 100% of the employee's straight-time, regular pay. Regular, part-time employees will be paid the difference on a pro rata basis with respect to the percentage of time worked based on a forty (40) hour work week.
- Paid parental leave will run concurrently with FMLA leave for employees who are eligible for FMLA. The concurrent use of paid parental leave will decrease, in whole or in part, the amount of FMLA leave available to an eligible employee.
- Paid parental leave will run concurrently with all other types of leave of absence as defined in the personnel policies and will decrease, in whole or in part, the amount of leave of absence available if applicable.
- The fact that multiple birth or adoption occurs (for example, the birth or adoption of twins) does not increase the length of paid parental leave granted for that event.
- If a holiday falls within an approved paid parental leave payment period, an employee will be compensated for that day as paid parental leave pay and not holiday pay.
- The Commission will continue to pay its share of the cost of an eligible employee's group insurance during approved paid parental leave. The employee's share of the premium will be deducted from the employee's pay in accordance with normal practices.
- Employees on paid parental leave will receive any pay adjustments that they would have received had they not taken time off for paid parental leave.
- Employees may not perform Commission work while on paid parental leave.
- Paid parental leave is a benefit of employment at the Commission and its use will not be considered as a negative factor in employment actions such as hiring, promotions or performance reviews.

C. Requirements:

- Eligible employees should notify the executive director in writing of the need and estimated timing and duration of paid parental leave at least thirty (30) days prior to the commencement of the leave. If the thirty (30) days' notice is not foreseeable, the employee should provide as much advance notice as practicable.
- Appropriate FMLA or Medical Leave of Absence certification forms are required where applicable.
- Certification of legal adoption will be required for adoptions.

D. Reinstatement:

An employee on paid parental leave will be restored to the same position he or she held when paid parental leave began. The employee will not be restored to any position if the employment relationship would have terminated had the employee not taken paid parental leave; or the employee informs the Commission of his or her intent not to return to work at the expiration of the paid parental leave; or the employee fails to return at the expiration of the paid parental leave.

6.0 PERFORMANCE GUIDELINES / WORK RULES

6.1 CODE OF CONDUCT

All Commission employees are responsible for engaging in ethical activities that enhance our credibility and value with the members we serve, the colleagues with whom we work, and the entities with which we do business.

A. Organizational Code of Conduct

The Commission and its employees must, at all times, comply with all applicable laws and regulations, as well as with Commission policies and procedures. The Commission will not condone or tolerate illegal or unethical conduct on the part of its employees. This includes any payments for illegal acts, indirect contributions, rebates, and bribery. The Commission does not permit any activity that fails to stand the closest possible public scrutiny.

All business conduct should be well above the minimum standards required by law. Accordingly, employees must ensure that their actions cannot be interpreted as being, in any way, in contravention of the laws and regulations governing Commission operations.

B. General Employee Conduct

The Commission expects its employees to conduct themselves in a businesslike manner at all times, including Commission business social functions. Unprofessional activities are strictly prohibited while on the job, including misuse of alcoholic beverages at Commission functions.

C. Conflicts of Interest

The Commission expects that employees will perform their duties conscientiously, honestly and in accordance with the best interests of the organization. Regardless of the circumstance, if employees sense that a course of action they have pursued, are presently pursuing, or are contemplating pursuing may involve them in a conflict of interest with their employer, they should immediately communicate all the facts to their supervisor.

D. Outside Activities, Employment and Directorships

All employees share a responsibility for the Commission's public relations, especially at the community level. Participation in community activities is encouraged, as long as it doesn't interfere with job performance or create a conflict of interest.

E. Relationships with Clients and Suppliers

Employees should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the Commission, or that provides goods or services, or both, to the organization, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties on behalf of the Commission. No employee, officer or agent of the Commission shall participate in the selection, award or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the Commission and is awarded such a contract.

F. Gifts, Entertainment and Favors

Employees must not solicit or accept entertainment, gifts, or personal favors that could, in any way, influence or appear to influence, business decisions in favor of any person or organization with whom or with which the Commission has, or is likely to have, business dealings. Similarly, employees must not solicit or accept any other preferential treatment because their position with the Commission might be inclined to, or be perceived to, place them under obligation. The officers, employees and agents of the Commission shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to sub-agreements supported by federal funds.

G. Kickbacks

Regarding Commission business activities, employees may not receive payment or compensation of any kind, except as authorized under the organization's remuneration policies. In particular, the Commission strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others.

H. Organization Funds and Other Assets

Employees who have access to Commission funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in the organization's instructional manuals or other explanatory materials, or both. The Commission imposes strict standards to prevent fraud and dishonesty. If employees become aware of any evidence of fraud and dishonesty, they should immediately advise their supervisor, so the organization can promptly investigate further.

When an employee's position requires spending Commission funds or incurring any reimbursable personal expenses, that individual must use good judgment on the organization's behalf to ensure that good value is received for every expenditure.

Commission funds and all other assets of the organization are for the organization purposes only and not for personal benefit. Incidental personal use of organizational resources is permissible, but must be limited in scope and duration and must not negatively affect the employee's overall productivity nor be in conflict with any local, state, or federal laws.

I. Organization Records and Communications

Accurate and reliable records of many kinds are necessary to meet the Commission's legal and financial obligations and to manage the affairs of the organization. Commission books and records must reflect in an accurate and timely manner all business transactions. The employees responsible for accounting and recordkeeping must fully disclose and record all assets, liabilities or both, and must exercise diligence in outlining and enforcing these requirements. Employees must also follow document retention policies. Unauthorized destruction of Commission records is a violation of the Commission's Code of Conduct. Employees must not make or engage in any false record or communication of any kind, whether internal or external, including but not limited to:

- False expense, attendance, production, financial, or similar reports and statements.
- False advertising, deceptive marketing practices or other misleading representations.

J. Dealing with Outside People and Organizations

Employees must take care to separate their personal roles from their organizational positions when communicating on matters not involving Commission business. Employees must not use organization identifications, stationery, postage, supplies and equipment for personal or political matters.

When communicating publicly on matters that involve Commission business, employees must not presume to speak for the organization on any topic, unless they are certain that the views they express are those of the organization, and it is the organization's desire that such views be publicly disseminated.

When dealing with anyone outside the organization, including public officials, employees must take care not to compromise the integrity or damage the reputation of either the organization, or any outside individual, business or government body.

K. Privacy and Confidentiality

When handling financial and personal information about members, customers or others with whom the Commission has dealings, employees must observe the following principles:

- Collect, use and retain only the personal information necessary for the organization's business.
- Whenever possible, obtain any relevant information directly from the person concerned.
- Use only reputable and reliable sources to supplement this information.

- Retain information only for as long as necessary or as required by law or Commission records retention schedule.
- Protect the physical security of confidential Commission information.
- Limit internal access to personal information to those with a legitimate business reason for seeking that information and use personal information only for the purposes for which it was originally obtained.
- Obtain the consent of the person concerned before externally disclosing any personal information, unless legal process or contractual obligation provides otherwise.

L. Intellectual Property and Confidentiality of Commission Business Matters

Any and all inventions, processes, programs, documents, intellectual property, and other developments or improvements conceived or developed by an employee, alone or with others, during the term of the employee's employment with the Commission, whether or not during working hours, that are within the scope of the duties the employee performs for Commission, that are within the scope of Commission business, or that relate to any Commission work or projects, are the exclusive property of the Commission unless prohibited by law or is a condition of a separate agreement. Each employee must assist the Commission, at the expense of the Commission, to obtain patents for any patentable ideas, inventions, or other developments, and shall execute all documents necessary to obtain these patents under the Commission's name.

1. Non-Disclosure and Non-Use of Confidential Information

Employees may, during their employment with the Commission, become familiar with, have access to, or receive confidential information that belongs to the Commission. "Confidential Information" is proprietary, trade secret, or other information maintained by the Commission or constituents of the Commission that is not readily ascertainable by the public and includes but is not limited to, the identity of constituents and potential constituents, data collected about constituents and prospective constituents, computer programs or data belonging to the Commission or constituents of the Commission, proprietary inventions, processes, program, intellectual property, research, technology, marketing plans, non-public financial data, financial forecasts, and documents and things containing such confidential information. Each employee agrees, as a condition of employment or continued employment with the Commission, that during the term of the employee's employment with the Commission and continuing for the maximum period permitted by local, state, or federal law after the termination of the employee's employment with the Commission for any reason, whether voluntary or involuntary and whether with or without cause, not to use, disclose, or permit the disclosure of the confidential information belonging to the Commission or constituents of the Commission, except as expressly authorized by the Commission or constituents of the Commission.

2. Return of Documents and Records Following Termination of Employment

Under no circumstance shall an employee remove from the Commission place of business any books, records, documents, computer disks, constituents lists, prospective constituents list, or other written or recorded materials, including but not limited to any

written or recorded materials containing confidential information, or any copies of such materials, without the express authorization of the Commission. Each employee must agree, as a condition of employment or continued employment with the Commission, that upon termination of the employee's employment with the Commission for any reason, whether voluntary or involuntary and whether with or without cause, the employee will return to the Commission in good condition all records, documents, memoranda, equipment, or other property belonging to the Commission or its constituents.

M. Corrective Action

Any breach of this Code of Conduct will result in appropriate corrective action up to and including termination, and, where appropriate, the referral to law enforcement authorities for criminal prosecution.

N. No Retaliation

Retaliation in any form against an individual who in good faith reports a violation of this Code of Conduct or of law, even if the report is mistaken, or who assists in the investigation of a reported violation, is itself a serious violation of this Code of Conduct. Acts of retaliation should be reported immediately and will be subject to appropriate corrective action, up to and including termination.

O. Firearms/Weapons

To the extent allowed by federal, state and local law, all employees and all other persons on Commission premises (with the exception of authorized law enforcement or security personnel) are prohibited from possessing, carrying, concealing or introducing into the workplace any firearms, explosives or other weapons of any kind. Any employee or other person who violates this policy will be denied entry to, or removed from, the premises. Any employee who violates this policy will be subject to immediate corrective action, up to and including termination.

P. Allegations of Criminal Conduct

Employees charged with any criminal violation must report such charge to the Commission within five (5) days after being charged with such crime. The Commission reserves the right to take such action during the pendency of any criminal charges as the Commission determines, in its sole discretion, is appropriate under the circumstances.

6.2 ANTI-HARASSMENT AND DISCRIMINATION POLICY

It is the policy of the Commission to maintain a working environment free from harassment based upon race, gender, sexual orientation, gender identity, gender expression, color, religion, national origin, ancestry, age, disability, medical condition, marital status, pregnancy,

covered veteran or military status or any other characteristic protected by law. Unlawful harassment by any person, regardless of whether he or she is an employee of the Commission, a third party, a client or a vendor representative, is prohibited by this policy.

This policy describes prohibited harassment, its forms, and the procedure for reporting and investigating complaints of harassment.

A. Sexual Harassment

Unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature constitute sexual harassment prohibited by this policy when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (b) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment on the basis of the employee's sex. Sexual harassment may include subtle pressure for sexual activity; accusations of sexual preference; demands for sexual favors accompanied by promises or threats related to an individual's employment status.

Examples of prohibited conduct include, but are not limited to, lewd or sexually suggestive comments, off-color language or jokes of a sexual nature; slurs and other verbal, graphic or physical conduct relating to an individual's sex; or any display of sexually explicit pictures, greeting cards, articles, books, magazines, photos or cartoons.

B. Other Forms of Prohibited Harassment

Prohibited harassment based on other attributes, such as race, age, sexual orientation, disability or other protected characteristics may include, without limitation, unwelcome jokes, slurs, graphic commentaries, insulting sounds, obscene gestures, demeaning remarks and other conduct that has the purpose or effect of interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment on the basis of an employee's protected characteristics.

C. Procedure for Reporting Sexual or Other Prohibited Harassment

All employees are responsible for maintaining acceptable standards of personal behavior in the business environment and for helping to ensure that assigned duties can be carried out in an atmosphere free of prohibited harassment.

The following step-by-step reporting, investigation, and corrective procedure for handling incidences of harassment will be used:

Step 1: Any employee with a complaint of any form of harassment prohibited by this policy has the responsibility to immediately report such conduct directly to either his or her direct supervisor, executive director or any other member of management with whom the employee feels comfortable.

Step 2: In determining whether a violation has occurred, a prompt, thorough and impartial investigation will be conducted reviewing the nature of the conduct and the context in which the alleged incidents occurred.

Step 3: Upon completion of the investigation, and where it is necessary, the Commission will take corrective action that is appropriate under the circumstances. Corrective action will be considered on a case by case basis, will depend on the severity of the behavior, and may include any level of corrective action, up to and including termination.

D. Retaliation is Prohibited

Retaliation against an individual for making a good faith complaint or report of harassment, or providing information regarding harassment, will not be tolerated. Retaliation will result in corrective action, up to and including termination. An employee with any complaint of retaliation has a responsibility under this policy to immediately report such conduct directly to the executive director or any other member of management with whom the employee feels comfortable.

E. Confidentiality

Confidentiality will be maintained to the extent possible, consistent with the Commission's obligation to undertake a full investigation. Disclosure of information related to an investigation will be on a need to know basis only.

F. False Complaints of Harassment or Discrimination

False accusations or complaints made in bad faith may result in corrective action, up to and including termination of employment of the person making such false or bad faith allegations.

G. Discrimination and Equal Employment Opportunity

It is the policy of the Commission to maintain a working environment free from discrimination. Discrimination based on of race, gender, sexual orientation, gender identity, gender expression, color, religion, national origin, ancestry, age, disability, medical condition, marital status, pregnancy, covered veteran or military status, or any other characteristic protected by law is prohibited.

This applies to all areas of employment including hiring, training, salary administration, promotion, benefits, corrective action, and termination. As with harassment, Commission employees must report incidents of discrimination using the process described above for reporting harassment. the Commission will follow the guidelines set forth for investigating and remedying harassment when addressing allegations of discrimination.

6.3 DRUG FREE WORKPLACE POLICY

The Commission is committed to providing a healthy and safe workplace that is free from substance abuse and adheres to the Drug Free Workplace Act of 1988. Substance abuse (both drug and alcohol abuse) has been proven to be detrimental to an individual's health and may jeopardize safety in the workplace. Therefore, the unauthorized possession, use, dispensation, distribution, manufacture or sale of alcohol, controlled substances or illegal drugs is prohibited on Commission premises or when representing or conducting business for the organization. Any employee who engages in the unlawful possession, use, dispensation, distribution, manufacture, or sale of alcohol, controlled substances or illegal drugs on Commission premises or when representing or conducting business for the organization or who is convicted of a criminal drug violation which occurred in the workplace or while representing or conducting business for the organization is subject to corrective action, up to and including termination of employment.

The Drug Free Workplace Act of 1988 requires any employee who is convicted of a criminal drug violation in the workplace to notify the Commission in writing within five (5) calendar days of the conviction. The Commission will take appropriate corrective action within thirty (30) days of notification.

The Commission recognizes that substance abuse and addiction are treatable illnesses and encourages employees to seek treatment through the Employee Assistance Program (EAP) or through alternative treatment providers. Individuals who violate the drug free workplace policy may be required to seek treatment. An employee who is required to seek treatment and fails to successfully complete any treatment program and/or repeatedly violates the drug free workplace policy will be terminated from employment.

All information received by the Commission through the drug free workplace program is confidential. Access is limited to those who have a legitimate need to know in compliance with relevant state and federal laws.

6.4 ALCOHOL POLICY FOR COMMISSION FUNCTIONS

The Commission advocates the responsible use of alcohol and designated drivers by all participants at Commission functions. All employees and vendors shall comply with all applicable laws and regulations pertaining to the service of alcohol at Commission-related functions, including those regarding vendor responsibility for denying service of alcohol to intoxicated persons. Employees and guests must be served by a contracted non-drinking server or bartender, and will not be permitted to prepare their own drinks. Non-alcoholic beverages must be served or available at all events where alcohol is consumed. Employees should refrain from over-indulging in alcohol served at Commission functions. Employees should refrain from driving after consuming alcohol in excess of the legal limits, and the Commission reserves the right to take corrective action, up to and including termination of

employment, if an employee operates any vehicle while under the influence of alcohol following a Commission function.

Alcoholic beverages and/or any cereal malt beverage may not be stored in a Commission workplace or on Commission premises without the prior approval of the executive director. Consumption of alcoholic beverages on Commission premises is prohibited, unless there is an official Commission function approved by the executive director.

6.5 TOBACCO POLICY

The Commission is committed to maintaining a smoke and tobacco free workplace. Neither smoking nor the use of tobacco products shall be permitted inside any Commission workplace or on Commission premises, except in designated smoking or tobacco use areas in outside locations as specified in accordance with all applicable laws and regulations.

6.6 USE OF COMMUNICATIONS SYSTEMS

Commission employees are required to routinely use Commission-provided communication services and equipment, such as facsimile machines, telephones, electronic mail, internet and intranet systems, voice mail, and mobile communication devices to promote efficient conduct of its business. The proper use of Commission communications equipment is the responsibility of every employee.

Staff access to Commission-provided mobile communication devices and/or the reimbursement of expenses incurred by employees in connection with the work-related use of employee-owned communications systems, including mobile communication devices, shall be subject to the discretion of the executive director.

All Commission communication services and equipment and any documents or messages created or contained within Commission communication services and equipment are the property of the Commission and are regarded as documents belonging to the Commission.

Employees should not expect that any communication created, sent or received on Commission communication services and equipment is private. The Commission reserves the right to monitor, review, access, delete, reproduce or disclose anything created, sent or received on Commission communication services or equipment, at any time, without notice.

The Commission's communication services and equipment are to be used for business purposes. Excessive use of Commission communication services and equipment for personal reasons, or use of Commission communication services and equipment for inappropriate purposes, is prohibited and may lead to corrective action, up to and including termination of employment.

The Commission's communication services and equipment may not be used for the transmission or storage of commercial or personal advertisements, solicitations, promotions, destructive programs (viruses and/or self-replicating code), or any other unauthorized or improper use. Commission employees shall not use a Commission-provided mobile communications device while operating a motor vehicle.

Employees shall not host any electronic websites, discussion forums, or messaging systems on any piece of Commission communications equipment without the prior approval of the executive director.

Improper use of Commission communications services and equipment will result in corrective action, up to and including termination. Improper use includes any misuse as described in this policy as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

6.7 SOCIAL MEDIA GUIDELINES

Social media includes but is not limited to blogs, podcasts, discussion forums, RSS feeds, video sharing, and social networks such as Facebook and Twitter. These tools have become an integral part of everyday life for millions of people around the world.

The line between private and public activity has been blurred by these tools, which is why the following guidelines are provided. Information from an employee's Facebook page, blog entries, and tweets can be easily circulated beyond the intended audience. As employees participate or use any of these sites, please be aware that anything attributed to employees on these sites has the potential to be seen by others.

As an employee of Commission, it is important to remember that the Commission works diligently to maintain its nonpartisanship, integrity and credibility. Any comments attributed to employees could be interpreted as written in an employee's professional capacity and could ultimately be harmful not only to the employee, but also to the Commission and its members.

The following guidelines are intended to help employees deal with the changing world of information sharing. Employees are encouraged to use their best judgment when using social media, both professionally as well as in their private lives.

- Recognize that everything written or received on a social media site is public. Anyone with access to the web can gain access to an employee's activity on social media sites. Regardless of how careful employees are in trying to keep them separate, online activity, professional life and personal life overlap.

- Use the highest level of privacy tools available to control access to personal activity, but never assume the information posted will remain private or confidential.
- Participation in some online groups could create the impression of endorsement of views. Employees should consider whether they can accomplish their purposes by observing a group's activity, rather than becoming a member.
- Be aware of relationships with the Commission in online social networks. Ensure profiles and related content are accurate and in no way reflect negatively on the Commission.
- If an employee is uncertain whether a proposed post is appropriate and in conformity with the Commission's social media guidelines, employees may discuss the proposed post with their supervisor. Ultimately, employees are solely and individually responsible for what they post online.

6.8 SOFTWARE CODE OF CONDUCT

All employees shall use software only in accordance with the software license agreement. Any unauthorized duplication of copyrighted computer software (except for the purposes for backup and archival purposes) or installation of unauthorized software violates the law and is contrary to the organization's standards of conduct.

The following guidelines help ensure compliance with the Commission Software Code of Ethics:

1. All employees will use all software in accordance with the license agreement.
2. Software will be made available to all Commission staff for use on Commission computer equipment. Software shall not be duplicated, removed, or re-distributed for any reason (other than for archival and backup purposes). Any employee found copying software, bypassing security packages, attempting unauthorized access to other computers or tampering with computer settings will be held personally liable.
3. Any person illegally reproducing software can be subject to civil and criminal penalties including fines and imprisonment. Anyone who makes, uses, or otherwise acquires unauthorized software shall be appropriately disciplined.
4. Any employee who determines that there may be a misuse of computer hardware, software, or networks by Commission staff shall notify the executive director.
5. All software used by the organization will be properly purchased through appropriate procedures.

6. Any staff found to be in violation of the Commission Software Code of Ethics will be subject to Commission disciplinary measures and all unlicensed software will be deleted immediately.

All software, hardware, and network connections will be used exclusively for Commission related business. Personal use of Commission equipment is prohibited, except with the permission of the employee's supervisor.

6.9 CORRECTIVE ACTION

The Commission addresses employee behavior or performance issues through a program that:

- Emphasizes correction or improvement rather than punitive consequences.
- Promotes employees' ability to maintain self-respect and dignity.
- Gives sufficient notice of problems and time to implement corrective measures through a series of progressive steps, where appropriate.
- Provides fair and consistent application while providing the flexibility to consider circumstances unique to each employee's situation.

Employees subject to corrective action or whose performance evaluations had unsatisfactory results must attempt to improve their behavior and performance. Those employees must work with their supervisor to define and set tractable goals to meet the Commission's expectations.

Each instance where corrective action may be warranted will be evaluated on a case-by-case basis, taking into consideration all of the relevant factors to determine the appropriate response. The use of the progressive levels of corrective action described in this policy is discretionary, and the Commission may use any or none of the corrective action levels which the Commission deems appropriate for any given situation.

Corrective action provided under this policy generally progresses through the following steps:

A. Coaching

An informal discussion between a supervisor and an employee used to identify a failure to comply with Commission policies and procedures or to identify performance issues and to counsel the employee to improve his/her performance or behavior.

B. Step 1: Counseling

The first formal level of corrective action in which the supervisor meets with an employee to discuss and document. The content of Step 1 discussion and documentation shall include:

- Behavior or performance by the employee that does not comply with Commission policies and procedures or performance expectations;

- How the employee can correct the behavior/performance;
- What support the Commission can provide the employee; and
- The consequences for the employee in the event that the behavior/performance issue continues.

At the discretion of the executive director, Step 1: Counseling may result in the development of a Corrective Action Plan which shall include a summary of the problem including any policies, procedures, or expectations that are not being met, suggestions to improve performance, and a timeframe for completion. The executive director shall provide timely feedback, be specific regarding performance indicators, and should accept their responsibility in elevating the employee's performance to meet Commission's standards.

C. Step 2: Review of Performance Following Implementation of Counseling or a Corrective Action Plan

The second level of formal corrective action is administered if an employee fails to correct his/her behavior or raise performance after the development of a Corrective Action Plan and a reasonable amount of time to implement such a plan. Or, Step 2 may be initiated if it is determined that the problem is serious enough that action beyond a Step 1: Counseling is appropriate.

The content of Step 2 discussion and documentation shall include:

- Documentation of the prior Corrective Action Plan;
- Noted behavior or performance by the employee that does not comply with Commission policies and procedures or performance expectations as identified through the Corrective Action Plan
- The employee recommended countermeasures to correct the performance and/or behavior problem(s); and
- Supervisor comments, requirements, and final performance indicators used to evaluate subsequent compliance or improvement.

D. Termination

If an individual fails to respond to the progressive corrective action outlined above, or if his/her performance and/or behavior is such that the executive director determines employment should not continue at any time, the employee will be recommended for termination from employment.

E. Serious Misconduct

Certain actions are considered serious enough to be addressed without regard to the types of corrective action described in this policy. This may include the use of any level of corrective action up to and including termination; regardless of whether or not the employee has progressed to that step. Examples of serious misconduct include, but are not limited to:

- Threats or violence, including fighting on Commission premises.
- Falsification.
- Sexual harassment or other prohibited harassment or discrimination.
- Violation of Drug Free Workplace Policy.
- Using, possessing or being under the influence of illegal drugs and/or alcohol on Commission premises.
- Unauthorized removal, use or movement of Commission property.
- Deliberate damage to Commission property; or inappropriate discarding of Commission property.
- Unreported absence from work for three (3) or more consecutive working days.
- Violation of the Commission Weapons Policy.
- Refusal to perform a reasonable work request or assignment.
- Criminal conduct or other behavior that poses a threat to the employee, other employees or to the Commission or its affiliates.

In instances of serious misconduct where a detailed investigation is necessary, an employee may be placed on administrative leave, with or without pay, pending investigation if it is determined to be in the best of interest of the Commission and the parties involved.

This policy does not, in any way, limit, restrict or modify the Commission policy of employment at will, under which Commission or an employee may terminate the employment relationship at any time and for any reason not prohibited by law. Under appropriate circumstances, employees who are subject to corrective action may be required, as a condition of employment, to take part in counseling or other forms of assistance through the Commission's Employee Assistance Program.