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PERSONNEL POLICIES

Approved by the SWCAP Board on 03/26/2020

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SOUTHWESTERN WISCONSIN COMMUNITY ACTION PROGRAM, INC.

PERSONNEL POLICIES

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SOUTHWESTERN WISCONSIN COMMUNITY ACTION PROGRAM, INC.

PERSONNEL POLICIES

SECTION 1: INTRODUCTION

1.1 Purpose of Policies

These Personnel Policies will help you better understand the organization and objectives of Southwestern Wisconsin Community Action Program, Inc. (Southwest CAP). These policies are intended to assist you in carrying out your responsibilities to Southwest CAP and to explain those policies and procedures, which affect your hours of work, compensation, development, privileges, duties, and daily routine. As the result of these policies, Southwest CAP intends to assure fair and equitable treatment to all its employees. It is the Agency's intention to comply with all laws and regulations, which are applicable.

1.2 Responsibility for Policy Development and Implementation

Southwest CAP's Board of Directors and Head Start Policy Council are the source of authority concerned with setting personnel objectives and making all policies. All staff is under the policy authority of the Board of Directors and the Head Start staff is also under the authority of the Head Start Policy Council. The Board delegates to the Executive Director the responsibility for hiring staff to carry out its policies.

Certain rights and responsibilities are imposed on Southwest CAP by state and federal laws, rules, legislation, and court decisions. Many of these have implications for the policies and procedures that govern our staff. For this reason, a summary of the organization's basic rights and responsibilities are listed below. These rights and responsibilities include, but are not limited to, the following:

1. Managing employees, including the hiring, promotion, scheduling, transfer, assignment, and retention of employees in positions within Southwest CAP.
2. Establishing work rules.
3. Establishing and altering employment policies and procedures, including those set forth in this Personnel Policies.
4. Suspending, discharging, or taking other appropriate disciplinary action against employee when necessary.
5. Scheduling overtime work as required, consistent with Southwest CAP's requirements.
6. Developing job descriptions that serve as guidelines and not rigid limitations.
7. Assigning employees to specific duties.
8. Introducing new or improved methods or facilities, or changing existing methods or facilities.
9. Fulfilling the company's obligations in contracting out for matters relating to its operation.
10. Exercising any other right or responsibility Southwest CAP may have by law or otherwise.

1.3 Employee Receipt of Personnel Policies

Each Southwest CAP employee should receive a copy of this manual. It is the responsibility of each employee to read it, to ask questions of his/her supervisor until they understand its contents. It is the Agency's intent to provide current employees with a copy of revised or additional Personnel Policies prior to the implementation of said policies. All employees are asked to acknowledge receipt of these policies by signing the acknowledgment form attached to each manual and forwarding it to the Finance/Personnel Department.

1.4 Executive Director's Authority

The Executive Director, through the authority given to him/her by the Board of Directors, is responsible for directing the operation of Southwest CAP to meet its objectives. To accomplish these objectives, the Executive Director and his/her designees may develop and implement such policies and procedures as deemed necessary, except where regulated otherwise in these policies or by Board action, Head Start Policy Council, or pertinent regulations. Personnel Policies will not supersede the law and individual program regulations and funding source guidelines.

1.5 At Will Employment

Employees of Southwest CAP are employed "at will." This means that either the employee or the agency may terminate employment at any time, with or without reason or notice.

An employment contract for a specified duration may be entered into only in writing and is only valid if signed by the Executive Director. We make no assurances, either express or implied, concerning either the duration of any employee's employment with this agency or any possible reason for termination of an individual's employment.

This statement of policy contains all terms relative to termination of employment, and no representations to the contrary, express or implied, are valid unless in a document signed by the Executive Director. Nothing in this or any other document (e.g., benefits descriptions, performance appraisal forms) shall be construed to create an employment agreement for a specified time period.

1.6 Management Discretion in Following these Policies

Final interpretation and implementation of any of the policies in this manual is vested solely with management. (See Section 1.4). Management reserves the right to use discretion in determining the best course of action in any given situation.

1.7 Policy Changes

The policies and statements contained in this manual may be changed at any time, with or without notice, at Southwest CAP's discretion. It is the agency's intention to periodically review these policies for the purpose of updating them to better fit the needs of the agency.

SECTION 2: EMPLOYEE SELECTION

2.1 Non-Discrimination Policy

Discrimination is prohibited in all areas of employment on the basis of age, race, creed, color, disability, marital status, sex, national origin, ancestry, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters. This policy applies to all employment practices and personnel actions.

2.2 Affirmative Action Policy

Southwest CAP recognizes that because some groups have long been excluded from opportunities, clear and specific steps to overcome the imbalance are required. These steps are detailed in Southwest CAP's Affirmative Action Plan adopted by its Board of Directors and Head Start Policy Council and implemented by staff.

2.3 Board's Agent

The Executive Director acts as the agent of the Board in the selection, employment and termination of staff in compliance with Southwest CAP's Personnel Policy, Hiring Procedure, Classification and Pay Plan, and Affirmative Action Plan. The Head Start Policy Council must approve the hiring of all Head Start Program employees.

2.4 Nepotism Policy

Immediate family shall include the following persons for purposes of this policy.

husband/wife	stepson/stepdaughter
father/mother	stepmother/stepfather

brother/sister
son/daughter
aunt/uncle
nephew/niece
grandmother/grandfather

mother/father-in-law
brother/sister-in-law
son/daughter-in-law
legal guardian
persons living in same household

Southwest CAP shall employ no person while he/she or a member of his/her family serves on Southwest CAP's Board or on a committee which, either by rule or practice, regularly nominates or screens candidates for a Southwest CAP program or department for which he/she is employed. Southwest CAP may employ related persons. However, no person shall hold a job in which he/she supervises a member of his/her immediate family. This requirement does not disqualify relatives of a Southwest CAP employee from receiving Southwest CAP services when the household income meets program eligibility requirements.

2.5 Promotion Policy

Southwest CAP may promote present employees who qualify for vacant positions. Promotion shall be based solely on performance or potential to perform in accordance with the agency's Hiring Procedure.

SECTION 3: CONDITIONS OF EMPLOYMENT

3.1 Criminal Background Check

Southwestern CAP requires a criminal check for all employees upon hire once a conditional offer of employment has been extended by the hiring manager. Head Start must conduct on all persons, whether hired directly or through contract (includes transportation staff and contractors), a sex offender registry check, a FBI criminal history record check including fingerprints and a child abuse and neglect state registry check at hire and every 5 years thereafter. Head Start has 90 days to complete the background check process. Persons may not have unsupervised access to children until the process is complete.

Although a disqualification is possible, in accordance with federal and state laws, a previous conviction does not automatically disqualify an applicant from consideration for employment. Depending on a variety of factors (for example, the nature of the position, the nature of the conviction, age of the candidate when the illegal activity occurred), the candidate may still be eligible for employment.

However, if an applicant attempts to withhold information or falsify information pertaining to previous convictions, the employee will be disqualified from further employment consideration F-20864 in any position with the company due to falsification of an application.

3.2 Work Schedule

- A. The basic working hours of all full time employees are thirty (30) to forty (40) hours a week.
- B. Work hours for employees are determined by each program director. Variations must have the advance approval of the employee's immediate supervisor for non-exempt employees.
- C. At least one half (½) hour per day must be taken for lunch. The lunch period is unpaid time.
- D. An employee's office base will be determined at his/her time of hire and may be changed by management at any time.
- E. Employees should keep their supervisor informed of their whereabouts during their scheduled work hours.
- F. Each employee's regular and reliable attendance on the job and commitment to performing quality work is necessary in order for this agency to carry out its important mission. Therefore, regular, reliable attendance at work is expected of employees. When absence or tardiness is unavoidable, employees are asked to notify their supervisor, as much in advance as possible, to facilitate adjustments, which will aid the agency in operational effectiveness.

3.3 Overtime

Southwest CAP's policy is that non-exempt employees are not to work over more than forty (40) hours per week. However, if overtime is required and pre-approved by the Executive Director and program/department director

in writing, overtime will be paid at the rate of 1 ½ times the employee's regular pay rate.

3.4 Driver's License Information and Certificate of Insurance

A. Private Auto/Mileage Reimbursement

All employees and volunteers who drive on official business in a private auto and request mileage reimbursement must provide proof of valid driver's license and certificate of insurance or proof of insurance payment to the Finance/Personnel Department. Employees do not qualify for mileage reimbursement until proof of insurance and driver's license information are on file. An instance involving a non-employee driver in accommodation of an employee with a disability requires the same insurance information and the actual driver's license information of the accommodating driver. Reimbursements will consistent with acceptable IRS reimbursement and mileage rates. See Section 6.

When using a personal vehicle for Southwest CAP business, the employee or volunteer assumes all liability for the vehicle. Southwest CAP does not assume any liability for any damage or loss to the personal vehicle. The employee or volunteer is wholly responsible for any damage that may occur to his/her personal property/vehicle or any public or private property in the operation of his/her vehicle for Southwest CAP business.

B. Agency-Owned Vehicles

Anyone who drives a Southwest CAP vehicle on official business must have proof of a valid driver's license on file and must be approved by the insurance carrier. Driving records will be checked periodically.

General Driver Safety Rules

- Employees may not operate a vehicle on Southwest CAP business when their ability to do so safely has been impaired by illness, fatigue, injury, and/or other condition.
- All drivers and passengers must wear a seatbelt, even if the vehicle is equipped with air bags.
- If using a personal or business communications device while in the vehicle, the device must be hands-free. Southwest CAP prohibits texting while driving for any reason.
- Any Southwest CAP equipment being transported must be firmly secured within the vehicle.

Driver Eligibility

Southwest CAP vehicles are to be driven by authorized employees only, except in emergencies, or in the case of repair testing by a mechanic. Spouses, other family members, friends and clients are not authorized to drive Southwest CAP vehicles.

Any employee who has a driver's license revoked or suspended shall immediately notify their supervisor and discontinue operation of Southwest CAP's vehicle. Failure to do so may result in disciplinary action, including dismissal.

All accidents on work time regardless of severity must be reported to the police and to your supervisor. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, including dismissal.

Drivers must immediately report all summonses received for moving violations during the operation of a company vehicle to their supervisor.

All CDL drivers must comply with all applicable D.O.T. regulations, including successful completion of medical, drug, and alcohol evaluations.

Motor Vehicle Records will be ordered at least annually to assess employees' driving records. An unfavorable record will result in a loss of the privilege of driving a Southwest CAP vehicle.

System for Determining Eligibility

The following system will be used to determine eligibility to operate a Southwest CAP vehicle:

- ALL TYPE 'A' VIOLATIONS (as defined below) WILL RESULT IN TERMINATION OF DRIVING PRIVILEGES FOR

EMPLOYEES AND WILL DISQUALIFY ANY POTENTIAL DRIVER EMPLOYEES.

- ANY DRIVERS (EMPLOYEES OR APPLICANTS) SHOWING ONE OF THE FOLLOWING WILL BE RESTRICTED FROM DRIVING COMPANY VEHICLES:

One (1) or more type 'A' Violations in the last 3 years

Three (3) or more accidents (regardless of fault) in the last 3 years

Two (2) or more at-fault accidents in the last 3 years

Three (3) or more type 'B' violations in the last 3 years

Any combination of accidents and type 'B' violations which equal Three (3) or more in the last 3 years.

Type 'A' Violations:

- Driving while intoxicated
- Driving while under the influence of illegal drugs
- Negligent Homicide arising from the use of a motor vehicle (gross negligence)
- Using a motor vehicle for the commission of a Felony
- Aggravated assault with a motor vehicle
- Operating a motor vehicle without the owner's authority (grand theft)
- Reckless driving
- Speeding in Excess of 20 or more miles over the posted speed limit (racing)
- Hit and Run (Bodily injury or property damage)
- Failure to obey or eluding an officer
- Falsifying an accident report
- Failure to stop or leaving the scene of an accident
- Operating with no license or a suspended or revoked license

Type 'B' Violations

- All moving violations not listed as type 'A' violations

If you are hired to work at Head Start or Weatherization, you will also be responsible for following their internal driving policies.

C. Waiver

Employees whose job responsibilities do not require them to drive on official business for Southwest CAP may sign a waiver exempting them from providing such information to the Finance/Personnel Department. The employee's Program/Department Director and Executive Director must authorize the waiver.

3.5 Telephone

- A. Employees are required to have a working telephone in their residence if stated in their job description. All other staff must provide a number where they can be reached.
- B. Personal calls on business telephones are to be restricted to an urgent nature. However, telephone calls from work to an employee's residence reporting a variation in his/her work schedule or a delay in returning home are not restricted.
- C. Use of cell phones (including texting), agency or personal, should be limited to an urgent nature.

3.6 Computers

- A. Computers and telecommunication resources purchased with program funds are to be used for business purposes only. Occasional personal use is permissible as long as it does not fall within boundaries of inappropriate use (see 4.4, Harassment, and 4.10, Prohibited Behavior), does not detract from job performance, interfere with the Program's operation, or cause increased cost or inefficiency to the Program.
- B. Employees may use e-mail as a communications tool, understanding that an e-mail message is considered a "public record" and therefore is subject to the provisions in Wis. Stats. Chapter 19, Subchapter II, Public Records and Property, Sec. 19.21-.39.
- C. Office e-mail may be periodically monitored, audited, and reviewed to ensure that the system is being

appropriately used. Messages on the e-mail system may be retrieved and traced, even if they are deleted. E-mail messages may also be subject to discovery in the event of litigation.

- D. Southwest CAP reserves the right to access all computers and equipment it owns or that are located on company property. If passwords are used for access to computer programs or files, employees must disclose those passwords to Southwest CAP upon request. Employees may not intentionally damage, delete information, or misuse company computer equipment and files.

3.7 Southwest CAP Board of Directors Meeting

- A. Program/Department Directors are expected to attend monthly meetings of the Board of Directors when required to do so by the Executive Director. In these cases, mileage reimbursement will be paid and time attending meetings will be considered paid or regular work time.
- B. Other staff will not be reimbursed for mileage or work time when attending Board meetings unless their Program/Department Director or the Board has required their attendance.

3.8 Other Meetings

Program/Department Directors and other designated employees are expected to be available for occasional work on evenings and/or weekends. Time attending meetings will be considered paid or regular work time.

3.9 Resignation and Termination

Employees may terminate employment at any time with or without notice. However, Southwest CAP requests a two (2) week written notice except when resignation is caused by an emergency situation. Four (4) weeks' written notice is appreciated for all persons with extensive responsibilities. Notice, or the request for notice, does not in any way change the "at will" nature of the employment relationship. Upon termination, whether voluntary or involuntary, all keys and other company property must be returned.

3.10 College Work Study (CWS)

Students working for Southwest CAP are considered Southwest CAP employees only for Unemployment, Worker's Compensation and Social Security purposes. CWS students do not accrue any employee benefits.

3.11 Layoff

- A. Layoff of Southwest CAP staff may occur due to: grant reductions, re-assignment of duties, termination of contract(s) or other changes in financial support of the position.
- B. Employees do not accrue benefits while on layoff.
- C. Layoff does not eliminate an employee's accrued sick and personal leave time if the employee is recalled within six (6) months.
- D. You, your spouse, and your dependents may be eligible for continuation of benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA).

3.12 Safety

The ultimate responsibility for workplace safety lies with each employee. All employees should observe the following common-sense rules:

- A. Learn the location of fire alarm boxes, extinguishers, and any procedures to be followed in case of fire.
- B. Promptly report all unsafe or potentially hazardous conditions, such as the following, to Southwest CAP:
 - Wet or slippery floors
 - Trash, debris, or other obstacles in halls or walkways
 - Exposed or unsafe electrical wiring
- C. Immediately report all accidents to Southwest CAP.

3.13 Security

Maintaining appropriate security in Southwest CAP facilities, such as keeping access to certain areas locked, is every employee's responsibility. Employees should familiarize themselves with all relevant security information, which may be obtained from their supervisor. Employees who become aware of a theft or other security problem or observe anything suspicious (such as people removing items from the building) should immediately notify their supervisor. It is also important that employees avoid having personal valuables at the workplace and

safeguard their personal belongings, as Southwest CAP is not liable for their loss or damage.

3.14. Confidentiality

An employee's job responsibilities may lead him/her to have access to confidential Southwest CAP and client information. This may include information concerning Southwest CAP's financial status, business practices, and/or client records and data. As more fully described below, this information is to remain confidential and is not to be disclosed to any unauthorized persons inside or outside of Southwest CAP.

"Protected Information" means all confidential or proprietary information of any kind relating to the business, operation, and administration of Southwest CAP or affiliated entities. Protected Information also includes customer lists, financial information, policy or procedure manuals, computer software and systems, programs, marketing materials and information, operating systems and procedures, and strategic, operation, and long-range plans and planning procedures, other than information that is defined and interpreted as "trade secrets" in accordance with applicable state law.

More specifically, an employee cannot, in any capacity, acquire by improper means, use or disclose, or cause to be used or disclosed, any Protected Information learned or acquired while employed by Southwest CAP to those people or entities that could cause harm to Southwest CAP, including, but not limited to, competitors, suppliers, or customers of Southwest CAP. In the event an employee is uncertain whether the use or disclosure of Protected Information to a specific person or entity would violate this policy, the employee must seek permission from a member of management for the use or disclosure prior to any use or disclosure to the specific person or entity in question.

This policy in no way diminishes Southwest CAP's protection and enforcement rights of its "trade secrets," as that phrase is defined and interpreted in accordance with applicable state law. This policy also does not diminish any individual agreements that may have been executed between the employee and Southwest CAP.

3.15. Attendance/Tardiness

Southwest CAP places great emphasis on good attendance. Frequent absence or excessive tardiness places an extra burden on co-workers. Regular attendance is expected of each employee. It is important to note that the employee's absence record will be taken into consideration for reviews, promotions, or transfers.

Employees who will be late or absent from work should notify their supervisor as early as possible. If an employee is absent due to accident or illness, management may request that s/he submit a release from a physician prior to returning to work.

3.16. Personal Appearance/Dress Code

Appearance is very important in portraying a favorable image to employees, customers, business clientele, and the general public. Employee attire should always be neat, clean, and in good repair. Employees should use good judgment in determining whether or not his/her own apparel is acceptable work attire. Management may, at its discretion, require employees to dress in business formal attire for special situations or meetings.

SECTION 4: PROHIBITED ACTIVITIES

4.1 Political Activity

- A. Southwest CAP shall not use grant funds directly or indirectly to finance labor or anti-labor organization or related activity.
- B. Employment with Southwest CAP is not offered as a consideration or reward for the support or defeat of any political party or candidate for public office.
- C. As an employee of Southwest CAP, while on duty, you are prohibited by law under the Hatch Act from:
 1. Directly or indirectly soliciting or receiving assistance, subscriptions or contributions for any political party or political purpose whatsoever.
 2. Engaging while on duty in any form of political activity calculated to favor or improve the chances of any political party or person.

The "Hatch Act" covers employees. Violations of this law are grounds for dismissal. However, this regulation does not prohibit you from engaging in non-political activities such as county, city, or town boards.

4.2 Code of Conduct

Southwest CAP shall maintain a code of standards or conduct that shall govern the performance of its officers, employees or agents engaged in the awarding and administration of contracts using federal funds.

No employee, officer or agent shall participate in the selection, award or administration of a contract in which federal funds are used, where, to his/her knowledge, he/she or his/her immediate family, partners or organization in which he/she or his/her immediate family or partner has a financial interest or with whom he/she is negotiating or has any arrangement concerning prospective employment.

Southwest CAP's officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors or potential contractors.

4.3 Conflict of Interest

Any Southwest CAP employee who meets the criteria and are eligible for any of the services provided by Southwest CAP are not prohibited from receiving the services. However, to eliminate an appearance of conflict of interest, written approval by the Executive Director of Southwest CAP is required prior to the service being provided. Written approval by the appropriate funding source/government monitor must also be obtained if required. In the event of a crisis need of an eligible Southwest CAP employee, such as access to the food pantry, emergency housing, etc., written approval can be obtained from either the Executive Director or the Operations Director.

4.3.1 Violations of Conflict of Interest are considered serious matters and may, at the discretion of management, result in corrective action and/or dismissal.

4.4 Harassment, Discrimination, and Retaliation

A. Policy

Southwest CAP is firmly committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based upon an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristics will not be tolerated. Harassment (both overt and subtle) is a form of discrimination and employee misconduct that both demeans another person and undermines the integrity of the employment relationship by creating an intimidating, hostile, and offensive working environment.

Our policy is that an employee's refusal of sexual advances will not adversely affect that employee's employment, including, but not limited to, advancement, evaluation and assigned duties. Sexually-harassing conduct or any type of harassment, discrimination, or retaliation in the workplace is strictly prohibited. Sexual harassment may include, but is not limited to, unwelcome propositions, suggestive comments, physical advances, display of offensive materials, or the creation of a hostile or offensive work environment. Any employee who violates this policy will be disciplined, including possible termination of employment. Southwest CAP stresses that it will not tolerate any form of sexual or other harassment, discrimination or retaliation.

B. Reporting Procedure

Any employee who is subjected to sexual or other unlawful harassment, discrimination, or retaliation, either by another employee or an outside individual, should immediately report this matter to their supervisor, their supervisor's supervisor or the Human Rights Officer.

Southwest CAP will promptly, actively, and confidentially pursue all complaints of sexual or other unlawful harassment, discrimination, or retaliation. After a thorough investigation, any employee found to have harassed, discriminated, or retaliated against another employee will be subject to discipline, including possible termination. The investigation and results will be kept as confidential as possible, but Southwest CAP may be required by law to disclose such investigation and results. After the initial investigation, if a reasonable basis for the allegations is found, appropriate staff will notify the Chair of the Board of Directors of Southwest CAP regarding the allegations. Southwest CAP will not retaliate or in any other way take action against an employee

for presenting a complaint of harassment or discrimination. The complaining employee's position and/or opportunities for advancement will not be jeopardized as a result of filing a harassment or discrimination complaint.

4.5 Transaction of Personal Business

Outside business affairs should be conducted away from the office. Personal business appointments during work hours are prohibited.

4.6 Refusal of Gifts or Gratuities

No employee of Southwest CAP or members of the employee's immediate family will be permitted to accept from clients any gift, gratuity, or favor in the performance of their job.

4.7 Tobacco-Free Workplace Policy

It is the policy of Southwest CAP to establish and maintain a tobacco-free environment within all buildings and vehicles owned or leased by the Agency and other areas prohibited by law. Employees violating this policy are subject to corrective action.

4.8 Drug-Free Workplace Policy

Southwest CAP is committed to protecting the safety, health and well being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

- This organization encourages employees to voluntarily seek help with drug and alcohol problems.

Covered Workers

Any individual who conducts business for the organization, is applying for a position or is conducting business on the organization's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to CEO, executive management, managers, supervisors, full-time employees, part-time employees, off-site employees, contractors, volunteers, interns and applicants.

Applicability

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours and whenever conducting business or representing the organization.

Prohibited Behavior

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants.

Notification of Convictions

Any employee who is convicted of a criminal drug violation must notify the organization in writing within 24 hours of the conviction. The organization will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.

Consequences

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may not reapply.

If an employee violates the policy, he or she will be subject to disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation that fails to successfully complete it and/or

repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Drug Testing

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, may be required to participate in post-accident and reasonable suspicion testing upon selection or request of management.

The substances that will be tested for are: Amphetamines, Cannabinoids (THC), Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, Methadone and Propoxyphene.

Testing for the presence of alcohol will be conducted by analysis of breath.

Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations and required to pass a Return-to-Duty test and sign a Return-to-Work Agreement.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Confidentiality

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Communication

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.

4.8.1 Definition of Workplace

Southwest CAP workplaces are defined as all places where work is performed for Southwest CAP and employees are being paid for their time. It also includes clients' homes, vehicles, and training or conference sites when an employee is earning wages or salary and is present at that location. A list of all Agency workplaces will be furnished to the federal government annually with street address, city, state, and zip code for each office or other place of business.

4.8.2. Drug-Free Awareness

The establishment of a drug-free awareness program for all staff is mandated by this policy. Drug-free awareness material will be distributed to all employees at least annually.

4.8.3 Personnel Action

Employees are required to notify their supervisor of any criminal drug statute arrest or conviction for violations within 24 hours of the arrest or conviction. Supervisors must report the arrest or conviction to the Executive Director or designee immediately. Employees convicted of criminal drug violations at the workplace will be

required to enroll in an approved drug treatment program before they will be allowed to return to work. Employees who do not satisfactorily complete an approved drug treatment program will be terminated from employment. Employees who do not notify their supervisor of a worksite criminal drug statute arrest or conviction within 24 hours will be terminated from employment.

4.9 Outside Employment

- A. It is desirable that employees regard Southwest CAP as their primary employer.
- B. Outside employment is permitted only if it meets the following criteria:
 - 1. Such employment shall not interfere with the performance of the employee's duties with Southwest CAP.
 - 2. Such employment shall not involve a conflict of interest with the employee's duties with Southwest CAP.
 - 3. Such employment shall not occur during the employee's regular or assigned work hours with Southwest CAP unless the employee, during the entire day on which such employment occurs, is on either personal leave, vacation leave, or leave without pay.
 - 4. Such employment shall not involve the performance of duties, which the employee should perform as part of his/her employment with Southwest CAP.

4.10 Other Prohibited Activities

Examples of prohibited activities include, but are not limited to, the following:

- A. Employees must not disclose confidential information regarding Southwest CAP or a client or employee of Southwest CAP without proper authorization and in accordance with all program policies and state and federal laws.
- B. Employees must not to misuse or abuse agency vehicles, equipment or keys.
- C. Employees must not to misuse Southwest CAP's telephone, cell phone, calling cards, credit cards, documents, computers, email, internet, or tax-exempt number.
- D. Employees must not to falsify information on any forms or reimbursement vouchers.
- E. Employees must not willfully endanger the welfare of a client or fellow employee.
- F. Employees must not engage in any theft of a Southwest CAP client, agency or employee property.
- G. Employees must not disobey legitimate orders from supervisor.
- H. Employees must not neglect or willfully disregard the responsibilities, duties and work rules of a position.
- I. Employees must not engage in insolent behavior.
- J. Employees must not use alcoholic beverages during work hours.
- K. Employees must not use the internet improperly, such as for illegal or unprofessional activities. Examples include excessive personal use, gambling, viewing or distributing sexually explicit material (e.g. jokes, pictures, cartoons), any use violating state and federal law, distribution of chain letters or unsolicited advertising, deliberate propagation of a computer virus, attempts to make unauthorized entry to another computer network, activity associated with an employee's outside business or employment.
- L. Employees must not bring or threaten to bring firearms or weapons of any kind to work.

4.11 Policy on Suspected Misconduct and Dishonesty

Introduction

Like all organizations, ours is faced with the risks that come from wrongdoing, misconduct, dishonesty and fraud. As with all business exposures, we must be prepared to manage these risks and their potential impact in a professional manner.

The impact of misconduct and dishonesty may include:

- the actual financial loss incurred
- damage to the reputation of our organization and our employees
- negative publicity
- the cost of investigation

- loss of employees
- loss of customers
- damaged relationships with our contractors and suppliers
- litigation
- damaged employee morale

Our goal is to establish and maintain a business environment of fairness, ethics and honesty for our employees, our customers, our suppliers and anyone else with whom we have a relationship. To maintain such an environment requires the active assistance of every employee and manager every day.

Our organization is committed to the deterrence, detection and correction of misconduct and dishonesty. The discovery, reporting and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of assets.

Purpose

The purpose of this document is to communicate agency policy regarding the deterrence and investigation of suspected misconduct and dishonesty by employees and others, and to provide specific instructions regarding appropriate action in case of suspected violations.

Definition of Misconduct and Dishonesty

For purposes of this policy, misconduct and dishonesty include but are not limited to:

- acts that violate the organization's Code of Conduct as stated in Southwest CAP's Procurement Policy, and in section 4.2 of this policy
- theft or other misappropriation of assets, including assets of the agency, our customers, suppliers or others with whom we have a business relationship
- misstatements and other irregularities in agency records, including the intentional misstatement of the results of operations
- wrongdoing
- forgery or other alteration of documents
- fraud and other unlawful acts
- any similar acts

The agency specifically prohibits these and any other illegal activities in the actions of its employees, managers, executives and others responsible for carrying out the agency's activities.

Policy and Responsibilities

Reporting

It is the responsibility of all staff, board members, and volunteers to immediately report **suspected** misconduct or dishonesty to their Supervisor, Executive Director, Southwest CAP's Human Right's Officer, or the Board of Directors. An employee or volunteer may report the incident anonymously by filling out the Whistleblower complaint form and sending it to: Southwest CAP Board of Directors, Attn: Chairperson-Confidential, 149 N Iowa Street, Dodgeville, WI 53533. Supervisors, when made aware of such potential acts by subordinates, must immediately report such acts to the Executive Director. If the Executive Director is the person whose conduct is in question, then the supervisor should forward complaint form to the Chairperson of the Board of Directors. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden and may result in termination.

Due to the important yet sensitive nature of the suspected violations, effective professional follow up is critical.

Managers, while appropriately but unproved matters, should be referred immediately to those with follow up responsibility.

Additional Responsibilities of Supervisors

Employees with supervisory and review responsibilities at any level have additional deterrence and detection duties. If you have supervisory or review responsibility then in addition to reporting suspected violations as is required above, you have three additional responsibilities.

First, you must become aware of what can go wrong in your area of responsibility.

Second, you must put into place and maintain monitoring, review and control procedures concerned about “getting to the bottom” of such issues, should not in any circumstances perform any investigative or other follow up steps on their own. Concerned *but uninformed* managers represent one of the greatest threats to proper incident handling. All relevant matters, including suspected which will prevent acts of wrongdoing.

Third, you must put into place and maintain monitoring, review and control procedures which will detect acts of wrongdoing promptly should prevention efforts fail.

Authority to carry out these three additional responsibilities is often delegated to subordinates. However, accountability for their effectiveness cannot be delegated and will remain with supervisors and managers.

Assistance in effectively carrying out these responsibilities is available through the Executive Director, Operations Director, and Southwest CAP’s Human Rights Officer.

Responsibility and Authority for Follow Up and Investigation

The Executive Director has the primary responsibility for all investigations involving Southwest CAP, including periodic examinations and evaluations of internal controls.

Properly designated members of the investigative team will have:

- free and unrestricted access to all agency records and premises, whether owned or rented
- the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and agency procedures.

Reported Incident Follow Up Procedure

Care must be taken in the follow up of suspected misconduct and dishonesty to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow up and investigation is underway, and to avoid making statements which could adversely affect the agency, an employee, or other parties.

Accordingly, the general procedures for follow up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details as indicated above under Policy.
2. The Executive Director has the responsibility for follow up and, if appropriate, investigation of all reported incidents.
3. All records related to the reported incident will be retained wherever they reside.

4. Do not communicate with the suspected individuals about the matter under investigation.
5. The Executive Director will also notify the Operations Director of all reported incidents so that it may be determined whether this matter should be brought to the attention of the Board of Directors.
6. The Executive Director may also obtain the advice of legal counsel at any time throughout the course of an investigation or other follow up activity on any matter related to the report, investigation steps, proposed disciplinary action or any anticipated litigation.
7. Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
8. All inquiries from an attorney or any other contacts from outside of the agency, including those from law enforcement agencies or from the employee under investigation, should be referred to legal counsel.

Investigative or other follow up activity will be carried out without regard to the suspected individual's, position or level, or relationship with the agency.

Questions or Clarifications Related to This Policy

All questions or other clarifications of this policy and its related responsibilities should be addressed to the agency's Executive Director, who shall be responsible for the administration, revision, interpretation, and application of this policy.

SECTION 5: COMPENSATION

5.1 Status

- A. Starting-----A newly hired employee during the initial six (6) month period prior to becoming a regular employee.
- B. Part-Time Limited Term – An employee hired by a program/department of Southwest CAP for six (6) months or less and working less than thirty (30) hours a week.
- C. Full-Time Limited Term – An employee hired by a program/department of Southwest CAP for six (6) months or less and working thirty (30) hours or more a week.
- D. Regular Part Time ----- After the initial six (6) month starting period, an employee working less than thirty (30) hours a week.
- E. Regular Full Time ----- After the initial six (6) month starting period, an employee working thirty (30) or more hours a week.

Regardless of status of employment, all employees are "at will" and both the employee and Southwest CAP have the right to terminate that relationship at any time with or without reason or notice.

5.2 Position Classification and Pay Plan

Position Classification procedures and the administration of a set of guidelines that places positions on the agency salary schedule (Pay Plan) will normally be utilized.

5.3 Payroll Period

Payroll periods will be biweekly. Payroll periods will be adjusted as needed to comply with the Davis Bacon Act. The workweek begins at 12:01 A.M. Sunday and ends at 12:00 midnight on Saturday. The workday begins at 12:01 AM and ends at midnight.

5.4 Time and Mileage Sheets

Time and mileage sheets are to be submitted to the Finance/Personnel Department by 5:00 p.m. Monday following the end of the pay period unless otherwise stated in a payroll memo.

5.5 Payday

Payroll will normally be deposited by Electronic Funds Transfer (EFT) in employee's account on Thursday the following the end of the payroll period.

5.6 Mailing Payroll Statement

Payroll Statements will be mailed to an employee's home of record. Mailing a Payroll Statement to another address requires written authorization by the employee to the Finance Department.

5.7 Payroll Deductions

Deductions from paychecks will include:

Mandatory: Federal taxes, garnishments as required by court order, state taxes, FICA, and Medicare.

Voluntary: Southwest CAP's 403(b) retirement plan and optional Flex Plan deductions.

5.8 Pay Advances

In extreme emergencies, a pay advance may be made for the amount of wages earned up to the time of the request, and will be deducted from the employee's next payroll check.

SECTION 6: REIMBURSEMENT FOR JOB-RELATED EXPENSES

6.1 Mileage

Transportation to and from work is the responsibility of the employee and the expenses incurred are not reimbursable. A Southwest CAP employee can also have more than one designated work site assigned to them and that commute and travel time are not reimbursable. If traveling from home to a training, another Southwest CAP location, etc. the shortest distance rule should be used. This means if it is a shorter distance from your designated work area than your home you should use your designated work area, and vice-versa. The mileage reimbursement rate will be determined by the Executive Director, consistent with acceptable IRS reimbursement and mileage rates or grant requirements whichever is more restrictive.

6.1.1 Requirements

- A. Employees claiming mileage reimbursement must have a current valid driver's license. Driver's license information and proof of insurance must be on file with the Finance/Personnel Department.
- B. Employees must complete and submit to their supervisor a signed mileage sheet.
- C. Odometer readings should be rounded to the nearest mile.
- D. If more than one employee is traveling to the same destination at the same time, they are expected to travel in one car whenever possible.

6.2 Travel

When on approved travel, an employee's lodging, meals, parking, commercial travel, tolls, etc., will be reimbursed by Southwest CAP. Employees are required to submit receipts for expenses. Lodging should be charged to the company's charge card for sales tax exemption. Please see your supervisor for charge cards.

6.2.1 Per Diem

Per Diem is a fixed daily allowance for meals when traveling 10 or more hours. When claiming Per Diem, meal receipts are not necessary. See appendix for current per diem schedule.

6.2.2 Requirements

- A. Authorization to attend a conference, or training that requires travel requires submission of a Request for Training/or Travel advance form that is approved by the program/department director.
- B. Employees must indicate their time of departure and return on their mileage sheet.
- C. Employees attending trainings and/or conferences that provide meals will have per diem meal cost deducted from their per diem reimbursement.
- D. Employees are required to furnish hotel or motel receipts for lodging.

6.3 Telephone

Long distance work-related telephone calls made by an employee with the prior approval of his/her immediate supervisor from a private or other off premise telephone will be reimbursed by his/her program or department upon written approval of his/her supervisor.

6.4 Registration Fees

Registration fees will be paid for employees who attend seminars, classes, meetings, conferences, training sessions and other such functions with the prior approval of his/her program/department director.

6.5 Other Expenses

Expenses not previously mentioned but incurred with the prior approval of the program/ department director will be reimbursed by his/her program or department.

6.6 Non-reimbursable Expenses

Personal expenses are not reimbursable, including but not limited to the following:

- First or business class
- In-room movies or bar costs
- If there is a non-profit rate it must be used or employee pays difference. Upgrades to a hotel room is to be paid by employee.
- Room Service is to be paid by employee

SECTION 7: EMPLOYEE BENEFITS

7.1 Eligibility

Hours paid in a month determine an employee's eligibility and accumulation for sick, vacation, and personal time. LTE (Limited Term Employee) employees are eligible for sick and holiday time.

7.2 Sick Time

An employee may use sick time when he/she or an immediate family member, or a significant other person needs preventive health care, is ill, or has been exposed to a contagious disease. This includes medical appointments.

Employees are encouraged to use sick time for preventive health care. Preventive health care includes annual physical and dental examinations and other health care as recommended by a physician.

7.2.1 Accrual of Sick Time

A. Sick time will be accrued based on the following chart:

Hours paid by pay period (based on 26 pay periods per year)	Hours earned per pay period
70-80 hrs.	2.156
52-69 hrs.	1.54
35-51 hrs.	1.078
17-34 hrs.	.538
< 17hrs.	0

B. Sick time can accumulate up to a maximum of 480 hours.

C. Separation from Southwest CAP, including resignation, retirement or termination, cancels all unused sick hours.

D. In the event of serious illness or serious medical condition, employees who qualify under the Federal Family & Medical Leave Act (FMLA) may request unpaid leave of up to 12 weeks under this Act. (Specifics may be obtained from the Finance/Personnel department.) Leave that qualifies under both the federal and state FMLA's will be used simultaneously. The employee should request FMLA leave in advance, and where possible/reasonable, at least 30 days for FMLA leave. Except as restricted under the FMLA, employees must use and will be paid for, any accrued sick days during their FMLA-covered leave. This means that employees may receive pay for part of the period that would otherwise be an unpaid leave.

In addition, employees may choose to use any accrued vacation or personal days during either FMLA or FMLA leave, in which case they will receive pay for part of the period which would otherwise be an unpaid leave. These details should be worked out with one's supervisor and the Finance/Personnel staff in advance of the leave, where possible.

With the approval of the employee's Program or Department Director and the Executive Director, Southwest CAP also offers up to six (6) months of unpaid leave for maternity, paternity, adoption or medical reasons. Any FMLA leave taken for the same reasons would be subtracted from these six months.

Please refer to Addendum 11 for more complete information on your rights under both the state and federal Family & Medical Leave Acts.

- E. Disability insurance will pay loss of time due to illness for covered employees. A claim form for that purpose may be obtained from the Finance/Personnel Department.

7.2.2 Use of Sick Time

- A. In the event of illness, employees must contact their supervisor as much before their scheduled work time as is reasonable.
- B. Sick time is to be used in ½ hour increments.
- C. A supervisor or manager may request a doctor's note certifying the medical necessity for an absence before sick leave is paid. Misuse of sick time may constitute grounds for employment termination or other disciplinary action.
- D. When an employee has been out on sick leave for more than three (3) consecutive days, the supervisor is expected to notify the Finance/Personnel department so that department can determine whether the absence falls under the Family Medical Leave Act. If the absence falls under the FMLA, the provisions of that policy shall be followed.

7.2.3 Return to Work Authorization

Employees absent from work for health reasons for more than five (5) consecutive workdays must provide their program/department director with a release from their doctor before returning to work.

7.2.4 Transfer of Sick Hours

All accumulated sick hours will be transferred when an employee moves to a new position or contract within Southwest CAP.

7.3 Vacation Time

After completion of one month of employment, employees shall earn vacation hours dependent on the number of hours paid per pay period. Vacation hours are accrued with each pay period.

7.3.1 Accrual of Vacation Time

- A. Vacation time will be accrued based on the following chart:

Hours per pay period (based on 26 pay periods)	<60 mos.	>60 mos.	>180 mos.
70 - 80 hrs.	3.08	4.62	6.15
52 - 69 hrs.	2.31	3.47	4.61
35 - 51 hrs.	1.54	2.31	3.08
17 - 34 hrs.	.77	1.16	1.54
< 17 hrs.	0	0	0

- B. Limited Term Employment (LTE) employees are not eligible to receive vacation.
- C. Employees on a leave of absence do not lose work time credit accrued prior to their leave of absence or accrue it while on a leave of absence.
- D. If a laid-off employee is rehired by Southwest CAP within one (1) year, he/she will retain accrued work credit earned prior to his/her layoff.
- E. Time spent as a Limited Term Employment (LTE) employee is not considered towards vacation accrual.

7.3.2 Scheduling of Vacation

Vacations are to be scheduled with the approval of the program/department director. Request for vacations should be submitted as many days prior to the requested vacation as possible. If a holiday falls within the requested vacation period, that day will be considered a holiday, not a vacation day.

7.3.3 Transfer of Vacation Hours

All accumulated vacation hours will be transferred when an employee moves to a new position or contract within Southwest CAP.

7.3.4 Unused Vacation Hours

- A. Employees who have worked for Southwest CAP 60 months or less can accumulate up to a maximum of 80 vacation hours.
- B. Employees who have worked for Southwest CAP for more than 60 months can accumulate up to a maximum of 120 vacation hours.
- C. Employees who have worked for Southwest CAP for more than 180 months can accumulate up to a maximum of 160 vacation hours.

7.3.5 Payment of Vacation

- A. Current employees must take vacation days to receive pay for them.
- B. Upon resignation or layoff from Southwest CAP, an employee will be paid for unused vacation hours with his/her last check up to the maximum number of hours outlined in Section 7.3.4 with his/her last check.
- C. If a layoff is anticipated to last 28 calendar days or more, an individual will be paid for unused vacation hours with his/her last check. If layoff will be for fewer than 28 calendar days, the program/department director will decide if the unused vacation hours will or will not be paid out to employees at the time of layoff or carried over in anticipation of employee recall.

7.4 Personal Time

Personal time is for the personal benefit of the employee and is to be taken in segments of at least one half (½) hour for non-exempt employees and one day for exempt employees, but not more than 24 hours in any week.

7.4.1 Accrual of Personal Time

- A. Personal time will be accrued based on the following chart:

Hours per pay period (based on 26 pay periods)	Hours earned
70 - 80 hrs	1.54
52 - 69 hrs	1.16
35 - 51 hrs	.77
17 - 34 hrs	.39
<17 hrs	0

- B. Limited Term Employment (LTE) employees do not accrue personal time.

7.4.2 Use of Personal Time

These hours are to be taken with the prior approval of the program/department director. Personal hours must be used in the calendar year earned and cannot be carried over to the following calendar year.

7.4.3 Definition of Year

For purposes of this section, an employee's year begins January 1 and ends December 31.

7.4.4 Transfer of Personal Time

All accumulated personal hours will be transferred when an employee moves to a new position or contract within Southwest CAP.

7.4.5 Unused Personal Time

Separation of an employee from Southwest CAP including resignation, retirement, and termination or for any reason other than lay-off shall cancel all unused personal time. Unused personal time may be used to offset deficits of vacation hours at the time of medical leave in hardship cases if approved by the Executive Director.

7.5 Holidays

Southwest CAP observes the following 8-hour holidays. Employees working less than full time will receive a pro-rated amount of holiday benefits.

New Year's Day	Labor Day
Martin Luther King Day	Veteran's Day
Presidents' Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Independence Day	Christmas Day

7.5.1 Observance of Holidays

- A. When Christmas and New Year's Day fall on Tuesday through Friday, employees normally scheduled to work will be allowed a half-day paid holiday on the eve of each holiday.
- B. If a holiday falls on Saturday, the Friday before will be considered the holiday. If a holiday falls on Sunday, Monday will be considered the holiday.

7.6 Funeral Leave

- A. All regular full-time employees will be granted up to three (3) 8-hour days with pay in the event of a death of the following:

husband/wife/life partner	father/step-father
brother/sister	mother/step-mother
son/daughter	step-children
mother-in-law	father-in-law
Grandchild	
- B. All regular full-time employees will be granted up to one (1) 8-hour day with pay in the event of a death of the following:

legal guardian	son/daughter-in-law
grandmother/grandfather	niece/nephew
sister/brother-in-law	aunt/uncle
foster parent's	person living in the same household
significant other person	
- C. All part-time employees will receive pro-rated funeral day benefits.

7.7 Jury and Witness Duty

Employees will be given time off with pay for jury and witness duty and will be paid if the employee does not receive compensation. If an employee receives less than his/her normal rate of pay, Southwest CAP will make up the difference. Employees should return to work if the court duty does not require the employee to miss the entire work shift.

7.8 Emergency Closings

From time to time, it may be necessary to close all or part of the Agency due to an unavoidable emergency. The decision to close the entire Agency is made by the executive director. The decision to close an individual program is made by the program director.

If the executive director closes the whole agency than he/she will notify the management team via email if it is the day before or by text message if the day of by 6 am. It is then the responsibility of each program director to notify their staff and clients that the agency is closed.

If the executive director closes the entire agency, employees will be paid for normal scheduled work hours and will not need to use accrued time off. If the program director closes a program, then the employees are to use their personal, vacation or unpaid time. If employees want to make up the lost work hours due to the closing, the program director may allow additional hours worked within the same pay period if feasible.

For other emergencies, the agency, at its discretion, may continue to compensate employees for the hours they were scheduled to work as considered prudent to do so by management or in accordance with directives received by specific funding sources.

7.9 Leave of Absence

To request a personal leave of absence without pay, employees should submit a request in writing to their Program or Department Director and the Executive Director at least thirty days in advance, where possible/reasonable.

7.10 Adjustments

- A. Required employment periods need not be served over again when returning from a leave of absence.
- B. Sick, vacation, or personal days will not accrue during an employee's unpaid leave of absence.

7.11 Military Leave of Absence

- A. A military leave of absence will be granted upon submission of an employee's orders to report for active duty to his/her program/department director.
- B. An employee who is a member of the National Guard or a Reserve Unit will be given unpaid leave when required to attend his/her annual training camp. Such time will be considered work time in determining total months worked.

7.12 Veterans' Re-employment Rights

Employees returning from military service in the United States Armed Forces or alternative service may be entitled to re-employment rights in accordance with Public Law 93-508. A copy of Public Law 93-508 is on file and available to employees at Southwest CAP's Administrative Office.

7.13 Retirement Assistance Program

Regular (not Limited Term) employees who are 18 years of age and have completed one (1) hour of service are eligible to participate. An employee may enter the plan on the first day of the month following date of hire. Employees are allowed to contribute to the maximum IRS limits.

The agency has an employee match program and the employee is eligible to participate if he/she is 18 years of age and has completed one year of service. Southwest CAP will make a matching contribution of \$1.50 for every \$1.00 an employee contributes, up to \$1,500 per year.

Employee and employer contributions are 100 percent vested in your account balance. An employee can make a contribution rate change the first day of each month.

7.14 Flexible Compensation Plan

Under provisions of Section 125 of the Internal Revenue Code, an employee can elect to reduce his/her salary and have the employer pay directly for eligible benefits that the employee has selected under a Flexible

Compensation Plan. This allows employees to pay for eligible benefits with pre-tax dollars instead of post-tax dollars. The effect is a reduction of withholding taxes paid, which then may be used to purchase and enhance the individual employee's benefit package.

A third party will administer the Flexible Compensation Plan. The Master Plan will be on file in the Finance Department.

A. Eligibility

1. Regular employees employed at least 20 hours per week or 1,000 hours a plan year
2. Newly hired employees may enroll starting the first day of the month following employment starting date

B. Enrollment Period

1. Initial Enrollment Period

- a. Each eligible employee shall have an initial Enrollment Period, beginning thirty (30) days prior to the Plan's Effective Date and ending thirty (30) days after that date.
- b. Each eligible employee who is not employed on the Effective Date shall have an initial Enrollment Period beginning on the first day of the month following completion of the required months of service ending 30 days thereafter.

2. Regular Re-Enrollment Period

The regular re-enrollment period for the immediately ensuing Plan Year shall begin 30 days prior to such Plan Year and ends 30 days after such Plan Year begins.

3. Special Enrollment Period

An eligible employee who incurs a change in family status shall have a 45 day period thereafter in which to change his or her Plan participation.

C. Participation

Participation by eligible employees in the plan, as well as any changes in participation, shall begin on the first of the month immediately following the end of the enrollment period providing the Salary Reduction Agreement is properly completed and filed with the Plan Administrator.

7.15 Support of Breastfeeding Employees

In recognition of the well documented health advantages of breastfeeding for infants and mothers, and in conjunction with federal law, Southwest CAP provides a supportive environment to enable breastfeeding employees to express their milk during work hours.

7.15.1 Communication

Supervisors are responsible for alerting pregnant and breastfeeding employees to this policy and for negotiating practices that will help facilitate each employee's infant feeding goals. Employees who wish to express milk during work time shall keep supervisors informed of their needs so that appropriate accommodation can be made to satisfy the needs of both the employee and Southwest CAP. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding employees

7.15.2 Milk Expression Breaks

Southwest CAP shall provide reasonable break time each time the employee has need to express milk for her nursing infant for up to one year after the infant's birth. If time beyond normal break time and meal time is needed, the employee may use personal time or may make up the time as negotiated with her supervisor.

7.15.3 Location

Southwest CAP shall provide a place, other than a bathroom, that is shielded from view and free from intrusion by coworkers and the public, which may be used by an employee to express breast milk.

7.15.4 Resources

The Southwest CAP-WIC Program Breastfeeding Coordinator may be contacted for assistance by either supervisors or employees regarding topics such as helping the employee create a plan for returning to work, selection of a breast pump, locating a place to express milk, managing break time, general breastfeeding support, etc.

SECTION 8: EMPLOYEE'S INSURANCE

Southwest CAP provides a variety of employee benefit programs. Southwest CAP reserves the right to modify any of its benefits, programs or benefit-related procedures or guidelines, and/or to require or to increase employee premium contributions, at any time in its discretion, with or without advance notice.

The provisions of the insurance plans, including eligibility and benefits provisions, are summarized in the Summary Plan Descriptions (SPDs) for the plans, which may be revised from time to time. In determinations relating to benefits, coverage, and all other matters under each plan, the terms of the official plan documents shall govern over the language of any summary descriptions of the plans, including the SPDs and this Personnel Policy. If information in this Personnel Policy at any time contradicts information in the SPDs, the SPD will govern all cases.

8.1 Waiting Period and Eligibility

Insurance benefits are effective the first of the month following the employee's date of hire. Regular full-time employees are eligible to enroll in all insurance programs. Regular part-time employees may be eligible to enroll in the programs. See details below.

8.2 Health Insurance

- A. All regular full-time and starting full-time employees meeting the criteria of Southwest CAP's health insurance carrier are entitled to health insurance coverage. However, employees wishing to enroll in Southwest CAP's health insurance after his/her first thirty (30) days of employment must complete a Health Statement Form provided by the health insurance carrier. This statement is used to determine applicants' insurability and may result in denial of coverage.
- B. Individual or family coverage is available for employees working twenty (20) hours or more per week.
- C. Regular employees working more than twenty (20) and fewer than thirty (30) hours a week are responsible for payment of fifty percent (50%) of health insurance premium. There may be times when the business needs may warrant additional hours on a temporary basis, however, the premium contributions will continue to be paid on the part-time status.

8.2.1 Health Insurance Contribution Level

- A. The Agency's contribution to employees' health insurance will be determined by the Executive Director annually.
- B. Full-time employees' contribution will be the difference between the monthly premium and the Agency contribution.

8.3 Life and Disability Insurance

All employees meeting the criteria of Southwest CAP's life and disability carrier are entitled to life and disability coverage. However, an employee wishing to enroll in Southwest CAP's disability and life insurance after his/her first thirty (30) days of employment will have to complete a Health Statement Form provided by the disability and life insurance carrier. This form is used to determine the applicant's insurability and may result in denial of coverage.

8.3.1 Life and Disability Contribution Level

- A. The Agency's contribution to employee's life and disability insurance will be determined by the Executive Director annually.
- B. Full-time employee's contribution will be the difference between the monthly premium and the Agency contribution.

8.4 Unemployment Compensation

All employees separated from Southwest CAP by lay-off, termination or resignation may apply for unemployment compensation benefits through the Unemployment Compensation Division of Job Service. A determination of eligibility will be made by the Division and job benefits will be paid if the individual is determined eligible.

8.5 Workers Compensation

Southwest CAP's Workers Compensation carrier as required by Wisconsin's Workers Compensation Law covers all employees. The law requires payment of doctor and hospital bills, loss of time benefit for temporary and permanent disability, and death benefits. Wisconsin's Department of Industry, Labor, and Human Relations determine the amount of benefits.

8.5.1 Reporting Injuries

Southwest CAP must report to its Workers Compensation Insurance Carrier any injury requiring medical attention. All injuries need to be reported by the employer within twenty-four hours so please inform your supervisor and the Finance/Personnel Department in that time frame. Finance/Personnel Department will write the required report.

8.5.2 Extended Medical Leave Due to Workers Compensation Covered Injury

In the case of an extended medical leave due to a Southwest CAP Workers Compensation covered injury, Southwest CAP will pay up to six (6) months of the Agency's portion of the health insurance premium per injury, within any twelve month period.

SECTION 9: JOB REVIEW AND EVALUATION

9.1 Starting Employees

All employees will have an initial six (6) month starting period before they become regular employees.

9.1.1 Six-Month Evaluation

At the end of the starting period, the employee's performance will be reviewed and evaluated by his/her supervisor according to established procedures. For Executive Director, Southwest Cap's Personnel/Membership Committee will be the evaluator. If performance has been satisfactory, the employee's status will be changed to regular and a salary increase may be provided. A copy of this evaluation will be given to the employee, if requested, and the original will be placed in the employee's personnel file. In some cases where performance is not satisfactory to merit regular status, the starting period may be extended up to three (3) additional months, with written notification to the employee from their program/department director and authorized by the Executive Director. The employee's performance will be re-evaluated at the end of this period to determine whether the employee will be advanced to regular status or dismissed. Advancement to regular status in no way changes the "at will" employment relationship or the right of either the employee or employer to terminate employment at any time with or without reason or notice.

9.2 Promotion of Employees

Promotion refers to a change of position within the agency. When employees are promoted, they are considered starting employees and 9.1, 9.1.1, and 9.1.2 apply.

9.3 Regular Employees

A written evaluation will be conducted annually for all regular staff within one (1) month of their anniversary date of hire into a position. For Executive Director, Southwest Cap's Personnel/Membership Committee will be the evaluator. Upon completion of the employee's annual evaluation and his/her supervisor's recommendation, the employee may receive a salary increase. A copy of this evaluation will be given to the employee, if requested, and the original will be placed in the employee's file.

SECTION 10: PROBLEM PERFORMANCE/PROBLEM BEHAVIOR

10.1 Corrective Action

- A. In instances of problem performance/behavior, employees may be terminated or given up to (6) months to improve. This notification will be given in writing to the employee. The length and condition of that time period will be determined by the program/department director with the Executive Director's approval and documented with copies sent to the employee and the Finance/Personnel Department.
- B. During the time period allowed for performance improvement, an employee would not receive a salary increase of any kind. Any scheduled increase will be awarded upon completion of the performance improvement period and achievement of a satisfactory evaluation. The increase will not be retroactive.
- C. If the employee does not correct the performance/behavior in the allotted time period, he/she will be given termination notice. Refer to Section 4 for information on several other behaviors that may bring on corrective action. In addition, management reserves the right to use or not use corrective action in these and other situations as it sees fit.

10.2 Suspension Without Pay

- A. An employee may be suspended without pay for up to two (2) weeks. Refer to 4.10 for information on some examples of performance problems/behaviors that may bring on suspension without pay. Management reserves the right to use or not use suspension without pay in these and other situations as it sees fit.
- B. Personal, sick, and vacation days are not accrued during suspensions without pay.
- C. If the reason for suspension is not remedied to the satisfaction of management, the program/department director may terminate the employee after the two (2) week suspension period.

SECTION 11: DISPUTE RESOLUTION POLICY

11.1 Definition

- A. A dispute shall be considered to be any complaint or dissatisfaction arising from an interpretation, application or claimed violation of any written Southwest CAP policy or procedure.
- B. It will be a violation of this policy for any employee or member of the Board of Directors to interfere with, threaten, coerce, restrain, discharge or otherwise discriminate against any employee or person because he/she has filed a complaint, given testimony, or otherwise appeared before the Board or any of its committees in connection with a dispute.
- C. See Dispute Resolution Procedure, Addendum 2.

SECTION 12: CAREER DEVELOPMENT

12.1 Training Opportunities

- A. Southwest CAP supports employee attendance at trainings and conferences when authorized by his/her program/department director and approved in advance by the Executive Director.
- B. Training and conferences must be directly related to an employee's position responsibilities or career development at Southwest CAP.

12.2 Training/Tuition Reimbursement

Training/tuition support (including all training fees and mileage) may be provided if program/department monies permit. This support requires the written approval of an employee's supervisor, his/her program/department director and the Executive Director. The program/agency contribution toward training cost will be negotiated.

If an employee signs up for a training and does not or cannot attend, then he or she is responsible for finding a colleague to replace him or her or cancelling the conference and lodging. In certain circumstances, the employee maybe held responsible for reimbursing Southwest CAP for any expenses it has already paid.

12.3 Training Time

If recommended by program/department director and approved by Executive Director in writing prior to enrollment, training/class time may be considered work time.

SECTION 13: PERSONNEL RECORDS

13.1 Executive Director's File

The Southwest CAP Board Chairperson may have access to the Executive Director's personnel file if requested by action of the Personnel/Membership Committee.

13.2 Personnel Files and Records

A. Files

A personnel file will be maintained for every employee and will contain records relevant to the employee's position with the Agency. Such records will include, but are not limited to the following:

1. Employee's application form and any resume
2. A copy of the agency letter of hire (including starting date and starting wage)
3. Job description(s)
4. Pay records
5. Corrective actions (excluding appeal action)
6. Insurance/payroll information/time sheets
7. Change of Status forms
8. Introductory/performance evaluations
9. Memos regarding leaves of absence
10. Letters of resignation or discharge
11. Other notices of actions affecting the employee's position, position status, pay status, and/or duties
12. Proof of driver's license and vehicle insurance and/or waiver
13. Driving record, if requested
14. Staff record form

B. Head Start Duplicate Files

1. Corrective actions
2. Time sheets
3. Change of Status
4. Training records
5. Staff record form
6. Performance evaluations

Upon separation from the Agency, the employee's complete duplicate file will be given to the Operations Director.

C. Neighborhood Health Partners Duplicate Files

1. Corrective actions
2. Change of status
3. Performance evaluations

Upon separation from the Agency, the employee's complete duplicate file will be given to the Operations Director.

D. Access

1. Personnel records are the property of the Agency.
2. Access to personnel records maintained by the Agency is restricted. Access may be granted as follows:
 - a. The Executive Director, the Operations Director, and Human Resources will have unlimited access to employee's Personnel Files. Program Directors will have access to only their employee's Personnel Files in the presence of the Human Resource position or Operations Director.
 - b. Employees will have access to their own files upon request in the presence of the Operations Director or Human Resource employee. Employees may obtain copies of their own files upon written requests. The Operations Director or the Human

- Resource position will make all copies.
- c. When responding to written inquiries regarding information in the Personnel files, the Agency will obtain the employee's written consent for the release of all information other than:
- 1) Date/length of employment
 - 2) Status
 - 3) Position title
 - 4) Salary range of position
- NOTE: Consent will not be required in cases involving court orders.
3. Employees will be given the opportunity to complete a release statement authorizing the Agency to release designated information.
 4. Personnel files and records cannot be copied or removed from the Finance/Personnel Department.
 5. Personnel files are kept five years after separation.

SECTION 14: PERSONNEL POLICY REVIEW

This Personnel Policy is to be reviewed by the Personnel/Membership Committee of Southwest CAP's Board of Directors to determine if any revisions are required. The Executive Director is responsible for initiating the review.

Addendum 1 – Salary Grid

SALARY GRID				
Grade	Min	Mid	Max	Job
1	\$24,714 \$11.88	\$30,888 \$14.85	\$37,066 \$17.82	Classroom Worker, Infant/Toddler Classroom Asst., Admin Asst. I, Building Grounds Custodian
2	\$28,142 \$13.53	\$35,173 \$16.91	\$42,203 \$20.29	Family Service Worker, EHS Infant Toddler Specialist, Early Childhood Specialist I, Admin Asst. II, Crew Worker, Accounting Asst, Peer Support Specialist, Clinic Asst, Program Ops-Specialist Transportation, Transportation Coordinator, Billing Specialist
3	\$32,032 \$15.40	\$40,040 \$19.25	\$48,027 \$23.09	Center Manager, Admin Asst. III, Crew Foreperson, Clinic Asst. II, Early Childhood Specialist II, Systems Manager, Mobility Manager
4	\$36,462 \$17.53	\$45,572 \$21.91	\$54,683 \$26.29	Accountant, Early Childhood Coach, Early Childhood Specialist III, Early Childhood Supervisor, Supervisor-Family Service Worker, Housing Coordinator, Head Start Transportation & Facilities Coordinator, Help Desk I, Housing Energy Auditor, Service Coordinator, Family Service Coordinator
5	\$41,496 \$19.95	\$51,875 \$24.94	\$62,254 \$29.93	Head Start Family Service Coordinator, Head Start Health Coordinator, Head Start Special Service Coordinator, Jobs & Business Development Coordinator, Accountant I, Foster Grandparent Director, Help Desk II, Human Resource I, Nutritionist, Recovery Pathways Director
6	\$47,236 \$22.71	\$59,051 \$28.39	\$70,845 \$34.06	HS Assistant Director, Head Start Education Coordinator, Accountant II, Human Resource II, Planning Coordinator/Grant Writer, Registered Nurse, Assistant Director-LIFT, Assistant Director Weatherization, Nutritionist/WIC Director, Help Desk III
7	\$53,768 \$25.85	\$67,205 \$32.31	\$80,662 \$38.78	Weatherization Director, Transportation Director
8	\$62,214 \$29.43	\$76,502 \$36.78	\$91,811 \$44.14	Head Start Director Behavioral Health Director NHP Director
9	\$69,680 \$33.50	\$87,090 \$41.87	\$104,520 \$50.25	Open
10	\$79,310 \$38.13	\$99,133 \$47.66	\$118,976 \$57.20	Nurse (Psychiatric) Practitioner, Operations Director
11	\$90,292 \$43.41	\$112,861 \$54.26	\$135,429 \$65.11	Executive Director

Administration of Salary Schedule Starting Pay Range:

The Starting Pay Range in any position shall not exceed the maximum rate of that level, unless a variance is approved.

Justification for variances to the Starting Pay Range will be written and submitted to the Executive Director for approval.

Increase in Pay:

Variations to pay increases may be required because of budget constraints, to comply with funding source mandates and restrictions, and because of other program and Agency needs.

- a. Upon evaluation, and increase from 0% - 3% may be given with the recommendation of the Director and the approval of the Executive Director.
- b. Justification for increases in pay or more than the amount listed in "a" above must be written and submitted to the Executive Director for approval.

Executive Director:

- a. The Board of Directors determines variance to the Starting Pay Range for the Executive Director.
- b. The Personnel Committee will evaluate the Executive Director and recommend pay increase to the Board of Directors for approval.

Addendum 2 DISPUTE RESOLUTION POLICY

Employees have an opportunity to present their work-related complaints and request reversal of management decisions through a dispute resolution procedure. This policy exists to help ensure fairness and to provide employees with a formal means of expressing their concerns. It should, however, be noted that it does not alter the Employment at Will relationship in any way. Southwest CAP’s management staff and Operations Director will attempt to promptly resolve all complaints, including disputes that are appropriate for handling under this policy.

Definition

A dispute is defined as an employee’s expressed dissatisfaction concerning the interpretation or application of a policy applied to an employee or disagreement with an unfavorable personnel action by management. Employees with disputes relating to harassment and discrimination should refer to the Anti-Harassment and Discrimination policy and procedures. Examples of matters that may be considered disputes under this policy include:

- A belief that Southwest CAP’s policies, practices, rules, regulations or procedures have been applied inconsistently to an employee or group of employees;
- Treatment considered unfair by an employee, such as coercion, intimidation, bullying or retaliation;
- Improper or unfair administration of employee benefits or conditions of employment such as working conditions, promotion, demotion, suspension, performance review or termination of employment.

The dispute resolution procedure is the appropriate remedy for employees with complaints or concerns that meet the above definition that rare not resolved to the employee’s satisfaction after discussing the issue with his/her supervisor or director. As used in the policy, the terms “timely or reasonable” will mean ten working days.

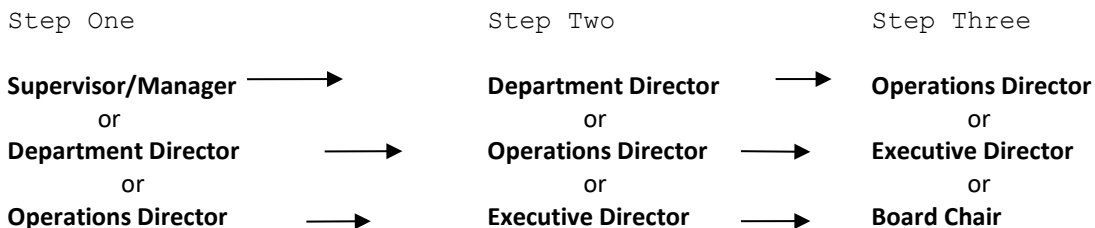
The dispute resolution procedure has a maximum of three steps, but disputes may be resolved at any step in the process. Disputes will be processed until the employee is satisfied, does not file a timely appeal or exhausts the right of appeal under the policy. A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal is over.

Nothing in this document shall be deemed to prevent an employee from exercising any other legal rights to which he/she may be entitled, including the ability to file a complaint.

Procedure

Employees are encouraged to consult with their supervisors, other management staff or Operations Director on a less formal basis regarding questions, concerns, complaints or potential disputes as open and effective communication between employee and supervisor is essential for a productive organization. The Operations Director can provide support to supervisors and department directors in navigating employee complaints.

Employees who feel they have a dispute that meets the above definition may proceed as diagrammed. If the agency receives a dispute that does not meet the definition, the employee will be referred to the appropriate policy and given the opportunity to discuss the matter with their supervisor or other management staff as appropriate.



- Step One-- Promptly bring the concern or complaint to the attention of the immediate supervisor. If the concern or complaint involves the immediate supervisor, the employee shall proceed directly to the next level of management. The supervisor should review the complaint, attempt to resolve it, and communicate with the Operations Director before giving a decision to the employee within a reasonable time. The supervisor should prepare a written and dated summary of the dispute and decision. Any allegation of discrimination or

harassment must be referred to the Human Rights Officer for investigation and would fall under the Anti-Harassment and Discrimination policy.

- Step Two--If dissatisfied with the supervisor's decision or if step one has been bypassed, the employee may appeal the decision to the next level of management. Step two notification must be made in a timely manner using a written form provided for this purpose or the like. The supervisor's written report and decision will be provided to the next level of management. Management staff will in a timely manner, discuss with the employee, the supervisor and any other employee considered appropriate, review the issues and communicate a decision in writing to all parties involved.
- Step Three—If dissatisfied with the step two management decision, the employee may appeal the decision to the final level of management. At step three the Executive Director will take the necessary steps to review and investigate the dispute and will then issue a written, final and binding decision. Where step one has been bypassed or where a dispute involves a level of management defined in the appeal steps, the Chair of the Board will make the final binding decision in the three-step procedure.

Concerns Involving the Executive Director

Directors are encouraged to bring directly to the Executive Director's attention any concerns or complaints regarding the conduct or performance of the Executive Director. Where the concern may involve a violation of the Code of Conduct, fraud, serious misconduct, behavior harmful to the reputation of Southwest CAP or significant performance concerns, directors may submit their concerns in writing to the Chair of the Board of Directors with a copy to the Operations Director. The Chair shall call a meeting of the Executive Committee within 10 workdays. The Executive Committee will determine all resolution steps.

Additional Guidelines

Information regarding an employee dispute will be kept confidential to the extent possible. Supervisors, Department directors and other management staff who review or investigate a complaint may discuss it only with those individuals who have a need to know or who are needed to provide necessary information during the investigative process. All documents dealing with the dispute resolution process shall be filed in a separate confidential file within Human Resources and shall not be kept or noted in the employee's personnel file.

Employees will not be punished for the appropriate use of the dispute resolution procedure and employees, supervisors and management staff are forbidden from retaliation against an employee who properly uses the dispute resolution procedure. Operations Director will notify individuals whom have been the recipient of an allegation of the agencies anti-retaliation requirement. Implementation of the dispute resolution procedure by an employee does not limit the right of Southwest CAP to progress with any disciplinary action that is not in retaliation for the use of the dispute resolution procedure.

DISPUTE RESOLUTION FORM

An employee who is concerned regarding an employer action may present a dispute for management’s consideration in accordance with the dispute resolution policy and procedures. The formal dispute must be presented in writing and dated. It is to include the employee’s name, address, reason for the dispute, the date or dates of the disagreement or incident, and a statement of the solution the employee is looking for. Management and/or Operations Director will respond to the employee in writing within a timely and reasonable period, typically 10 working days.

Employee’s Name _____ Home Phone _____

Address _____ Work Phone _____

Job Title _____ Department _____

Individual(s) the dispute is against: _____

Describe the action or occurrence giving rise to the dispute: _____

Date or dates of these incidents: ___

Solution employee is looking for: _____

Employee’ Signature: _____ Date: _____

Addendum 3 PROVISIONS SPECIFIC TO HEAD START STAFF

1. SALARY SUPPLEMENT

Head Start cost of living increases mandated by the Department of Health and Human Services shall increase the wage of all employed Head Start staff that have not exceeded the maximum amount on the salary grid and will permanently increase the entry level ranges for Head Start positions on the salary schedule as required by the funding source.

2. HEAD START HEALTH EXAM

All employed staff must provide the results of a health exam and TB test 12 months prior to employment or 30 days after date of hire. Biennial exams are required.

No further TB screenings will be necessary unless deemed needed by the Head Start Health Advisory Committee. Southwest CAP will reimburse employees for the cost of such exams and screenings when required.

3. HEAD START HEPATITIS B VACCINATION/MEDICAL AND TRAINING RECORDS

Head Start shall provide the Hepatitis B vaccine to an unvaccinated employee who renders first aid only as a collateral duty of their work assignment, within 24 hours after possible exposure to blood borne pathogens. Employees who decline the vaccination after a possible exposure incident must sign a declination statement, which will be kept on file in the Finance/Personnel Department. All medical records related to possible exposure incidents will be kept on file in the Finance/Personnel Department for the duration of employment plus thirty years. Medical records shall include the following: 1) employee's name and social security number, 2) employee's hepatitis B vaccination status and any medical records related to the employee's ability to receive vaccinations, 3) results of examination, medical testing, and post exposure evaluation and follow-up procedures, 4) health care professional's written opinion, and 5) a copy of the information provided to the health care professional. Medical records shall be kept confidential and not be disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by law. Blood Borne Pathogens training records, which include training dates, content or summary of training, names and qualifications of trainer, and names and job title of trainee, shall be kept on file for a minimum of 3 years. Upon request, both medical and training records must be made available to the Director of the National Institute for Occupation Safety and Health and to the Assistant Secretary of Labor for Occupational Safety and Health.

4. HEAD START CRIMINAL ACTS

All Head Start staff are required to notify the Head Start Director, and the Head Start Director is required to notify the Wisconsin Department of Children and Families as soon as possible but no later than next business day when: the employee has been convicted of a crime; has been or is being investigated by a government agency; has a substantiated governmental finding; or has a professional license denied, revoked, restricted or otherwise limited.

5. HEAD START STANDARDS OF CONDUCT FOR STAFF

All Head Start staff, consultants, contractors and volunteers shall abide by the program's standards of conduct:

1. implement positive strategies to support children's well-being and prevent and address challenging behavior;
2. ensure children are not maltreated or endanger the health or safety of children, including , at a minimum not using corporal punishment, isolation, binding to restrict movement or taping a child's mouth; using food as punishment or reward; punish, demean or humiliate a child for lapse in toilet learning; not using any form of emotional abuse including public or private humiliation, rejecting, terrorizing, extended ignoring or corrupting ; physically abuse, verbal abuse including profane, sarcasm, threats, derogatory remarks about a child/family, using physical activity or outdoor time as punishment or reward
3. respect and promote the unique identity of each child and family and refrain from stereotyping on any basis, including gender, race, ethnicity, culture, religion, disability; sexual orientation, or family composition;

4. comply with program confidentiality policies concerning personally identifiable information about children, families, and other staff members;
5. ensure no child is left alone or unsupervised while under their care.

Violation of Standards of Conduct are subject to Section 4 (falsifying and dishonesty) and Section 10 (problem performance and problem behavior) of SWCAP's Personnel Policies.

6. HEAD START DRUG AND ALCOHOL TESTING POLICY

Employees Subject to Testing

Under Southwest CAP Head Start's drug and alcohol testing policy, current and prospective employees who are or will be driving a yellow school bus for all or part of their employment will be asked to submit to drug and alcohol testing. No prospective employee will be asked to submit to testing unless an offer of employment has been made. An office of Southwest CAP Head Start, however, is conditioned on the prospective employee testing negative for drugs and alcohol.

Circumstances under which Drivers and Applicants will be required to undergo Drug or Alcohol Testing

1. Applicants – as part of the pre-employment hiring practices, all job applicants will be tested if they have received a job offer contingent on passing a drug/alcohol test. All persons who apply for a transfer that includes school bus driving will also be tested if the transfer applicant has been extended an offer which is contingent on passing the test.
2. Reasonable Suspicion – drivers will be tested when there exists reasonable cause to suspect a driver may be under the influence of drugs or alcohol while on duty.
3. Return to Duty – drivers who have tested positive for drugs and alcohol must test negative before returning to duty as a driver.
4. After Treatment – drivers who have completed substance/alcohol abuse treatment will be subject to periodic testing for 60 months after completing any treatment program. Such tests shall consist of at least 6 tests in the first 12 months following the driver's return to work. Thereafter, the substance abuse professional handling the driver's treatment program can discontinue testing if deemed warranted.
5. Post-Accident – drivers should be tested within 2 hours after a DOT reportable accident and no later than 8 hours after the accident for suspected alcohol use and no later than 32 hours after the accident for suspected drug use. A driver who was injured must provide the necessary authorization to obtain hospital records that would indicate whether any control substance or alcohol was in his/her system at the time of the accident. A driver will be tested for substance abuse after an accident involving the operation of CDL vehicle when:
 - a) an accident results in a person's death,
 - b) an accident results in bodily injury which requires immediate medical attention away from the accident scene and a citation is issued to the driver for a moving violation,
 - c) an accident results in disabling damage to one or more vehicles requiring a vehicle to be towed and a citation is issued to the driver for a moving violation; and
 - d) any other circumstances required by DOT regulations.
6. Random – drivers will be tested on a random basis as required by DOT regulations.

Safeguards

Southwest CAP Head Start's policy is intended to comply with all state and federal laws governing drug and alcohol testing

and is designed to safeguard employee privacy rights to the fullest extent of the law.

Selection

Not all Southwest CAP Head Start employees will be asked to submit to drug and alcohol testing. Only those employees who drive a yellow school bus as part of their employment are subject to drug and alcohol testing.

Written Notice

Before being asked to submit to a drug and/or alcohol test, the employee will receive written notice of the request or requirements.

Licensed Laboratories

Any drug and/or alcohol testing required or requested by Southwest CAP Head Start will be conducted by a laboratory licensed by the state of Wisconsin (Marshfield Laboratories).

Medical Review Officer

We have retained a Medical Review Officer (MRO) firm, MRO Plus; phone number (866) 676-7587. It is comprised of licensed physicians knowledgeable in the medical use of prescription drugs and the pharmacology and toxicology of drugs. Each physician has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's positive test results together with his or her medical history and other relevant biomedical information.

After the lab has tested an applicants or staff's test specimen, it will direct those results to the MRO who, based on his or her knowledge of substance abuse disorders and medical training, will interpret and evaluate any positive results together with the staff person's medical history and any other relevant information.

Notice of Results

If the employee is asked to submit to a drug or alcohol test, Southwest CAP Head Start will notify the employee of the results within 1 week after it receives them from the laboratory. To preserve the confidentiality Southwest CAP Head Start strives to maintain, the employee will be notified by phone or letter whether the test was negative or confirmed positive and, if confirmed positive, what the next step is.

Positive Test Results

If the employee receives notice that the employee's test results were confirmed positive, the employee will be given the opportunity to explain the positive result following the employee's receipt of the test result. In addition, the employee may have the same sample retested at a laboratory of the employee's choice.

Specific Prohibitions for Drivers Related to the Use of Alcohol and Drugs

In this section, "safety sensitive functions" shall include on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work and includes such functions as driving, waiting to be dispatched, inspecting vehicle, all time in commercial vehicle, loading and unloading, attending to an accident, repairing or obtaining assistance for a disable vehicle, and any other work required to operate a commercial motor carrier.

1. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.02 but less than 0.04. Such drivers will not perform safety sensitive functions for 24 hours after such a test result. Drivers who test greater than 0.04 will be taken out of service, subject to evaluation by a professional and retesting at the driver's expense.
2. No driver shall use alcohol while performing safety sensitive functions.
3. No driver shall perform safety sensitive functions within 4 hours after using alcohol.
4. No driver required to take a post accident test shall use alcohol for 8 hours following the accident, or until

- he/she undergoes a post-accident alcohol test, whichever occurs first.
5. No driver shall refuse to submit to a post accident alcohol or controlled substance test, a random alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substances test or a follow-up alcohol or controlled substances test.
 6. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses a controlled substance, except when the use is pursuant to instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely drive a commercial vehicle and provided such instructions in writing to employer.
 7. No driver shall report for duty, remain on duty or perform safety sensitive functions if the driver tests positive for controlled substances.
 8. Drivers are also subject to the policies of Southwest CAP which prohibit the possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, as outlined in Southwest CAP's Personnel Policies Section 4.8.

Consent to Test

Each driver and applicant (including transferees) tested under this policy will be required to sign a consent form at the specimen collection site which authorized the taking of the sample and the release of the results to the proper authority. Any refusal to sign the consent and/or refusal to give a sample will result in the conclusion that a positive test would have resulted and the driver or applicant so refusing is therefore disqualified to drive. A refusal to consent form should be signed by any driver refusing to consent to a test. All drivers who refuse to consent are subject to immediate disciplinary action without a right to seek treatment.

Prescription Medicines

Because of the safety concerns existing for Head Start staff and children, an attending physician's written statement must be given to Southwest CAP Head Start Director if controlled substances are prescribed for a staff person whose duties include driving a school bus. The statement must specify that the staff person must use and possess the prescribed medicines in question and that the use or possession will not endanger the staff, other persons, or the public while the staff person is driving the school bus. It is the duty of the staff person to report to the Southwest CAP Head Start Director the extent to which controlled substances are used under a physician's direction.

Adverse Employment Action

If there is reason to suspect that the employee is working while under the influence of alcohol or illegal drug, the employee will be suspended without pay or temporarily assigned to a non-safety sensitive position (when possible) until the results of a drug and alcohol test are made available to Southwest CAP Head Start by the testing laboratory. Where drug or alcohol testing is part of a routine physical or random screening, there will be no adverse employment action taken until the test results are in.

Confidentiality

Southwest CAP Head Start will make every effort to keep the results of drug and alcohol tests confidential. Only persons with a need to know the results will have access to them. The employee will be asked for the employee's consent before test results are released to anyone else. Be advised, however, that test results may be used in arbitration, administrative hearings and court cases arising as a result of the employee's drug test. Also, results will be sent to federal agencies as required by federal law. If the employee is to be referred to a treatment facility for evaluation, the employee's test results will also be made available to the employee's counselor. The results of drug testing in the workplace will not be used against the employee in any criminal prosecution.

Costs

Southwest CAP Head Start will pay the cost of any drug and alcohol testing that is required or requested employees submit to, including retesting of confirmed positive results. Any additional tests that the employee requests will be paid for by the employee.

Addendum 4 VACCINATIONS FOR NHP AND WIC STAFF

All Neighborhood Health Partner and WIC staff at risk of exposure to blood and/or body fluids of co-workers or clients while at work will be offered hepatitis B vaccinations at the time of hire without charge. One to two months after completing the 3-dose hepatitis B vaccination series, any staff hired from November 5, 1999 forward or those whose vaccination series was incomplete as of November 5, 1999 must be tested for antibody to hepatitis B surface antigen to assess immunity. Those testing negative for immunity must repeat the hepatitis B vaccination series. If the staff person declines the offer to be vaccinated, after explanation of risk by the program director, a waiver must be signed and kept on file by the program director. All medical records related to possible exposure incidents will be kept on file in the Finance Department of Southwest CAP for the duration of the staff person's employment plus thirty years. Medical records shall include the following: 1) employee's name and social security number, 2) employee's hepatitis B vaccination status and any medical records related to the employee's ability to receive vaccinations, and, in the event of any exposure incident, 3) results of examination, medical testing, and post exposure evaluation and follow-up procedures, 4) health care professional's written opinion, and 5) a copy of the information provided to the health care professional. Medical records shall be kept confidential and not be disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by law. Blood Borne Pathogens training records which include training dates, content or summary of training, names and qualifications of trainer, and name and job title of trainee shall be kept on file for a minimum of three years. Upon request, both medical and training records must be made available to the Director of the National Institute for Occupation Safety and Health and to the Assistant Secretary of Labor for Occupational Safety and Health. This directive was issued November 5, 1999 by the Occupational Safety and Health Administration (OSHA) and is Compliance Directive CPL 2-2.44 D.

Addendum 5 NEIGHBORHOOD HEALTH PARTNERS CARDIAC PULMONARY RESUSCITATION (CPR)

Employed staff is required to have current CPR certification. If a newly hired employee does not have current CPR certification, then certification should be completed as soon after hire as can be arranged. All staff will have recertification training on a schedule determined by the American Heart Association and arranged by the Program Director.

Addendum 6 FAMILY & MEDICAL LEAVE ACT

Southwest CAP is covered by the federal Family & Medical Leave Act. This means that employees who have worked at this agency for at least one year and 1,250 hours within the previous twelve-month period are, under the proper conditions (complete information available from Personnel) and with 30 days' notice, where feasible, eligible for:

Up to 12 weeks' unpaid leave per year for

1. *the birth or adoption of a child and care of that child, beginning with date of the birth or adoption
2. *care of a child, spouse or parent with a serious health condition
3. the employee's own serious health condition
4. Qualifying exigency for Military Family Leave
5. Leave to care for a covered Service member with a serious injury or illness

* In cases where spouses both work for this agency, leave for birth or adoption or to care for a sick parent will be limited to 12 weeks total between the two of them.

Southwest CAP is covered by the state Family & Medical Leave Act. This means that employees who have worked at this agency for more than 52 consecutive weeks and at least 1,000 hours within the preceding 52-week period are, under the proper conditions (complete information available from Personnel) and with reasonable advance notice, eligible for:

Up to 6 weeks' unpaid leave per year for

1. the birth or adoption of a child, within 16 weeks of the child's birth or placement

Up to 2 weeks' unpaid leave per year for

1. care of a child, spouse or parent with a serious health condition
2. the employee's own serious health condition

Details regarding the taking of intermittent leaves, provision of proper notice, return to the job after leave, benefits continuation during leave, computation of the leave year, etc., for both the federal and the state Family & Medical Leave Acts, are available from the Finance/Personnel Director. Working with this director to plan your leave will help ensure that you receive the leave, benefits and return privileges due to you without unnecessary complication. A summary of important points follows.

	WISCONSIN FMLA	FEDERAL FMLA
Intermittent leave	For any FMLA leave	Only for the serious health condition of the employee or a family member
Notice requirement	30 days, as feasible	Reasonable notice
Return to job	Return to same/equivalent job, benefits, pay and terms/conditions of employment, except, under special conditions, for highest 10% of salaried employees	Return to same/equivalent job, benefits, pay and term/conditions of employment
Benefits while on leave	Group health coverage continued on the same basis as continued employment	Group health coverage continued on the same basis as continued employment
Leave year computation	Calendar year	Calendar year

Addendum 7 NEIGHBORHOOD HEALTH PARTNERS FEDERAL HIPAA POLICIES

All NHP staff shall follow Federal HIPAA Policies regarding the confidentiality of protected client health information and program confidentiality policies. A confidentiality and HIPAA privacy statement will be signed upon hire and kept in each employee's NHP Personnel file.

Addendum 8 NEIGHBORHOOD HEALTH PARTNERS TUBERCULIN (TB)

All newly hired NHP staff will have documentation of a Tuberculin (TB) skin test completed within the last 6 months. If that TB test was positive, there must be documentation that follow up or any necessary treatment was completed or is being completed and that the employee has a non-contagious status. TB tests are administered and read by NHP nursing staff yearly as arranged by the Program Director. Documentation is to be kept in the NHP'S Personnel file. Any NHP employee, testing positive will have an evaluation completed by their primary care provider with documentation of non-contagious status and appropriate follow up prior to returning to work.

Addendum 9 FOSTER GRANDPARENTS CRIMINAL HISTORY CHECK PROCEDURES

SWCAP must conduct a National Service Criminal History Check (NSCHC) on all individuals who receive Corporation for Community Service (CNCS) grant funds or matching funds. Procedures are as follows:

1. Verify the individual's identity by examining their government issued id. Document and maintain documentation.
 2. Obtain prior, written authorization from the individual to perform the NSCHC.
 3. Document the individual is informed that because s/he is serving in a grant funded position, s/he is subject to the NSCHC.
 4. Determine the type of NSCHC check based on recurring access to vulnerable populations and the date of hire. Financial Staff would not normally have reoccurring access. FGP Director would have reoccurring access.
 5. National Sex Offender Public Registry search must be completed on all staff receiving CNCS funds prior to the start of work and the results must be documented.
 6. For staff without reoccurring access, a check of either Designated State repository (Wisconsin DOJ) or FBI is required (based on the date of hire). The check must be initiated no later than the start of work and the cost of the check is covered by the program, not the individual. Documentation must be retained.
 7. Staff with reoccurring access must also include an FBI check (based on the date of hire) and be initiated no later than the start date of work. The cost must be covered by the program, not the individual. Preprinted fingerprint cards will be obtained from the Crime Information Bureau. Documentation of results must be retained.
 8. Consider the results of the national service Criminal History Check when making hiring decisions and maintain documentation.
 9. If the employee has access to vulnerable populations prior to the results of the NSCHC, documentation of accompaniment by a person who has received clearance must be kept.
 10. To ensure confidentiality of employee NSCHC, Southwest CAP's Operations Director will maintain results in a secure records environment (locked file cabinet in an access controlled environment). An individual must provide written authorization for sharing of information.
 11. Current or prospective employees have the right to obtain a copy of criminal history records and to challenge the accuracy and completeness and to obtain a determination as to the validity of such a challenge before final determination regarding employment is made by the agency.
 12. Disqualification:
 - A) Refusal or false statement: An individual who refuses to consent to a NSCHC, or makes a false statement in conjunction with a grantee's inquiry concerning the individual's criminal history, is deemed not eligible to be employed with funds from CNCS.
 - B) Disqualification of Registered Sex Offenders and those convicted of Murder. An individual who is subject to state sex offender registration requirement is deemed unsuitable and may not serve in a covered position (federal Register/Vol. 72, No 164) or if an individual was convicted of murder (as defined and described in section 1111 of title 18, United States Code).
 13. Break in Service: A NSCHC must be conducted the first time an applicant applies. However if the individual discontinues employment under CNCS grant, , a new check will be required after a 120 day absence.
- The CNCS Website, www.nationalservice.gov provides detailed information on key definitions and the NSCHC procedures.

ACKNOWLEDGEMENT FORM

I have received a copy of Southwest CAP's Personnel Policies. I have read and I understand its contents. I acknowledge that it is my responsibility to ask questions about anything I do not understand.

I understand that it is my responsibility to abide by all Southwest CAP's rules and regulations as set forth in this Policy Manual, and/or rules and regulations that the Southwest CAP may otherwise establish in its sole discretion. I also understand that the contents of the Personnel Policies may be changed by Southwest CAP at any time.

I further understand and acknowledge that the Personnel Policy book provides guidelines and information, but the Personnel Policy book is not, nor is it intended to constitute, an employment contract of any kind. I understand that my employment and compensation can be terminated at the option of either Southwest CAP or me, at any time, for any reason. I understand that this Personnel Policy book and the Acknowledgment Form do not vary or modify the at-will employment relationship between the Southwest CAP and me.

Employee's Signature

Manager's Signature

Date