



# Community **Action**

*Helping people. Changing lives.*

## **Community Action Personnel Policies**

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### **Our Promise**

Community Action changes people's lives, embodies the spirit of hope, improves communities and makes America a better place to live. We care about the entire community and are dedicated to helping individuals help themselves and each other.



## **Our Equity Statement**

Community Action envisions a community where residents are strong, resilient, involved in the community, and live with dignity and security. We believe this can happen by eliminating conditions of poverty and creating opportunities for people and communities to thrive. But to eliminate poverty we must acknowledge the dominant role race plays in our community. Our own data tells us that people of color experience poverty at twice the rate of white people here in Washington County. To achieve our mission, we must understand and acknowledge how race has been used at a systemic level to limit opportunity for some while enhancing it for others. These are the inequitable systems we all live in, and these are the systems we need to address if we are to successfully create opportunity for everyone in Washington County.

An equitable community is one where every person can have their needs met regardless of their identity, including but not limited to race, ethnicity, gender, sexual orientation, ability, religion, or age. Community Action strives to be an equitable organization, a place where every person who engages with us feels like they belong and are recognized as their whole selves. Community Action is committed to being an anti-racist organization – actively working to identify systems and structures that perpetuate white supremacy and take action to disrupt them. White supremacy underlies all systems of American life – justice, culture, housing, education, economic opportunity, and political power. These systems in turn prop up and perpetuate racial and economic injustice. This is wrong! We have a moral responsibility to identify and change racist systems and proactively eliminate racist behavior when we see it, both within our community and our organization.

The work to be an equitable organization is challenging and constant, and we believe that it happens on individual, cultural, and institutional levels. It requires us to listen to the voices of those we serve and to believe them. It requires us to be brave in standing up to racism and be vulnerable in examining how our own actions perpetuate racist systems. It requires us to understand that we can both love the place where we work and believe that we can push ourselves to be more diverse, more inclusive, and more equitable.

Community Action is committed to equity. We will act to advance equity within our organization and our community. We will hold ourselves accountable to this commitment and will report to our community how this commitment impacts our mission.



Dear Community Action Employee,

I am thrilled that you have chosen to work at Community Action! As a new member of the Community Action team, you have lots to learn about your role and the organization at large. If there is one thing you should become familiar with right away, it's our mission:

**Community Action leads the way to eliminate conditions of poverty and create opportunities for people and communities to thrive.**

Our mission is at the heart of what drives our work forward at Community Action. As a staff member, you play a critical role in putting our mission into practice for thousands of individuals and families across Washington County. Whether working with our clients on the frontline or working behind the scenes, we all have a responsibility to keep our mission front and center. You are part of this mission now!

The professionalism you bring to work each day, both in service to our clients and to each other, ensures that Community Action remains a trusted leader in our social service network. Our dedication and commitment to excellence ensures that Community Action is a vital and relevant resource for those we serve today and in the future.

**This handbook is a tool to help you better understand our organization and how we support you in achieving success as an employee of Community Action.** We are dedicated to the professional growth and well-being of every staff member. We are also committed to building a workplace culture of high trust and respect. We all have a role to play in the success of Community Action. We want you to feel empowered to share your ideas, suggestions, and concerns.

Our work at Community Action can be both challenging and rewarding. The difference we make in the lives of those we serve can be profound. I want you to know that your contribution is valued by our leadership and your peers. Be proud of your accomplishments and know that your work is making a positive impact on our community.

Welcome to the Community Action family and I hope you will find this to be place where your career can thrive!

Best wishes,

A handwritten signature in blue ink that reads "Kemp".

Kemp Shuey  
Executive Director

# Community Action Personnel Policies

## Table of Contents

<b>Foreword.....</b>	<b>1</b>
Purpose of Employee Handbook .....	1
<b>Personnel Policies Acknowledgment and Receipt .....</b>	<b>2</b>
<b>Discrimination and Harassment-Free Workplace Policy Acknowledgment.....</b>	<b>3</b>
<b>1. About Community Action.....</b>	<b>4</b>
Promise, Vision and Mission .....	4
Community Action Values .....	5
Community Action Core Competencies.....	5
The Roles of the Executive Director and Staff.....	6
Community Action Programs .....	6
Community Action Ethics.....	7
<b>2. Standards of Conduct and Ethical Behavior .....</b>	<b>8</b>
Practice Open and Honest Communication .....	10
Value Health, Wellness and Safety .....	10
Avoid Conflicts of Interest .....	10
Gifts, Gratuities and Business Courtesies.....	11
Accurate Public Disclosures.....	12
Organizational Recordkeeping .....	13
Confidential Information.....	13
Whistleblower Policy .....	13
Use of Computers, Communication Devices, Internet Access System, and Email .....	14
Social Media.....	17
Community Action Branding & Logo .....	19
Media Inquiries.....	20
Accountability.....	20
<b>3. Problem Resolution and Solution Process.....</b>	<b>21</b>
<b>4. Discrimination and Harassment Free Workplace .....</b>	<b>23</b>
Equal Opportunity Employment .....	23
Equal Opportunity Employment .....	23
Reporting Responsibility .....	24
Non-Retaliation .....	25
Investigative Responsibilities .....	25
Disciplinary Action .....	26
<b>5. Employment Practices .....</b>	<b>27</b>
Employment At-Will.....	27
Work Eligibility.....	27
Introductory Period .....	27
Employment Types & Statuses .....	28
Stipend Employees .....	29
Temporary Workers.....	30
Volunteers.....	31

<b>6. Pay Practices .....</b>	<b>32</b>
Workweek .....	32
Pay Period .....	32
Payday .....	32
Timesheets .....	32
Overtime Policy.....	34
On-Call Pay .....	34
Payment for Travel Time .....	35
Exempt Employee Pay .....	35
Pay Advances .....	36
Direct Deposit .....	37
<b>7. Compensation.....</b>	<b>38</b>
Philosophy & Information Access.....	38
Job Descriptions .....	38
Pay Scale .....	39
Pay Adjustments .....	39
<b>8. Benefits .....</b>	<b>41</b>
Health Insurance .....	41
Waiver of Healthcare Coverage & Healthcare Coverage Waiver Benefit .....	42
Dental Insurance.....	43
COBRA .....	44
Employee Assistance Program .....	45
Life Insurance .....	46
Retirement Savings Program.....	46
Long Term Disability .....	47
Health Care Flexible Spending Account .....	47
Unemployment Insurance .....	47
Workers' Compensation Insurance .....	48
Rest Periods, Meal Breaks, and Breaks for Expression of Breast Milk .....	48
Holidays .....	49
Vacation .....	50
Personal Day .....	52
Sick Leave .....	53
<b>9. Leaves of Absence.....</b>	<b>55</b>
Oregon Paid Family Leave Insurance (PFMLI) "Paid Leave Oregon" .....	55
Family and Medical Leave .....	56
Bereavement Leave.....	63
Leave for Victims of Domestic Violence, Harassment, Sexual Assault or Stalking (DVHSAS)	
.....	64
Leave to Attend Criminal Proceeding.....	66
Return to Work Program .....	69
Jury Duty .....	71
Military Leave .....	72
Personal Leave of Absence.....	74
Professional Development Leave.....	75
<b>10. Attendance.....</b>	<b>76</b>
Qualifying Absences Exempt from Attendance Record.....	76
Notification, Absences and Tardiness .....	76
No Call/No Show .....	77

<b>11. Recruitment and Hiring .....</b>	<b>78</b>
<b>12. Performance Management.....</b>	<b>84</b>
Training and Professional Development .....	84
Performance Reviews .....	84
Performance Management & Discipline: Coaching and Counseling.....	85
<b>13. Leaving Community Action .....</b>	<b>89</b>
Voluntary Termination .....	89
Involuntary Termination .....	90
Reduction in Force or Layoff .....	90
Eligibility for Rehire .....	91
Death.....	92
Final Pay .....	92
Impact to Benefits.....	92
<b>14. Workplace Violence Prevention.....</b>	<b>93</b>
Scope of Policy .....	93
<b>15. Alcohol and Drug-Free Workplace.....</b>	<b>95</b>
Employee Assistance and Drug-Free Awareness.....	95
Policy.....	96
Required Testing.....	97
Collection and Testing Procedures .....	98
Consequences.....	99
Confidentiality .....	99
Inspections.....	99
Crimes Involving Drugs.....	99
Reasonable Suspicion/Post-Accident Reasonable Suspicion Testing Protocol .....	100
<b>16. Organization Tools and Equipment .....</b>	<b>101</b>
Communication System (Phone) Usage .....	101
Cell Phones and Tablets (iPads) .....	102
Community Action-Owned Vehicles.....	102
<b>17. Business-Related Travel.....</b>	<b>103</b>
Use of Private Vehicles.....	103
Out of Town Travel .....	103
Payment for Travel Time .....	104
<b>18. Building Policies .....</b>	<b>105</b>
Bulletin Boards .....	105
Solicitation of Support and Distribution of Materials .....	105
Use of Community Action Grounds.....	106
Children at Work .....	106
Severe Weather Closures .....	107
Employee Property .....	109
Smoking/Vaping and Use of Tobacco Products .....	109
<b>19. Employee Records .....</b>	<b>111</b>
Personnel Files.....	111
Access to Personnel Records & Requests to Verify Employment.....	111
Medical Records.....	112

Records of Self-Identification.....	112
License and Certification Records .....	113
<b>20. Personal Office Relationships .....</b>	<b>114</b>
<b>21. Political Activities .....</b>	<b>115</b>

## Foreword

### Purpose of Employee Handbook

Community Action (“Community Action”) compiled this employee handbook for your benefit. Its purpose is to serve as a guide and to address most of your questions, as well as to provide information on matters of importance to you as an employee. All previously issued handbooks and/or any inconsistent policy or benefit statements are superseded with this revision.

This handbook explains many of our policies and procedures, but it does not attempt to address every possible situation or question regarding your employment with Community Action. The policies and procedures in this handbook are for general reference only and may not be applicable in all cases. The Community Action executive management team reserves the right to revise, modify, delete or add to any and all policies, procedures, work rules or benefits stated in this handbook or in any document at any time.

Employees are encouraged to make suggestions for changes in policies that will better enable the organization to realize its objectives of service to clients and staff. Please contact your Supervisor, Manager, or Director of Human Resources representative to discuss your ideas.

**This handbook is not a contract of employment.** It does not promise or guarantee any particular benefit or specific action. As explained in this handbook, all employment with Community Action is “at-will,” which means that the Company or employee may terminate our employment relationship at any time, with or without cause, and with or without notice. In addition, employees may be demoted, their job duties may be changed, or their benefits altered at any time, with or without cause, and with or without notice. No one in Community Action has the authority to enter into any agreement for employment for a specified period of time, or to make any representations or agreements that are inconsistent with at-will status.

Should grants or other program funding contracts require more stringent policies than outlined here (e.g. earlier notification of inability to report to work, etc.) those requirements will take precedent over the corresponding handbook requirements.



## Community Action Personnel Policies Acknowledgment and Receipt

*(Signed copy is maintained in each employee's personnel file)*

The employee handbook describes important information about Community Action, and I understand that I should consult with my supervisor, my Department Director, or Human Resources regarding any questions not answered in the handbook.

I acknowledge that the Employee Handbook is located on the Employee Intranet to which I have access instructions and that I am responsible for reading, understanding and adhering to Community Action's Personnel Policies (also known as the "Employee Handbook") and if needed it can be printed. I also understand that a copy of these policies is available to me at any time to review in the Human Resources Department. \_\_\_\_\_ *initials*

During my employment with Community Action, I understand that it is my responsibility to remain informed about Community Action's policies as revisions, updates and new policies as issued. \_\_\_\_\_ *initials*

I understand that this manual and the policies and procedures contained within it supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with Community Action. \_\_\_\_\_ *initials*

I have entered into my at-will employment relationship with Community Action voluntarily and acknowledge that there is no specified length of employment. \_\_\_\_\_ *initials*

I acknowledge that the Community Action Personnel Policies are not an employment contract and are not intended to give me any expressed or implied right to continued employment or to any other term or condition of employment. \_\_\_\_\_ *initials*

Either I or Community Action can terminate the employment relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law. \_\_\_\_\_ *initials*

This employment at-will relationship exists regardless of any other written statements or policies contained in this Handbook or any other Organization documents or any verbal statement to the contrary. I understand and acknowledge that no one at Community Action has the authority to enter into any kind of employment relationship or agreement that is contrary to the previous statement. \_\_\_\_\_ *initials*

I understand that, except for employment at-will status, any and all policies and practices may be changed at any time by Community Action. \_\_\_\_\_ *initials*

I understand that Community Action reserves the right to change my hours, wages and working locations and conditions at any time. I understand that revised information may supersede, modify, or eliminate existing policies. \_\_\_\_\_ *initials*

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (Print)

# Community Action Discrimination and Harassment-Free Workplace Policy Acknowledgment

*(Signed copy is maintained in each employee's personnel file)*

Issue Date: 4/26/2017

I acknowledge that the Employee Handbook is located on the Employee Intranet to which I have access instructions and that I am responsible for reading, understanding and adhering to Community Action's Personnel Policies (also known as the "Employee Handbook") which includes the Discrimination and Harassment -Free Workplace Policy of Community Actions and if needed it can be printed. I also understand that a copy of these policies is available to me at any time to review in the Human Resources Department.

I understand that failure to comply with the policy could result in disciplinary action up to and including termination of employment.

I understand that Community Action complies with all applicable laws regarding equal employment opportunity and provides a workplace free from unlawful discrimination, harassment, and retaliation.

I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to my supervisor, the Human Resources Department or any manager or supervisor.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (Print)



## 1. About Community Action

In 1965, concern over the causes and conditions of poverty motivated a group of Washington County leaders to organize Community Action. Today, Community Action is the largest private, non-profit social service organization serving low-income residents in Washington County. We respond annually to more than 30,000 requests for assistance and serve as a leader and a partner in the fight to reduce the effects of poverty on Washington County families.

As an employee of Community Action, you are part of a legacy that dates back to 1964. Community Action agencies emerged from the Equal Opportunity Act signed into law by President Lyndon B. Johnson. Our organization is part of a national network of more than 1,000 Community Action agencies and we are affiliated with other Community Action agencies at the regional and state levels.

Community Action is governed by a volunteer board comprised of one-third elected officials, one-third low-income representatives, and one-third community representatives. The organization operates on a fiscal year that extends from July 1 to June 30. Our programs are funded by public grants and contracts, as well as private donations. Community Action works collaboratively with local governments, businesses, funders and community organizations to address systemic issues of poverty, providing leadership for a variety of initiatives. We are guided by a board-approved strategic plan that reflects our promise, vision and mission.

### **Promise, Vision and Mission**

Our Promise: Community Action changes people's lives, embodies the spirit of hope, improves communities and makes America a better place to live. We care about the entire community and are dedicated to helping individuals help themselves and each other.

Our Vision: Washington County's residents are strong, resilient, involved in the community, and live with dignity and security.

Our Mission: Community Action leads the way to eliminate conditions of poverty and create opportunities for people and communities to thrive.

## **Community Action Values**

### Our Guiding Values

Community Action is rooted in its historical values that have evolved over time and guide and define every aspect of our work, particularly in how we relate to each other, support our staff and provide service to the community. We.....

- champion social and economic justice,
- act with integrity, competence and accountability,
- interact with empathy, respect, and transparency,
- build trust and empower others to have a voice,
- foster collaboration and sustainability,
- promote inclusiveness and cultural competency.

.....because we believe that all people deserve to live with dignity and security and have opportunities to thrive.

## **Community Action Core Competencies**

Each Community Action employee has a role to play in achieving the organization's core competencies.

### Community Action

...has a genuine concern and knowledge regarding the issues of poverty.

...is recognized, respected, and works collaboratively with funders and other service providers.

...is a community leader in the area of early childhood development.

...is a catalyst in community efforts to address issues of homelessness and affordable housing.

## **The Roles of the Executive Director and Staff**

The Board of Directors hires the Executive Director, who reports directly to the board. The Executive Director is responsible for hiring and evaluating Directors for each of the Organization's departments. Each Department Director reports to the Executive Director.

Directors are responsible for hiring employees to work in that department in conjunction with Human Resources. Second-level managers and first line supervisors may be responsible for hiring their own staff with the assistance of Human Resources. All employees within a department shall report directly to that department's Director or to their assigned supervisor. The direct supervisor is responsible for managing and evaluating all employees within their respective programs or department.

## **Community Action Programs**

Since its inception, Community Action has focused on developing core programs that help families meet basic needs and achieve long-term success. These programs are integrated into the broader community safety net and compliment, rather than compete with, the work of other agencies at the local and state levels.

### Head Start

- Head Start
- Early Head Start
- Home-Based
- Coffee Creek

### Housing Stability

- Coordinated Systems
- Energy Conservation
- Housing & Homeless Services
- Rent Assistance
- Family Development
- Utility Assistance

### Family Stability

- Child Care Resource & Referral
- Healthy Families
- Help Me Grow

## **Community Action Ethics**

*From The National Association of Community Action Agencies*

We, as Community Action professionals who are ever respectful of cultural diversity, dedicate ourselves to eliminate poverty in the midst of plenty in this nation by opening to everyone the opportunity for education and training; the opportunity to work; and the opportunity to live in decency and dignity, and commit ourselves to:

- Recognize that the chief function of the Community Action movement at all times is to serve the best interests of the poor.
- Accept as a personal duty the responsibility to keep up-to-date on emerging issues and to conduct ourselves with professional competence, fairness, and effectiveness.
- Respect the structure and responsibilities of the Board of Directors, provide them with facts and advice as a basis for their decision-making, and uphold and implement the policies adopted by the Board of Directors.
- Keep the community informed about issues affecting the poor and to facilitate communication among the poor, the non-poor private sector, and locally elected public officials.
- Conduct our organizational and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion.
- Exercise whatever discretionary authority we have under the law to promote the interests of the poor.
- Serve the Community Action movement with respect, concern, and responsiveness, recognizing that service to the poor is beyond service to oneself.
- Demonstrate the highest standards of personal integrity, truthfulness, and fortitude in our community action activities in order to inspire confidence in the community action movement.
- Perform our professional duties in such a way so as not to realize undue personal gain.
- Avoid any interest or activity which conflicts with the conduct of our official duties.
- Protect confidentiality in the course of our official duties.
- Strive for personal professional excellence and encourage the professional development of our associates and those seeking to become Community Action executives.

## 2. Standards of Conduct and Ethical Behavior

Community Action is committed to conducting its business with integrity underlying all relationships, including those with employees, clients, donors, volunteers, suppliers and communities. Unethical actions or the appearance of unethical actions are unacceptable under any conditions.

The policies and reputation of Community Action depend to a large extent on employees and volunteers using good judgment and demonstrating the highest standards of ethical business conduct, professionalism and mutual respect for each other and those they interact with as they carry out their work at Community Action. Behaviors should always reflect honesty, impartiality and respect for Community Action's reputation within the community.

Staff members and volunteers must avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

- Using Community Action affiliation or position for private gain
- Giving preferential treatment to any person or entity
- Losing impartiality or objectivity
- Adversely affecting the confidence of the public in the integrity of Community Action

### Abuse Prevention

To ensure a safe and appropriate safe environment for staff, clients, volunteers and minors, inappropriate physical and/or non-physical interactions or any illegal activities including but not limited to activities related to human trafficking are not allowed between staff, clients, volunteers and minors.

Examples of inappropriate activities may include the following:

#### Physical

- Inappropriate touching or feeling
- Obscene gestures
- Deliberate brushing against body
- Attempted or actual kissing or fondling
- Sexual assault

#### Non-physical

- sexual innuendoes, comments, or propositions
- suggestive remarks about one's clothing or body
- suggestive or insulting sounds
- offensive humor or jokes about sex

Each staff member and volunteer should familiarize themselves with the "What You Can Do About Child Abuse" guide produced by the Oregon Department of Human Services Child Welfare department and which can be found at <https://www.oregon.gov/odhs/report-abuse/pages/mandatory-reporting.aspx> or requested from Human Resources.

In addition, departments with additional program specific protocols for positions designated as mandatory reporters will train their staff on them. Timely reporting of any/all suspected violations by any staff member or volunteer are to be reported to the Director of Human Resources and the senior director of the program in addition to any outside mandatory reporter obligations as applicable.

A timely investigation of the incident will be conducted by Human Resources in conjunction with the senior director in addition to outside actions if required as part of the mandatory reporting processes.

Staff and volunteers are prohibited from giving gifts to minors. There should also be no electronic or voice communication with minors outside of assigned work activities without another employee or parent copied/included on the communication or on the phone during phone calls.

In determining compliance with this standard in specific situations, employees should ask themselves the following questions:

- Is my action legal?
- Is my action ethical?
- Does my action comply with Community Action policy?
- Am I sure my action does not appear inappropriate?
- Am I sure that I would not be embarrassed or compromised if my action became known within Community Action or publicly?
- Am I sure that my actions meet my personal code of ethics and behavior?
- Would I feel comfortable defending my actions on the 6 o'clock news?

In determining the ethics of a decision being made, staff members should consider these additional questions:

- Is my decision a truthful one?
- Is my decision fair to everyone affected?
- Will it build goodwill for Community Action?
- Is the decision beneficial to all parties who have a vested interest in the outcome?

Every employee has the responsibility to ask questions, seek guidance, report suspected violations and express concerns regarding compliance with this policy. Adverse action against employees who use these reporting mechanisms to raise genuine concerns will not be tolerated.

Community Action, through its various directors and departments, is responsible for providing policy guidance and issuing procedures to assist employees in complying with Community Action expectations of ethical business conduct and uncompromising values. Community Action will assess and evaluate all reported instances of questionable or unethical behavior. In every instance where improper behavior is found to have occurred, Community Action will take appropriate action.

The policies contained in this handbook constitute the standards of ethical business conduct required of all employees and volunteers. Directors, managers and supervisors must carefully weigh all courses of action suggested in both ethical and economic terms and base final decisions on the guidelines presented in this handbook, as well as their own personal sense of



right and wrong. Each director, manager and supervisor are responsible for the ethical business behavior of their subordinates or volunteers and is responsible for supporting the implementation of these policies and standards and monitoring compliance. Managers and supervisors should not consider employees' or volunteers' ethics concerns as threats or challenges to their authority, but rather as another encouraged form of business communication.

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### **Practice Open and Honest Communication**

Employees are encouraged and accountable to express opinions and concerns and to ask questions in a manner that demonstrates mutual respect and a solution-based approach to solving problems. Managers and supervisors are responsible for creating an open and supportive environment where employees feel comfortable raising questions and concerns and for sharing ideas for continuous improvement. We all benefit tremendously when staff members work together to prevent mistakes or wrongdoing by asking the right questions at the right times.

Most problems can be resolved swiftly by dealing with concerns in a direct and respectful manner and staff are expected to use our Problem Resolution and Solution Process contained in this handbook in this manner and in accordance with the timeframe stated in the process for resolution of questions and concerns.

Community Action does not permit non-employees to attend work-related meetings unless the visitor has a specific business reason for attending and their attendance has been approved in advance of the meeting. Recording devices are not permitted during workplace meetings.

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### **Value Health, Wellness and Safety**

Community Action is dedicated to maintaining a healthy working environment. Community Action benefits are designed to support the health and wellbeing of our staff members and their families. In addition, Wellness Committee activities, walking challenges, sports teams and related healthy meeting protocols, training sessions and initiatives are designed to promote wellness in the workplace.

Community Action maintains a Workplace Violence Prevention policy and procedures to help ensure the physical wellbeing of all staff members. Workplace safety procedures have been established and are regularly reviewed by the Community Action Safety Committee. Questions regarding safety policies or procedures should be directed to the Facilities department.

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### **Avoid Conflicts of Interest**

A conflict of interest is any relationship or activity that might impair, or even appear to impair, our ability to make objective and fair decisions when performing our jobs. We have a duty to Community Action to advance its legitimate interests when the opportunity to do so arises. We

must never use Community Action property or information for personal gain or personally take for ourselves any opportunity that is discovered through our position with Community Action.

Here are some other ways in which conflicts of interest could potentially arise:

- Hiring or supervising family members or closely related persons.
- Owning or having a substantial interest in a competitor, supplier or contractor.
- Having a personal interest, financial interest or potential gain in any Community Action transaction.
- Placing Community Action business with a firm owned or controlled by a Community Action employee or their family.
- Accepting gifts, discounts, favors or services from a client/potential client, donor, competitor or supplier, unless equally available to all Community Action employees.

The examples provided above represent relationships and conduct that must be disclosed and reviewed in order to determine if a conflict of interest exists. Determining whether a conflict of interest exists is not always easy to do. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their Department Director and the Director of Human Resources or the Director of Finance, depending on the nature of the potential conflict.

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## **Gifts, Gratuities and Business Courtesies**

We will neither give nor accept business courtesies that influence or could reasonably be perceived as influencing unfair business inducements that would violate law, regulation or policies of Community Action or customers, or would cause embarrassment or reflect negatively on Community Action's reputation. Business courtesies include gifts, gratuities, meals, refreshments, entertainment or other benefits from persons or organizations with which Community Action does or may do business.

### Accepting Gifts

Staff members should discourage the offer of, and decline individual gifts or gratuities of value that, in any way, might influence the purchase of supplies, equipment and/or services. A staff member should notify their supervisor immediately if they are offered such a gift.

Excluding money, unsolicited gifts of nominal value (less than \$50) may be accepted. Examples include:

- Flowers, fruit baskets and other modest presents that commemorate a special occasion.
- Gifts of nominal value, such as calendars, pens, mugs, caps and t-shirts (or other novelty, advertising or promotional items).

Generally, employees may not accept compensation, honoraria or money of any amount from entities with whom Community Action does or may do business. If an employee accepts an honorarium or other compensation while conducting business on behalf of Community Action, the gift will be considered a donation to Community Action.

Employees with questions about accepting business courtesies should talk to their Department Director or the Director of Finance.

### Accepting Business Courtesies

Most business courtesies offered to us in the course of our employment are offered because of our positions at Community Action. Employees who award contracts or who can influence the allocation of business, who create specifications that result in the placement of business or who participate in negotiation of contracts must be particularly careful to avoid actions that create the appearance of favoritism or that may adversely affect the company's reputation for impartiality and fair dealing.

The prudent course is to politely refuse a courtesy from a supplier when Community Action is involved in choosing or reconfirming a supplier or under circumstances that would create an impression that offering courtesies is the way to obtain Community Action's business.

### Offering Business Courtesies

Any employee who offers a business courtesy must assure that it cannot reasonably be interpreted as an attempt to gain an unfair business advantage or otherwise reflect negatively upon Community Action. An employee may never use funds or resources in a manner that is prohibited by grantors. Accounting for business courtesies must be done in accordance with approved organizational procedures.

Other than to our government customers, for whom special rules apply, we may provide non-monetary gifts (i.e., company logo apparel or similar promotional items) to our customers. Management may approve other courtesies, including meals, refreshments or entertainment of reasonable value provided that:

- The practice does not violate any law or regulation or the standards of conduct of the recipient's organization.
- The business courtesy is consistent with industry practice, is infrequent in nature and is not lavish.
- The business courtesy is properly reflected on the books and records of Community Action.

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## **Accurate Public Disclosures**

We will make certain that all disclosures made in financial reports and public documents are full, fair, accurate, timely and understandable. This obligation applies to all employees with any responsibility for the preparation for such reports, including drafting, reviewing and signing or certifying the information contained therein. No Community Action goal of any kind is ever an excuse for misrepresenting facts or falsifying records.

Employees should inform management and the Human Resources Department if they learn that information in any filing or public communication was untrue or misleading at the time it was made or if subsequent information would affect a similar future filing or public communication.

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## **Organizational Recordkeeping**

We create, retain and dispose of our Community Action records as part of our normal course of business in compliance with all Community Action policies and guidelines, as well as all regulatory and legal requirements.

All organization records must be true, accurate and complete, and Community Action data must be promptly and accurately entered in our books in accordance with Community Action's and other applicable accounting principles.

We must not improperly influence, manipulate or mislead any authorized audit, nor interfere with any auditor engaged to perform an internal independent audit of Community Action's books, records, processes or internal controls.

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## **Confidential Information**

Revealing or using any confidential applicant, staff, donor or client information without prior authorization, is prohibited. Community Action will not sell and/or trade staff, client or donor mailing lists. The misuse, unauthorized access to, or mishandling of confidential information is strictly prohibited. During the course of your employment with Community Action, you will likely be exposed to confidential and/or private personal information of clients, donors, applicants and/or fellow staff members. Your obligation and ethical duty as an employee is to respect and protect the security, privacy and confidentiality of client, donor, applicant and staff information including, but not limited to, digital and electronic information, billing files, personnel records and family services records.

In working here, you commit to obtaining and using only that information, with sources as described above, which is required for you to perform your specific job duties and for no other purpose. Such information should be shared with other staff members only to the extent it is necessary for the performance of job responsibilities.

Additionally, you are requested to be observant of organization procedures and individual behaviors that might contribute to the inadvertent disclosure of confidential information (see also Use of Computers, Internet Access System and Email policy and Social Media policy). If you become aware of such procedures or behaviors, you are required to immediately bring this concern to your supervisor. If you believe it is inappropriate to bring this concern to your supervisor, contact your Department Director, the Executive Director and/or the Director of Human Resources as soon as possible.

Violation of this policy may result in discipline up to and including immediate termination of employment.

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## **Whistleblower Policy**

A whistleblower as defined by this policy is an employee of Community Action who reports an activity that they consider to be illegal or dishonest to one or more parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining

fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include but are not limited to: violations of federal, state or local laws, billing or receiving funding for services not performed or goods not delivered, and other fraudulent financial reporting or violation of grant criteria prescribed by funding sources.

If an employee has knowledge of or a concern about illegal or dishonest fraudulent activity, the employee is to contact their immediate supervisor, the Director of Human Resources, or the Director of Finance. All reports will be promptly investigated by Human Resources with the Director of Human Resources being responsible for the investigation and coordination of any corrective action. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas – confidentiality and non-retaliation. Insofar as is possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with law and to apprise individuals of their legal rights of defense. Community Action will not retaliate against a whistleblower. This includes, but is not limited to: protection from retaliation in the form of an adverse employment action such as termination, compensation decrease, or poor work assignments and threats of physical harm.

Any whistleblower who believes they are being retaliated against must contact the Director of Human Resources immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Employees with any questions regarding this policy should contact the Director of Human Resources.

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### **Use of Computers, Communication Devices, Internet Access System, and Email**

It is the responsibility of all Community Action employees and users of Community Action's computers, email and Internet access system to read, understand, and follow this policy.

#### Acceptable Uses of Community Action Computers, the Internet and Community Action Email

Community Action encourages the use of its computers, communication devices (including phones), the Internet and email because they further Community Action's mission by making communication and information accessibility more efficient and effective. However, computers located on Community Action property and/or purchased by Community Action, including software and Community Action's email system, are Community Action property, and permissible uses are to facilitate Community Action business or to conduct email activities allowed by the National Labor Relations Board. Every employee has a responsibility to maintain and enhance Community Action's public image and to use Community Action email, communication devices (including phones), computers, and Internet access in a productive manner and Community Action has established the following guidelines for their use. Any unauthorized or improper use of Community Action computers, communication devices (including phones), email or the Internet is not acceptable and will not be permitted.

### Passwords & Access

As an employee of Community Action, you may have computer sign-on privileges. It is your responsibility to protect the disclosure of your login name(s) and password(s) to maintain their secrecy. Do not share login(s) and/or password(s) and always log off your computer when you leave it for more than a few minutes. Unless authorized, you are prohibited from logging onto a computer system using another staff member's credentials. Computer sign-on privileges end with the termination of your employment.

Your compliance with this policy is required in order to maintain the security of Community Action Information Systems and the privacy of client, donor, applicant and staff records. It is also your responsibility to make the Information Systems department and Director of Operations aware of any security or password violation(s) immediately upon realization.

### Unacceptable Uses of the Internet, Communication Devices and Community Action Email

Community Action computers, communication devices (including phones), email and Internet access may not be used for transmitting, retrieving or storing any communications of a discriminatory, harassing or threatening nature or materials that are obscene, sexually explicit, or X-rated. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, gender and gender identity/expression, physical attributes or sexual orientation may be transmitted or forwarded using Community Action system. No abusive, profane or offensive language may be transmitted using Community Action computers or through Community Action's email or Internet access system. Community Action's harassment policy applies in full to email and Internet use. Employees do not have a personal privacy right regarding any matter created, received, stored or sent from or on Community Action email, Internet Access system or computers.

Community Action's computers, communication devices (including phones), email and Internet access system also may not be used for any purpose that is illegal, against Community Action policy or not in accordance with permitted uses allowed by the National Labor Relations Board. Solicitation of non-Community Action business or any use of Community Action's computers, communication devices (including phones), email or Internet access system for personal gain, personal commercial ventures, or political campaign or fundraising activities is prohibited.

### Personal Use of Community Action Computers, Communication Devices, Internet and Community Action Email

Any personal use of Community Action computers, communication devices (including phones), email and Internet Access systems must be minimal, occasional, limited to non-work time, may not be at the expense of an employee's job performance or interfere in any way with the business needs and operations of Community Action, and may not impose costs on Community Action. Community Action email use to conduct activities allowed by the National Labor Relations Board is permitted.

### Rules for Electronic Communications

Each employee is responsible for the contents of all text, audio or images that they place on or sends over Community Action's email, communication devices (including phones), computers or the Internet access system. Employees may not hide their identities or represent that any email

or other electronic communications were sent from someone else or someone from another organization or company. Employees must include their name in all messages communicated on Community Action's email or Internet Access system.

Any messages or information sent by an employee to another individual outside Community Action via Community Action's email, communication devices (including phones) or Internet Access system (including bulletin boards, online services or Internet sites) are statements that could reflect on Community Action. Despite personal "disclaimers" in electronic messages, any statements may be tied to Community Action. All communications sent by employees via Community Action's email or Internet Access system must comply with all Community Action policies and may not disclose any confidential or proprietary Community Action information or any confidential information concerning Community Action personnel or clients.

If employees receive unsolicited email from outside Community Action that appears to violate this policy, the employee should notify their supervisor immediately. Similarly, if any employee accidentally accesses an inappropriate web site in the normal course of business, the employee should notify their supervisor immediately.

### Software Downloading and Installation

To prevent the downloading of computer viruses that could contaminate the email or Internet Access system, no employee may download software from the Internet to any device without prior authorization. Any and all software that is downloaded from the Internet must be registered to Community Action. For authorization, please contact the Information Systems Department. No software, regardless of origin, may be installed on any Community Action computer without the prior authorization of Community Action's Information Systems Department.

### Copyright and Trademark Issues

Copyrighted and trademarked material that does not belong to Community Action may not be transmitted by employees on Community Action's email or Internet Access system without permission from the holder of the copyright or trademark. Every employee who obtains access to other organizations', companies' or individual's materials must respect all copyrights and trademarks and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy for reference only.

### System Security

Community Action reserves the right to routinely monitor how employees use Community Action's email, communication devices (including phones) and internet access. All messages, documents, data, and information created, sent or received over Community Action computers, communication devices (including phones), email or Internet Access system are Community Action property and should not be considered private information. Community Action reserves the right to access and monitor every message, document, and file on Community Action computers, email or Internet Access system. Despite the existence of any passwords, employees should not assume that any electronic communication is private. Email information and Internet use may be subject to review by and disclosure to law enforcement or government agencies. Upon job change, resignation or termination of employment, or at any time upon request, an employee will be asked to produce electronic business tools for return and

inspection. Employees unable to present the tool(s) in good working condition within the time period requested (i.e. 24 hours) may be expected to bear the cost of a replacement.

### Violations

Any employee who violates these rules or otherwise abuses the privilege of Community Action's email or Internet Access system will be subject to corrective action up to and including termination. If necessary, Community Action also reserves the right to advise appropriate officials of any illegal activity.

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## **Social Media**

### Personal Use (Not Related to Community Action Business)

Community Action realizes that many employees may participate in social and business networking websites and applications, such as Facebook, LinkedIn, MySpace and Twitter, and may contribute content to various blogging websites (collectively, "Social Media Websites"). Employees are not to participate in Social Media Websites during work hours, except as explicitly provided below in the section entitled "Community Action Business-Related Use." Otherwise, any personal use of Community Action computer or communications equipment such as workstations, phones, laptops, or network infrastructure, to participate in Social Media websites must be minimal, occasional, limited to non-work times, may not be at the expense of an employee's job performance or interfere in any way with the business needs and operations of Community Action, and may not impose costs on Community Action. If any employee is found to violate this rule, Community Action has the discretion to prohibit all use by such employee of Community Action equipment for personal purposes, even during non work-hours.

If you choose to participate in Social Media Websites, away from Community Action's premises, during non-working hours and using non-employer provided equipment, you should understand that you remain subject to all Community Action policies including, but not limited to, Community Action's policies regarding the use or disclosure of confidential and proprietary information and Community Action's anti-harassment and non-discrimination policies.

You should not use your Community Action email address for identification purposes when engaging in personal use of Social Media Websites. Additionally, you must refrain from posting anything that might reasonably create the impression that you are communicating on behalf of Community Action. Further, you should note that personal opinions stated on Social Media Websites may easily be construed as those of Community Action, particularly if the reader knows of or suspects your affiliation with Community Action. Therefore, it is Community Action's preference that posters not identify themselves as Community Action personnel (except as authorized in writing by the Executive Director) and that, if identified, proper disclaimers be used (for example: "The views and comments stated herein are personal and do not necessarily reflect the views of my employer.").

Community Action reserves the right to monitor publicly accessible employee activity on Social Media Websites and to request that you remove any reference to Community Action or its trademark from such Social Media Websites. This policy is not to be applied or interpreted in a manner that interferes with any rights employees may have under the National Labor Relations Act.



### Community Action Business-Related Use

You are not permitted to visit Social Media Websites during work hours, unless specifically authorized to do so for business-related purposes, either: (1) by virtue of your job responsibilities; or (2) with express authorization as specified below. Those employees who do have authorization and post messages should understand that they are posting on behalf of Community Action and must adhere to Community Action's professional standards, values, policies and applicable laws at all times.

1. Employees who have job responsibilities that include posting information to Community Action-maintained websites and/or social media accounts understand and agree that the content and followers of the blog or other website belong exclusively to Community Action and that upon request the employee must provide Community Action with any information necessary to log in to a Community Action-maintained website or Social Media Website or account. No employee may create an account or change a password, without prior authorization of either the Director of Operations or the Director of Development & Communications. Further, employees must be mindful of the issue of copyright infringement and may not repost copyrighted material (including text, images or video) without the written authorization of the copyright owner.
2. Individuals who do not have job responsibilities that include the posting of information to Community Action-maintained websites and/or social media accounts must obtain express written authorization from the Director of Operations or the Director of Development & Communications. Furthermore, such individuals must request access and posting privileges from the Director of Development & Communications. The Information Systems Department will maintain a list of all users with access to Community Action's websites and social media accounts, as well as details for the credentials to said accounts (usernames, passwords, etc.).

All employees authorized to post on Social Media Websites should identify themselves and their affiliation with Community Action. Any content posted should be current and accurate. If you do make an error, take responsibility for it and correct it quickly. Do not post any information that is obscene, defamatory, libelous, threatening, harassing, abusive, hateful or humiliating to another person or entity. Individuals may be held personally liable for such remarks.

When posting for authorized business-related purposes, employees must refrain from any type of discussion regarding political candidates. Additionally, any discussion of public policy should be limited to those in an executive function who have express written permission of the Executive Director. If you have any questions about whether specific content would fall into this category, please contact the Director of Development & Communications.

Employees are prohibited from using or disclosing any personal identifiable information about any individual who has received services from Community Action. If a comment contains information that identifies an individual who has received services from Community Action and is sent by anyone other than that individual, the posting author should edit the identifying information out of the post promptly.

Community Action reserves the right to request that employees avoid certain subjects, withdraw certain posts, or remove inappropriate comments from Community Action-maintained websites.

### No Expectation of Privacy

Employees should have no expectation of privacy when using Community Action equipment or network, including but not limited to employer-supplied laptops, communication devices (including phones), tablet portable computers, pagers and email. Any communications stored on or transmitted or received using Community Action resources are the property of Community Action, whether or not you intended them to be personal. Community Action reserves the right to require the return of any Community Action-owned device if a policy violation is suspected.

### Employment References

Requests for employment recommendations on Social Media Websites from former employees of Community Action should be treated like any other employment reference and are subject to Community Action's reference policy. An example of this would be a former employee asking a current employee to provide a reference on LinkedIn. Any postings to that website automatically include an individual's business affiliations. Therefore, employment references (whether online or not) should not be provided by Community Action personnel, other than through the Human Resources Department.

### Employment Representations

Following the end of your employment relationship with Community Action, you shall take prompt affirmative steps to ensure that no Social Media Website represents you to be a current employee of Community Action.

### General Implementation of Policy

Employees who violate this social media policy are subject to discipline, up to and including dismissal or legal action. Please keep in mind that Community Action's Policy for Use of Computers, Internet Access System and Email also applies to all Community Action employees. If you have any questions or concerns regarding these policies, you are encouraged to speak to the Director of Operations or the Director of Development & Communications.

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## **Community Action Branding & Logo**

The Community Action name, logo and tag line are components of Community Action property that are used to communicate our identity and our mission to the public. Any use of the logo and its accompanying tag line must align to Community Action's Standards of Conduct and reflect Community Action in a favorable light. The logo should retain its own integrity and should not be used as part of another graphic element. The graphic identity elements of the logo and its tag line are designed to work together to symbolize the promise of Community Action and must always be used together in a consistent manner. The logo should always be sized appropriately and be allowed a sufficient amount of surrounding white space, apart from all other elements, to ensure appropriate identification. The use of standardized text fonts and color shades are also essential components of brand identification and must be used consistently on all communication materials. For additional information regarding the use of branding materials, please consult with the Development & Communications department.

## **Media Inquiries**

Community Action employees may occasionally be approached by reporters and other members of the media. In order to ensure that we speak with one voice and provide accurate information about Community Action, all media inquiries should be directed to the Director of Development & Communications. No one may issue a press release without first consulting with the Director of Development & Communications.

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## **Accountability**

Each of us is responsible for knowing and adhering to the values and standards set forth in this Code and for raising questions if we are uncertain about Community Action policy. If we are concerned whether the standards are being met or are aware of violations of the Code, we must contact the Human Resources department.

Community Action takes seriously the standards set forth in its Standards of Conduct, and violations are cause for disciplinary action up to and including termination of employment.

### 3. Problem Resolution and Solution Process

Community Action expects that all staff members will treat each other with mutual respect and professionalism when striving to find solutions to workplace concerns and differences of opinion. Each staff member should convey recognition of value that another person brings to any situation. How you say something may make as big a difference as what you say and can include subtleties such as word choice, tone, volume and many aspects of body language.

It is common to experience differences of opinion as part of a normal problem-solving process. The goal of Community Action's Problem Resolution and Solution Process is to provide an opportunity for staff members to express their opinion and to solve problems at a peer-to-peer level in a timely manner. When two or more staff members experience a difference of opinion, they are encouraged to meet face-to-face to discuss the issues and to offer positive and constructive solutions in a manner that conveys mutual respect.

Through discussion and understanding, staff members can develop confidence and trust in each other. Community Action strives to build such confidence and trust and considers it to be critical to the operation of an efficient and harmonious work environment. In order to develop trust and confidence in each other, Community Action does not permit non-staff members to attend work-related meetings unless the visitor has a specific business reason for attending, attendance has been approved in advance and all parties have been notified of the additional attendee in advance.

Employees are responsible for utilizing this process in a reasonable and professional manner. No employee will be penalized for voicing a concern, question or idea in a reasonable and professional manner in accordance with this procedure. A concern, problem or question that is not advanced to the higher step within two weeks will be considered permanently withdrawn and as having been settled on the basis of the decision most recently given.

When expressing concerns, questions or ideas in a reasonable and professional manner, it is recommended to include:

- A description of the problem
- Data, policies or practices that seem to be in conflict or in need of clarification
- A proposed solution

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#### Problem Resolution and Solution Process Steps

Concerns, questions and ideas should be communicated reasonably and professionally in the following manner:

##### Step 1:

- Try to resolve issues, pose ideas and questions or communicate concerns to another staff person or supervisor by asking to meet with your counterpart in a place that is conducive to having a good discussion and is free of distractions.
- Make a concerted effort to find a mutually acceptable solution together. Speak in a calm manner. Listen attentively. Avoid personalizing or becoming defensive. Strive to collaborate.

- An employee may seek advice about how to handle the situation in an effective manner by first contacting their supervisor or their assigned Human Resources Business Partner.
- Discussions at this stage should be informal for the purpose of achieving solutions in the most simple and direct manner.

**Step 2:**

- If a solution is not achieved in Step 1, the employee may present the issue to their direct supervisor.
- It is important for the supervisor to fully process the concern while also striving to solve the problem in a fair and prompt manner.
- If the supervisor is unavailable to address the problem or if the employee believes it would be inappropriate to contact the immediate supervisor, the employee may present the problem to the next level supervisor/manager.
- Discussions at this stage should be informal for the purpose of achieving solutions in the most simple and direct manner.

**Step 3:**

- If a solution is not achieved in Step 2, the employee may express their concern to the Human Resources Business Partner assigned to their business group.
- The HR Business Partner and the employee should meet to discuss the concern and information relevant to the issue.
- The HR Business Partner will propose recommendations for resolution/solution to the appropriate level of management in a prompt manner.

**Step 4:**

- If the complaint is not settled in Step 3, the employee may forward their concerns to the Department Director.
- The Department Director should consult with any of the parties involved, consider data relevant to the issue and render a decision for all parties involved.

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**Final Resolution**

Not every problem can be resolved to all parties' complete satisfaction. The decision of the Department Director in Step 4 will be a final solution for all parties involved. A copy of the decision will be placed in the employee's personnel file. The Department Director may consider other available alternatives for resolving the problem including transfer, termination and/or resignation of the employee.

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**Discontinuing the Process**

An employee may discontinue the process at any step.

A concern, problem or question that is not advanced to the higher step within two weeks will be considered permanently withdrawn and as having been settled on the basis of the decision most recently given.

## 4. Discrimination and Harassment Free Workplace

### Equal Opportunity Employment

All staff members deserve to work in an environment where they can expect to be treated with dignity and respect. Community Action is committed to creating such an environment because it brings out the full potential in each of us, which, in turn, contributes directly to our business success. We cannot afford to let anyone's talents go to waste.

Community Action is committed to providing equal employment opportunities to all employees and applicants for employment without regard to age, disability, national origin, gender and gender identity/expression, race (including physical characteristics related to race, such as hairstyle), color, religion, sexual orientation, pregnancy, marital status, family relationship, genetic information, as well as any other class protected by law. This policy applies to all terms and conditions of employment, including but not limited to: recruitment, hiring, placement, promotion, compensation, benefits eligibility and administration, training and development, performance correction and discipline, and termination.

Community Action is further committed to providing a workplace that is free of discrimination of all types, including abusive, offensive or harassing behavior. Community Action expressly prohibits any form of unlawful employee discrimination or harassment based on age, disability, national origin, gender and gender identity/expression, race (including physical characteristics related to race, such as hairstyle), color, religion, sexual orientation, pregnancy, marital status, family relationship, genetic information, as well as any other class protected by law. Improper interference with the ability of Community Action's employees to perform their expected job duties is not acceptable.

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### Equal Opportunity Employment

Community Action is committed to providing a workplace where diversity is mutually respected and valued. It is the policy of Community Action that discrimination or harassment of applicants and employees on the basis of age, disability, national origin, gender and gender identity/expression, race (including physical characteristics related to race, such as hairstyle), color, religion, sexual orientation, pregnancy, marital status, family relationship, genetic information, as well as any other class protected by law, including sexual harassment, is unacceptable and will not be tolerated.

This policy applies to all staff members and is issued to all new staff at hire via the employee handbook issuance and again at time of any complaint. It covers harassment by employees of Community Action, including supervisors and management, as well as clients, vendors, or other third parties with whom Community Action has business dealings.

Workplace harassment can be based on any of the protected characteristics noted above. It may also encompass other forms of unwelcome, hostile, intimidating, threatening, humiliating, or violent behavior that is not necessarily illegal, but is still prohibited by this policy.

Sexual Harassment is a form of workplace harassment and generally takes two forms:

*Hostile Work Environment* – Conduct that has the purpose or effect of unreasonably interfering with an employee’s work performance or creating an intimidating, hostile or offensive working environment; and

*Quid Pro Quo* – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an employee’s employment, or when submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting that employee.

Sexual assault is unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

While not an exhaustive list, harassment, discrimination, and other prohibited conduct may include any of the following:

- Threats or insinuations that another employee’s refusal to submit to sexual advances will adversely affect that person’s employment, evaluation, compensation, advancement opportunities, assigned duties or any other conditions of employment or career development.
- Unwelcome sexual advances, flirtations or propositions.
- Sexually oriented jokes and comments, even though they may seem innocent to the employee, must be avoided in the workplace.
- Verbal harassment regarding the individual's race, sex, color, national origin, religion, or age such as, but not limited to, epithets, derogatory comments or slurs, profanity, gestures, racial jokes, or forms of address.
- Visual forms of harassment such as derogatory posters, sexually oriented cartoons, pictures, drawings or the display of sexually suggestive objects or pictures (including nude photographs) in the workplace, whether or not they are intended for the person who feels they are harassing.
- Undesirable work assignments due to race, color, sex, gender identity/expression, sexual orientation, national origin, age, religion, etc.
- Any employee who uses sexual behavior to implicitly or explicitly threaten, coerce, influence, or affect the employment, job status, salary, or performance of another employee.

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## **Reporting Responsibility**

Any employee who feels that they have been the subject of harassment or discrimination on the basis of their age, disability, national origin, gender and gender identity/expression, race, color, religion, sexual orientation, pregnancy, marital status, family relationship, genetic information, as well as any other class protected by law (or who has reason to believe that someone else has been the subject of harassment or discrimination) must notify Community Action’s Director of Human Resources, their supervisor or any other officer of Community Action immediately, so that Community Action can investigate and take action to stop any unlawful behavior. Both the employee and Community Action are advised to document conduct that may be in violation of this policy.

It is important employees note that there is now a five-year statute of limitations for claims of unlawful discrimination under various Oregon laws covering discrimination based on multiple protected classes including race (including physical characteristics related to race, such as hairstyle), color, religion, sex, sexual orientation, national origin, marital status, age, uniformed service members, or disability as well as sexual assault. These statutes include ORS 659A.030, 658A.082, and 659A.112. Other applicable laws may have a shorter time limitation on filing.

Community Action may not require or coerce an employee to enter a nondisclosure or non-disparagement agreement meaning; 1) a prohibition for the employee to disclose to others information related to the claim or 2) prohibit the employee from making disparaging remarks about the employer related to the claim. However, an employee claiming discrimination, harassment, or sexual assault may voluntarily request to enter into an agreement containing a nondisclosure, non-disparagement, or no-rehire provision if the agreement gives the employee seven days to revoke after signature.

Nothing in this policy is to be construed as a guarantee of absolute confidentiality or to curtail associate rights under the law to discuss work-related matters. Disclosure of information learned through the process will be limited to disclosures necessary for Community Action to fulfill its obligations to investigate and take prompt action.

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### **Non-Retaliation**

Community Action will not discipline or retaliate against any individual who, in good faith, reported a suspected act of harassment or discrimination based upon a protected factor in accordance with this policy.

It is also the policy of Community Action that no one will be retaliated against for cooperating in an investigation of a complaint.

Anyone who retaliates against anyone involved in an investigation is subject to disciplinary action up to and including termination.

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### **Investigative Responsibilities**

The Human Resources department is responsible for investigating suspected illegal harassment or discrimination involving employees below the Executive Director and executive management level.

Investigation into suspected harassment will be performed in a prompt manner without regard to the suspected individual's position, length of service or relationship with Community Action. All staff members are expected to participate in a good faith investigation if their participation is requested, and all employees should document any incidents involving discrimination, harassment, and sexual assault as soon as possible. No one should be presumed to be in violation because an investigation is being conducted.

The existence, the status or results of investigations into suspected harassment should not be disclosed or discussed with any individual other than those with a legitimate need to know in



order to perform their duties and fulfill their responsibilities effectively. Failure to comply with Community Action's confidentiality policies may be considered an act of misconduct, subject to disciplinary procedures.

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### **Disciplinary Action**

Based on the results of an investigation into allegations of harassment or other discrimination policy violations, disciplinary action may be taken against a violator. Disciplinary action will be coordinated with the Human Resources department. The seriousness of the violation will be considered when determining appropriate disciplinary action, which may include:

- Written Coaching and Counseling which may include a Performance Improvement Plan
- Suspension
- Demotion
- Termination
- Reimbursement of losses or damages
- Referral for criminal prosecution or civil action

The listing of possible disciplinary actions is for informational purposes only and does not bind Community Action to follow any particular policy or procedure.

This policy may be revised as appropriate and at the discretion of Community Action.

## 5. Employment Practices

### Employment At-Will

Employment with Community Action is on an at-will basis. Community Action does not offer tenured or guaranteed employment. Either Community Action or the employee may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

This employment at-will relationship exists regardless of any other written statements or policies contained in this Handbook or any other Community Action documents or any verbal statement to the contrary. No one in Community Action has the authority to enter into any agreement for employment for a specified period of time, or to make any representations or agreements that are inconsistent with at-will status.

While Community Action may elect to apply accelerated disciplinary options, Community Action is in no way obligated to do so. Determining the level of discipline to administer is at the sole discretion of Community Action and separation of at-will employment may occur at any time for any or no reason.

No oral statements or representations shall in any way change or alter the provisions of this handbook.

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### Work Eligibility

In compliance with the Immigration Reform and Control Act of November 1986, Community Action requires that all new hires and rehires complete the Employment Eligibility Verification I-9 form and provide documents that verify their eligibility to work in the United States.

If an existing employee's employment authorization expires, Community Action will re-verify their employment authorization. Employees who are not able to provide proof of current employment authorization cannot be employed with Community Action and employment will be discontinued immediately.

It is the employee's responsibility to file for new employment authorization or an extension of stay in a timely manner prior to the expiration of their employment document or authorized period of stay.

Any requests to inspect Community Action work eligibility records or interview Community Action employees regarding work eligibility (for example, by Immigration and Customs Enforcement) must be referred to the Director of Human Resources immediately.

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### Introductory Period

The first 90 days of employment with Community Action is considered an Introductory Period. This period of employment has been established so that Community Action can train, orient and assimilate a new hire into the work environment through formal and informal means. During

this period of time, Community Action is determining whether the employee has the skills, behaviors and other qualifications necessary to succeed. The employee should use this period of time to evaluate whether they are a good match for the position and Community Action.

The direct supervisor should provide the employee with an Introductory Review at the end of the Introductory Period and work together to establish future performance goals, as appropriate.

In some cases, the Introductory Period may be extended up to a maximum of 30 days because the introductory period of time has been interrupted by an extended absence. If the Introductory Period is interrupted by a business shutdown, the period will be put on hold during the duration of the shutdown and will resume upon recall to work.

As in all cases of severe performance deficits, significant policy violation and/or misconduct, Community Action reserves the right to terminate the employment relationship at any time, with or without notice or cause, whether within an Introductory Period or not, so long as there is no violation of applicable federal or state law.

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## Employment Types & Statuses

Community Action defines eligibility for Community Action-paid benefits by the hours worked per fiscal year for a given position, which may also be referred to as the Full Time Equivalent (FTE). A position's FTE is dependent on budget considerations and the length of the program year associated with the position.

The fiscal year is July 1 through June 30. Other than sick leave, employees must work 1040 hours or more per fiscal year to be eligible for Community Action's benefits package, or a prorated aspect of the package, subject to the terms, conditions and limitations of each benefit program.

Full-Time Equivalent or (FTE) is calculated by Human Resources in the following manner:

$$\frac{(\text{Projected hours per work week} \times \# \text{ of work weeks of the program in the fiscal year})}{(\text{Maximum Hours per Work Year} = 2080)}$$

Examples are noted in this table:

Projected Hours per Work Week	# of Work Weeks per Program in Fiscal Year	Estimated Hours Worked Per Year	Maximum Hours per Work Year	Full-Time Equivalent (FTE)	Benefits Eligible (Yes/No)
40	52	2080	2080	1.00	Yes
38	40	1520	2080	0.73	Yes
36	40	1440	2080	0.69	Yes
24	52	1248	2080	0.60	Yes
24	40	960	2080	0.46	(Sick Leave Only)
8	40	320	2080	0.15	(Sick Leave Only)

Regular Full-Time Status:

Full-time employees are regularly scheduled to work on an ongoing basis with between 1040 and 2080 total hours per fiscal year (July 1 – June 30).

Regular full-time employees who work 1040 hours or more per fiscal year are eligible for Community Action's benefits package, or a prorated aspect of the package, subject to the terms, conditions and limitations of each benefit program.

Regular Part-Time Status:

Part-time employees are regularly scheduled to work in positions expected to continue on an ongoing basis but with less than 1040 hours per fiscal year (July 1 – June 30) and are not eligible for Community Action's paid benefit programs other than paid sick leave. Part-time employees are eligible for legally mandated benefits, including but not limited to Social Security, Oregon's Sick Leave law and Workers' Compensation insurance. Health insurance is not applicable to employees in this status unless under the Affordable Care Act provisions, using a standard measurement period of twelve months, the employee meets the criteria for Health Insurance eligibility.

If an employee in the part-time category transitions to a regular full-time position during the course of employment, their prior part-time service will be credited towards any waiting period of applicable benefits for which the employee may now qualify and the employee will retain their original part-time hire date for seniority purposes.

Casual On-Call Status:

Casual On-Call employees are individuals hired to supplement Community Action's workforce on an on-call or as-needed basis. Employees in this status will not be retained if call in is refused more than twice in any 30 day period. Casual On-Call employees are not eligible for Community Action's paid benefit programs other than double time for agency recognized holidays if worked, paid sick leave, and legally mandated benefits, including but not limited to Social Security, Oregon's Sick Leave law and Workers' Compensation insurance. Health insurance is not applicable to employees in this status unless under the Affordable Care Act provisions, using a standard measurement period of twelve months, the employee meets the criteria for health insurance eligibility.

If an employee in the Casual On-Call category transitions to a regular part or full-time position during the course of employment, the transition date will constitute their new seniority date. If an employee in the Casual On-Call category transitions to a regular full-time position, their prior service will not be credited towards any waiting period of applicable benefits for which the employee may now qualify.

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## **Stipend Employees**

Stipend employees are individuals hired through a specific external agency such as AmeriCorps VISTA, the Jesuit Volunteer Corps, the Foster Grandparents Program, etc., and who are hired under the terms and conditions of a specific contract.

If an employee in the Stipend category is hired into a regular part or full-time position, they will be assigned an “adjusted hire date” from which benefits and anniversary dates will be calculated.

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## Temporary Workers

Temporary workers are hired on an occasional basis with a consistent non-intermittent work schedule for a limited period of time in order to:

- supplement Community Action’s workforce during short-term periods of increased workload
- assist in the completion of a time-bound project of limited duration, *or*
- fill needs created by temporary staffing deficits (leaves, etc.)

Individuals working in this capacity may be hired directly via a recruitment working with Human Resources, or may be staffed through an external staffing agency or as an independent contractor and are subject to applicable federal and state laws concerning the classification of workers. Duration of service of external staffing agency placements or independent contractors should generally not exceed 5 months. If the work arrangement extends slightly beyond the initial work assignment, no change in employment status will be implied.

If a worker hired through an external staffing agency or as an independent contractor applies for and is hired into a regular staff position at Community Action, they will be assigned a “hire date” from which benefits and anniversary dates will be calculated as applicable. No prior credit towards any applicable benefit waiting periods or Community Action seniority will be granted for the time worked as a Temporary worker through an external staffing agency or as an independent contractor.

Temporary workers hired directly by Community Action via a recruitment working with Human Resources and paid directly by Community Action as temporary employees for a limited duration who apply for and are hired into regular staff positions at Community Action will be allowed to retain their original start date in the temporary capacity as their seniority date and the prior service will be credited towards any applicable waiting periods for any benefits for which the employee may now qualify. Temporary workers hired directly by Community Action are not eligible for Community Action’s paid benefit programs other than paid sick leave but are eligible for legally mandated benefits, including but not limited to Social Security, Oregon’s Sick Leave law and Workers’ Compensation insurance. Health insurance is not applicable to employees in this status unless under the Affordable Care Act provisions, using a standard measurement period of twelve months, the employee meets the criteria for health insurance eligibility.

Managers and supervisors who have Externally-Staffed Temporary Workers or Independent Contractors performing work for them must review related policies in the “Accounting and Financial Policies and Procedures Manual” and all Community Action staff must comply with the following guidelines when interacting with Externally-Staffed Temporary Workers and/or Independent Contractors:

Externally-Staffed Temporary Worker and/or Independent Contractor Guidelines:

- Externally-Staffed Temporary Workers are supervised exclusively by their respective staffing agency and not by Community Action supervisors or managers.

- Externally-Staffed Temporary Workers and Independent Contractors are not to give or receive performance feedback and/or training from Community Action staff members.
- Any perceived violations of Community Action policy and procedures should be reported directly to the respective staffing agency by the appropriate Community Action liaison and Human Resources.
- Externally-Staffed Temporary Workers and Independent Contractors are excluded from participating in Community Action benefits plans.
- Any social invitations to Community Action-sponsored events must be approved by the Department Director and routed through the respective staffing agency.
- Externally-Staffed Temporary workers and Independent Contractors cannot participate as members of Community Action employee committees.

Former employees who wish to perform work for Community Action through an external staffing company or as an independent contractor are required to wait at least 90 days (three months) from the last day worked before staffing services or independent contractor activities begin. Community Action does not guarantee placement with it under such circumstances.

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## **Volunteers**

Volunteers are individuals or groups of individuals who provide a variety of services to Community Action out of a desire to serve the mission and without compensation, and who are not eligible for Community Action benefits. All volunteers are subject to Community Action policies and procedures, as well as specific program requirements as directed by the placement position and department.

Community Action employees who wish to act in a volunteer capacity for Community Action must meet the following criteria:

- The work must be at the employee's initiative
- The employee must be 18 years of age or older
- The work must be outside normal or regular work hours
- The employee must be performing charitable or other community service without contemplation of payment
- The employee must be performing a task outside of the regular job functions performed for Community Action

Former employees who wish to perform volunteer services for Community Action and meet eligibility criteria are required to wait at least 90 days (three months) from the last day worked before volunteer services may begin. Community Action does not guarantee placement with it under such circumstances.

## 6. Pay Practices

### Workweek

The workweek runs from Sunday to Saturday. The normal workweek is 40 hours.

Weekly work schedules, including start and end times may vary depending on availability required to effectively provide services to clients. Your work schedule may occasionally change depending on business needs.

It is your responsibility to know what your work schedule is so that you can fulfill work assignments. If at any time you are not sure of your schedule, contact your supervisor for clarification. More than one occurrence of tardiness or unscheduled absence in any rolling 30-day period may result in discipline, up to and including termination. (See also: Attendance Policy)

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### Pay Period

Pay dates are bi-weekly on Fridays. Community Action has 26 pay periods per fiscal year. Each paycheck will include earnings for all time worked and paid vacation or sick leave as reported on the corresponding timesheet. Typically in months during which three pay dates occur, benefit deductions will be made in the first two paychecks in that month unless arrears or other special circumstances require a benefit deduction on the third pay date.

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### Payday

Payroll checks are mailed to the employee address on file the day before the pay date. Employees who utilize direct deposit will receive their pay stub at their work site on the morning of the Friday pay date.

If a regularly scheduled pay date falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled pay date.

If a payroll check is lost, stolen or if an employee fails to notify the Payroll department of an address change in a timely manner, a five (5) day waiting period will be enforced to allow adequate time for a “stop payment” to occur and a new check to be issued.

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### Timesheets

Timesheets are processed via the online reporting system every two weeks. The payroll calendar is made available to employees on Community Action’s intranet.

Every employee (exempt and non-exempt) is responsible for accurately and honestly recording hours worked and assigning the appropriate department/grant account codes for hours via the online reporting system. Holidays, Personal Day Hours, Vacation Hours and Sick Hours to be

paid should reflect the number of hours the employee would have been scheduled to work on that day. If a partial day absence, non-exempt staff would indicate both time physically worked and the hours missed that they would have been scheduled to work coded to the appropriate leave categories if applicable.

#### Guidelines for completing timesheets:

- All hours must be accounted for and recorded on the online reporting system using the designated codes for time worked and time not worked (see below for applicable definitions).
- A timesheet must be submitted for each pay period during which an individual is employed.
- Timesheets must be completed by the established deadlines assigned by Payroll.
- Employees must not permit coworkers to complete their timesheet.

For additional instructions about how and when to complete timesheets, employees should check with their immediate supervisor.

Failure of the employee to submit a timesheet when required or submitting a fraudulent timesheet may result in disciplinary action, up to and including termination. Tampering with, altering, or falsifying time records, recording time on another employee's time record or willfully violating any other timesheet policy or procedure may result in disciplinary action, up to and including discharge.

#### Time Worked

Time worked includes all time that an employee is required to be on duty on Community Action premises, or at a prescribed work place. Time worked is used to determine overtime pay required for non-exempt employees. The following provisions are included as time worked:

- *Work Away from Premises or at Home:* Working from home or remotely from the assigned work place is not permitted, unless approved in advance by the Department Director. If not approved, any unauthorized time worked by non-exempt staff will be paid but the employee may be subject to discipline.
- *Rest Break Time:* Rest periods of 10 to 15 minutes or less are counted as time worked.

#### Time Not Worked

Community Action does not count the following situations as time worked:

- *Paid Leave:* Approved paid absences, including but not limited to sick leave, vacation leave, holiday leave, FMLA, OFLA, military leave, jury and witness duty, funeral/bereavement leave, and voting time off are not counted as time worked.
- *Lunch or Dinner Periods (as articulated above)*
- *Rest Break for Expression of Breast Milk (as articulated above)*



## **Overtime Policy**

### Eligibility

In accordance with the Fair Labor Standards Act (FLSA), non-exempt employees are eligible to receive overtime pay at a rate of one and one-half times their regular pay for time worked in excess of 40 hours per workweek. Non-exempt employees must not work additional unauthorized hours in excess of their regular schedule or access Community Action property off-hours without prior authorization of their supervisor. Failure to obtain prior authorization may result in discipline up to and including termination of employment.

Exempt employees are not eligible for overtime and are expected to work as many hours as required to perform the duties of the position.

The Human Resources Department assigns non-exempt and exempt designations within legal guidelines and with input from the manager of the position.

### Scheduling and Working Overtime

Before overtime is worked, the employee must have written approval from their supervisor. Overtime is considered a condition of employment, and refusal to accept it when reasonable notice has been given is cause for discipline, up to and including termination.

In accordance with the FLSA, at the supervisor's discretion, an employee's work schedule may be adjusted during a workweek to avoid overtime.

A non-exempt employee who works extra hours and/or overtime without appropriate prior approval per this policy will be paid according to this policy and applicable law, but may also be subject to discipline, up to and including termination of employment.

### Computing Overtime

Approved paid absences, including but not limited to sick leave, vacation leave, holiday leave, family medical leave, military leave, jury and witness duty, and bereavement leave are not counted as time worked for the purposes of computing overtime.

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## **On-Call Pay**

Time worked by a non-exempt employee while on-call will be calculated at the employee's regular rate of pay. Except as otherwise required by law, if an on-call employee is not called in to work, no pay will be earned. Overtime compensation is applicable only when total hours worked exceed the regular full-time work cycle.

If an exempt or non-exempt employee is employed in a position that is on a partial year schedule and is subject to layoff, the employee may be offered an opportunity to perform alternative work on an on-call basis during the period of the layoff. Depending on the nature, frequency and duration of work, the employee may be paid according to non-exempt pay practices at a previously specified rate of pay.

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## Payment for Travel Time

Non-exempt employees will be paid at their hourly rate of pay for travel time under the following circumstances:

- Travel time between work sites during the course of normal work duties requiring movement from one site to another.
- Travel time for a one-day assignment to a location greater than 30 miles from the employee's normal work location.
- On overnight trips, travel time as a passenger on a common transportation carrier that occurs during an employee's regularly scheduled work shift even if on non-scheduled work days.
- Travel time to a multi-day assignment that occurs when the employee is driving, regardless of the time of day.

Employees will not be paid for travel time under the following circumstances:

- When the employee is a passenger on a common transportation carrier and the travel occurs outside of the employee's regularly scheduled work hours.
- When the employee is traveling to a different work site for the day which is not greater than 30 miles from the employee's normal work location.
- Driving to and from work and home.

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## Exempt Employee Pay

Salaries of exempt employees are based on:

- A pay rate that is appropriate for their salary grade, sensitive to local market factors and consistent with internal equity practices; and
- The FTE that is assigned to the position they are employed in at the time.

Exempt employees normally receive their full salary for any week in which they perform any work, without regard to the number of days or hours worked. An exempt employee will not be paid for any workweek in which they perform no work at all for Community Action. Employees in positions that are subject to temporary business shutdown or layoff are not permitted to perform any work during these periods unless arranged and approved in advance by the Department Director.

If an exempt employee is employed in a position that is on a partial year schedule and is subject to layoff, the employee may be offered an opportunity to perform alternative work on an on-call basis during the period of the layoff. Depending on the nature, frequency and duration of work, the employee may be paid according to non-exempt pay practices at a previously specified rate of pay.

Pay will not be withheld from exempt employees as a result of:

- Absences of less than one full work week caused by Community Action
- Absences of less than one full work week caused by the operating requirements of Community Action

- Partial day amounts other than those specifically discussed below

The exceptions to the requirement to pay exempt employees on a weekly salary basis are listed below:

- Absences of one or more full days for personal reasons other than sickness or disability (partial days must be paid, except where the time off is covered by the Family and Medical Leave Act (FMLA).
- Absences of one or more full days for personal reasons other than sickness or disability (partial days worked must be paid in full-day increments).
- Absences of one or more full days due to sickness or disability. For example, if an employee has exhausted all available paid leave under Community Action's paid sick and vacation plans, then their salary may be reduced by those absences of a day or more for sickness or disability.
- If the employee performs any work during the workweek when serving on jury duty, military leave or when attending a proceeding as a witness, the exempt employee's weekly salary must be paid. However, Community Action may offset any amounts received by the employee as jury or witness fees or military pay for that week.
- Deductions for the first and last week of employment, when only part of the week is worked by the employee.
- Deductions for unpaid leave taken in accordance with a certified absence under the Family and Medical Leave Act (FMLA) and/or Oregon Family Leave Act (OFLA).

Employees who believe their pay has been improperly reduced should contact Payroll immediately, or, if not available, the Human Resources department. Community Action will review pay records, payroll practices and applicable handbook policies to determine if the accurate amount was paid. If appropriate, Community Action will reimburse the employee as promptly as possible.

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## **Pay Advances**

Advancement of pay not yet earned is an exception and requires an extraordinary or emergency situation to be considered. A Request for Advance form must be completed by the employee requesting the advance and submitted to the Payroll Department for review. All requests for pay advances will be handled in accordance with Community Action's confidentiality policy. The Director of Finance is responsible for all approvals.

Advances are limited to a maximum of two (2) per fiscal year. Advances may not exceed one week's net pay.

Repayment terms may not exceed three (3) months, or six (6) pay periods. Repayment terms should be clearly established and indicated on the Request for Advance form. Repayment will be automatically deducted from the employee's paycheck according to the agreed-upon schedule. Employees who are on leave may not submit requests for advances until they have returned to active status.

Employees who separate employment before a pay advance is fully repaid will have the remaining balance deducted from their final paycheck.

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## **Direct Deposit**

Community Action provides the option of having your pay directly deposited into your checking or savings account rather than issuing you a paycheck through the mail. These deposits arrive and are made available to you in a safe and secure manner. Direct deposit is encouraged as a means of contributing to the reduction of Community Action and environmental costs which are normally associated with delivering paychecks through the mail.

If you elect to use direct deposit, you may use the financial institution of your choosing and you may have your funds automatically divided among different accounts based on your direction. To request this service, you can complete the direct deposit set-up via the online timekeeping system or you can contact Payroll for assistance. New employees will typically receive their first paycheck via mail because it can take up to two payroll cycles before the process is completed. You may enroll or discontinue enrollment at any time during your employment.

## 7. Compensation

### Philosophy & Information Access

Community Action is committed to providing a total compensation plan, including base pay and benefits, that is sensitive to the local and regional labor market. The plan is also intended to be responsive to organizational needs, financially sustainable and administered in compliance with all applicable laws and regulations.

Community Action's salary structure, including grades, pay ranges and hiring rates, is reviewed regularly in order to monitor Community Action's desired competitiveness within the local labor market. The Community Action Board of Directors and the Head Start Policy Council review and approve the salary structure and salary administration plan annually.

The Board of Directors has determined that Community Action's minimum wage rate will be at least \$1.00 above the Oregon minimum wage.

Community Action strives to openly accept inquiries about our total compensation plan and to entertain questions and/or concerns about individual pay.

In accordance with these principles, Community Action will not discriminate against an employee because:

1. the employee has inquired about, discussed or disclosed the wages of the employee or of another employee, or
2. the employee has made a charge, filed a complaint, or instituted an investigation or action based on the disclosure of wage information by the employee.

**These protections do not apply to an employee who has access to wage information of other employees as part of their job function and who discloses the wages of employees to those who are not authorized to access the information, unless the disclosure is in response to a charge or a complaint or is part of an investigation, proceeding, hearing or action.**

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### Job Descriptions

Community Action develops and maintains job descriptions for all current positions in order to document a job's major functions, duties, responsibilities and/or other critical features such as skill, effort and working conditions. The job description reflects management's assignment of certain essential functions. It does not prescribe or restrict the tasks that may be assigned, and at times not all essential functions will be reflected. Critical features of a job are subject to change at any time due to reasonable accommodation or other reasons.

If a new position is being created for which there is no existing job description, a New Hire Recruitment Request must permit a reasonable amount of time for the Human Resources Department to develop a new job description, to assign the appropriate Fair Labor Standards Act classification and to appropriately classify the position to the appropriate pay grade within the Community Action pay scale structure approved by the Community Action Board of

Directors and the Head Start Policy Council. Failure to provide timely notice of this request may delay recruitment and selection.

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## **Pay Scale**

Positions are assigned to grades within the pay scale based on factors such as responsibilities associated with a position relative to other positions, qualifications required to perform the job and the conditions under which the work is performed. Grade assignments focus on the job, not the person doing the job.

The Community Action Board of Directors and the Head Start Policy Council approve changes to the Community Action salary scale structure. All positions are paid in accordance with the grade range to which each position is assigned.

When new employees are hired, the rate of pay will be determined based on a defined set of differentials and is intended to be commensurate with the applicant's knowledge, experience, skills, education and/or credentials as these factors relate to the requirements of the job.

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## **Pay Adjustments**

The Board of Directors assesses and reviews the compensation structure and salary administration plan on an annual basis as a natural component of the budget planning process. Actions to adjust pay in a given fiscal year must comply with the salary administration plan associated with that fiscal year and may vary by year. Criteria for individual pay adjustments outside of or in addition to an organization-wide general increase to pay are contingent on the salary administration criteria for that year.

### Criteria for Administering a General Increase to Pay

Pay changes must be submitted to the Human Resources department via a Personnel Action Notice (PAN) with all required signatures at least one week before the first day of the next pay period. General increases issued by the Board of Directors may be processed via a payroll/HR system mass update versus individual Personnel Action Notices.

### Recognition Pay

Based upon the recommendations of the Board's Human Resources Committee, the Board of Directors may consider, in addition to consideration of a general pay increase for cost of living (which is the priority), may consider approving and providing up to an additional 2% as recognition of the continued contributions of staff during the prior fiscal year. These amounts are subject to reduction or elimination pending budgetary constraints and Board adoption.

### Criteria for Administering Recognition Pay

Recognition pay is issued as a separate, lump sum payment to all staff who have completed at least 180 days of employment prior to the end (June 30) of the most recent fiscal year and have performance in good standing, meaning no active coaching and counseling for performance

issues. This lump sum payment would not increase base wages. HR will review all cases where the status of performance is not in good standing with each department.

Issuance of a lump payment in recognition of continued contributions during the prior fiscal year will be made in a uniform manner and timeframe (when all part-year staff have returned).

#### Individual Adjustments related to Promotion, Internal Transfer or Demotion

When an existing employee is promoted, transfers between positions, or is demoted, a future pay rate will be determined based on considerations of internal equity, a defined set of job-related differentials, and the minimum and maximum ranges of their future pay grade. The adjusted pay rate is intended to be commensurate with the employee's knowledge, experience, skills, education and/or credentials as these factors relate to the requirements of the job.

A promotion, transfer, or demotion may occur as a result of:

- career development
- recognition of exceptional job performance
- internal recruitment and placement
- business reorganization
- position restructuring
- insufficient job performance

Individual placement and pay decisions are made by the direct supervisor in consultation with the Department Director and the Human Resources department. Position and pay changes must be submitted to the Human Resources department via Personnel Action Notice (PAN) at least one week before the first day of the next pay period. Pay increases will take effect in the first available pay period following the change unless the change date corresponds to the start of a new pay period.

When a manager is considering a departmental reorganization, they are encouraged to work with their Department Director and Human Resources to discuss options for change and transition, as well as appropriate communications to impacted employees.

## 8. Benefits

### Health Insurance

Community Action offers regular full-time status employees the opportunity to enroll in this benefit.

The Plan Year is January 1 through December 31.

Annual Open Enrollment and information and is typically provided in the fall preceding the start of a new Plan Year.

#### Eligibility

Employees may become eligible for this benefit as a result of a change in employment status or hire or loss of other health care coverage during the course of the Plan Year and may enroll in health insurance within 31 days of becoming eligible. Employees who miss the 31-day deadline must wait until the Annual Open Enrollment period to join the plan or enroll dependents, spouses or domestic partners.

Employees in positions with less than a 0.50 FTE (regular part-time status), Casual On-Call employees, Temporary employees and Individual Contractors are not eligible for this benefit unless under the Affordable Care Act provisions, using a standard measurement period of twelve months, the employee meets the criteria for Health Insurance eligibility.

#### Premium Rates

Premium rates are subject to change each year and may occur during the course of the Plan Year, depending on related economic and budget conditions. Rate schedules will be published annually and distributed to employees during Annual Open Enrollment or at time of hire. Changes occurring during the Plan Year will be communicated in a timely manner to impacted employees, if applicable.

#### Coverage Additions and Changes

All eligible employees may add or change coverage options for themselves, their spouse or domestic partner or dependents during the Annual Open Enrollment period specified above. You and your dependents must remain eligible to maintain your coverage. You must immediately report any changes in eligibility status, such as divorce or a dependent's marriage, or reaching the dependent age limit to the Human Resources Department.

If required by the insurance carrier, an employee who wishes to enroll a domestic partner in insurance coverage may be required to complete and sign an Affidavit of Domestic Partnership or supply other proof of domestic partnership.

Initial enrollment and/or additions to coverage may also occur under the following circumstances and during these periods of time:

- The birth of a newborn child, date of adoption or assumed legal obligation of a child
- Marriage or domestic partnership
- Loss of other coverage under another insurance plan



An employee who wishes to make a coverage change outside of the Annual Open Enrollment period due to one or more of the above circumstances must contact the Human Resource Department and complete the required authorization forms **within no more than 30 days** of change. Failure to do so within the timeframe above may result in the change not being able to occur until the next Open Enrollment period.

#### Coverage Effective Dates

- For new hires and newly eligible employees, insurance coverage will become effective on the 1<sup>st</sup> of the month following 60 days of continued employment for those employees who have elected to enroll.
- Newborns and a newly adopted child are automatically covered for the first 31 days immediately following birth or adoption. In order to continue coverage, employee parents must complete and submit enrollment forms for the new child and must contact Human Resources within 30 days after the child's date of birth or adoption.
- Coverage changes made during Open Enrollment will become effective on the date specified in Open Enrollment communications and/or notices, typically January 1 of the new plan year.

#### Additional Information

The information provided here is only a brief description of the Healthcare Insurance policy sponsored by Community Action. For more complete details of coverage, contact the Community Action Human Resources Department.

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#### **Waiver of Healthcare Coverage & Healthcare Coverage Waiver Benefit**

An employee who wishes to decline health and dental insurance coverage must complete an appropriate waiver acknowledgement form, to be maintained within the Human Resources department.

A regular full-time status employee who is covered under a spouse's (or domestic partner's) medical insurance plan is eligible to receive a taxable waiver benefit of \$100 per month.

#### Procedure

To receive this benefit, employees must:

- Complete a waiver of Community Action healthcare benefits form with backup and provide it to the Human Resources department.
-

## **Dental Insurance**

Community Action offers all regular full-time status employees the opportunity to enroll in this benefit.

The Plan Year is January 1 through December 31.

Annual Open Enrollment and information and is typically provided in the fall preceding the start of a new Plan Year.

### Eligibility

Employees may become eligible for this benefit as a result of a change in employment status or hire during the course of the Plan Year and may enroll in dental insurance within 31 days of becoming eligible. Employees who miss the 31-day deadline must wait until the Annual Open Enrollment period to join the plan or enroll dependents, spouses or domestic partners.

Employees in positions with less than a 0.50 FTE (regular part-time status), Casual On-Call employees, Temporary Workers and Individual Contractors are not eligible for this benefit.

### Premium Rates

Premium rates are subject change each year and may occur during the course of the Plan Year, depending on related economic and budget conditions. Rate schedules will be published annually and distributed to employees during Annual Open Enrollment or at time of hire. Changes occurring during the Plan Year will be communicated in a timely manner to impacted employees, if applicable.

### Coverage Additions and Changes

All eligible employees may add or change coverage options for themselves, their spouse or domestic partner or dependents during the Annual Open Enrollment period specified above. You and your dependents must remain eligible to maintain your coverage. You must immediately report any changes in eligibility status, such as divorce or a dependent's marriage, leaving school, or reaching the dependent age limit to the Human Resources department. The dependent age limit for the dental plan is 26 years, regardless of student status.

If required by the insurance carrier, an employee who wishes to enroll a domestic partner in insurance coverage may need to complete and sign an Affidavit of Domestic Partnership.

Initial enrollment and/or additions to coverage may also occur under the following circumstances and during these periods of time:

- The birth of a newborn child, date of adoption or assumed legal obligation of a child
- Marriage or registered domestic partnership
- Loss of other coverage under another insurance plan

An employee who wishes to make a coverage change outside of the Annual Open Enrollment period due to one or more of the above circumstances must contact the Human Resource department and complete the required authorization forms within no more than 30 days of

change. Failure to do so within the timeframe above may result in the change not being able to occur until the next Open Enrollment period.

#### Coverage Effective Dates

- For new hires and newly eligible employees, insurance coverage will become effective on the 1<sup>st</sup> of the month following 60 days of continued employment for those employees who have elected to enroll.
- Newborns and a newly adopted child are automatically covered for the first 31 days immediately following birth or adoption. In order to continue coverage, employee parents must complete and submit enrollment forms for the new child and must complete this process with within 30 days after the child's date of birth or adoption.
- Coverage changes made during Open Enrollment will become effective on the date specified in Open Enrollment communications and/or notices, typically January 1 of the new plan year.

#### Additional Information

The information provided here is only a brief description of the Dental Insurance policy sponsored by Community Action. For more complete details of coverage, contact the Community Action Human Resources department.

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### **COBRA**

Community Action offers employees and their families the opportunity to continue healthcare and dental insurance coverage in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985. Continuation of coverage is available when there is a “qualifying event” that would result in the loss of coverage under Community Action’s plan. Depending on the type of qualifying event, “qualified beneficiaries” can include the employee (or retired employee) covered under the group health plan, the covered employee’s spouse, and the dependent children of the covered employee.

A qualifying event may occur if:

- Employment ends
- Hours of employment are reduced
- Insurance plan coverage is lost due to death, divorce or legal separation
- An employee becomes entitled to Medicare benefits
- A dependent child ceases to be a dependent according to the terms of the existing insurance plan

Continuation coverage is the same coverage that Community Action’s Insurance Plan(s) gives to other participants or beneficiaries under the Plan who are not receiving continuation coverage. Each qualified beneficiary who elects continuation coverage will have the same rights under the Plan as other participants or beneficiaries covered under the Plan, including open enrollment and special enrollment rights.

Benefits may continue for up to 18, 24, 29 or 36 months, depending on the cause for the loss of benefits.

Continuation coverage will be terminated before the end of the maximum period if:

- Any required premium is not paid in full on time
- A qualified beneficiary becomes covered, after electing continuation coverage, under another group health plan that does not impose any pre-existing condition exclusion for a pre-existing condition of the qualified beneficiary
- A qualified beneficiary becomes entitled to Medicare benefits (under Part A, Part B, or both) after electing continuation coverage, or
- Community Action ceases to provide any group health plan for its employees.

### Coverage Election Procedure

An individual who experiences a qualifying event must decide whether they want to elect COBRA continuation coverage within 60 days after receiving a COBRA Continuation of Coverage Election Notice from Community Action. The notice will include a COBRA Election Form which the individual must complete and submit to the Community Action Human Resource Department within 60 days of receipt.

### Payment Procedures

The first payment for continuation coverage is due not later than 45 days after the date of your election. Failure to make the first payment for continuation coverage in full within 45 days after the date of election may result in loss of all continuation coverage rights under the Plan.

Period payments for continuation coverage are due on the 1<sup>st</sup> of each month for that coverage period. If a periodic payment is made on or before the first day of the coverage period to which it applies, coverage under the Plan will continue for that coverage period without any break.

Periodic notice of payments due will not be provided for these coverage periods. For more complete details of coverage, contact the Community Action Human Resources department.

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## **Employee Assistance Program**

### Purpose

An Employee Assistance Program (EAP) is intended to offer confidential support, guidance and resources that can help employees resolve personal issues and meet life's challenges.

### Eligibility

Community Action provides an EAP to active regular full-time employees in positions with an FTE of 0.50 or greater.

An EAP can typically help you with the following:

- Child care and elder care
- Alcohol and drug abuse

- Life improvement
- Difficulties in relationships
- Stress and anxiety with work or family
- Depression
- Personal achievement
- Emotional well-being
- Financial and legal concerns
- Grief and loss
- Identity theft and fraud resolution

For more complete details of coverage, contact the Community Action Human Resources Department.

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## **Life Insurance**

### Purpose

Basic Life Insurance provides financial protection by promising to pay a benefit in the event of an eligible employee's covered death. Basic Accidental Death and Dismemberment (AD&D) Insurance may provide an additional amount in the event of a covered death or dismemberment as a result of an accident.

### Eligibility

Active regular full-time status employees are eligible. For more complete details of coverage, contact the Community Action Human Resources Department.

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## **Retirement Savings Program**

### Purpose

Community Action offers employees the opportunity to make pre-tax payroll contributions to a regular savings program in the form of a 403(b) Retirement Savings Plan. This plan is administered in compliance with the Employee Retirement Income Security Act of 1974 (ERISA).

The purpose of this benefit is to encourage employees in establishing a regular savings program to provide additional security for their retirement. Community Action may offer a discretionary contribution program each fiscal year in accordance with the plan provisions and as funding allows.

### Additional Information

The information provided here is only a brief description of the 403(b) Plan sponsored by Community Action. For more complete details and plan documents, contact the Community Action Human Resources Department.

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## **Long Term Disability**

### Purpose

Long Term Disability (LTD) insurance provides financial protection for eligible employees by providing a percentage of monthly earnings in the event of a covered disability.

### Eligibility

Active regular full-time status employees are eligible for this benefit.

For more complete details of coverage, contact the Community Action Human Resources Department.

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## **Health Care Flexible Spending Account**

### Purpose

A Section 125 Flexible Spending Account (FSA) enables an employee to have their medical and dental premiums deducted from pay on a pre-tax basis and to allocate funds from pay for specific healthcare expenses with pre-tax dollars. Using pre-tax dollars to pay for anticipated healthcare expenses can help to lower an employee's overall tax burden for a specific tax year. Allowable expenses must be medically necessary and not otherwise covered by a health plan. Eligible expenses include: health insurance deductibles, coinsurance, copayments, dental care, vision care, prescriptions, and other qualified expenses.

### Eligibility

Community Action offers a Health Care Flexible Spending Account to active regular full-time status employees.

For more complete details of coverage, contact the Community Action Human Resources Department.

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## **Unemployment Insurance**

### Purpose

Community Action provides Unemployment Insurance coverage to all employees as required by the State of Oregon. The purpose of Unemployment Insurance is to support economic stability during times of unemployment and to provide resources to diverse job seekers in support of their employment needs.

### Eligibility

All employees are covered by this insurance. Employees who are terminated from Community Action may be eligible for benefits under this coverage.

## Procedure

All eligibility and benefit determinations are made by the State Employment Department. Additional information can be found by searching online at: <https://www.oregon.gov/employ/Pages/Contact-Us.aspx>.

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## **Workers' Compensation Insurance**

### Purpose

Workers' Compensation Insurance provides compensation to an employee for lost time, medical expenses, and loss of life or dismemberment from an injury arising out of or in the course of work.

### Eligibility

All employees are covered by this insurance.

### Procedures

Employees must immediately report any accident or injury occurring on the work site or in the course of performing work duties to their supervisor and to the Human Resources Department so that the necessary paperwork may be completed. Claim certifications and benefits are determined by Community Action's Worker's Compensation Insurance Carrier and are subject to applicable Oregon State laws and regulations.

All time-loss accidents will be required to use FMLA/OFLA Leave of Absence, to the extent any time is available, concurrently with compensable time loss related to a work injury.

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## **Rest Periods, Meal Breaks, and Breaks for Expression of Breast Milk**

### Rest Periods

Community Action provides one paid 15-minute rest period for every two (2) to four (4) hours worked in one work period. This is a required rest period that must be taken by non-exempt employees in addition to and separate from time allowed for meals. Whenever possible, the break time should be taken approximately midway into each 4 hour period of work. Employees may not take breaks at the immediate beginning and/or end of their work shift.

### Lunch/Meal Breaks

If a non-exempt employee is scheduled to work six (6) or more hours in a day, one unpaid meal period of at least 30 minutes will be provided during the middle portion of the shift. Employees may not forfeit their 30-minute lunch/meal break, or schedule at the end of a shift so they can start late or leave early. The supervisor is responsible for establishing lunch/meal break schedules and ensuring to the best of their ability that all lunch breaks appropriate to the work schedule are taken unless one of the exceptions listed below occurs. An employee must be relieved of all duties during lunch/meal breaks and employees are not to perform any work

functions. Employees who fail to take the full meal period authorized, return to work early without express prior authorization, work off-the clock without permission; and/or fail to report such time as time worked may receive disciplinary action up to and including separation of employment.

In the event of one of the following exceptions, a meal break might not be provided:

- An unforeseeable equipment failure, act(s) of nature or other exceptional and unanticipated circumstances
- If relieving all duties would impose an undue hardship on the operation of Community Action's business (Check with HR)

If any of these exception circumstances occur, the employee will be paid for this time and will still be given reasonable time to consume a meal, use the restroom and/or rest.

#### Rest Break for Expression of Breast Milk

Employees are permitted to take a reasonable unpaid rest period to express milk each time the employee has a need to do so if their child is 18 months of age or younger.

If this rest period is taken in conjunction with the paid 15-minute rest break noted above, the first 15 minutes of the rest period may be paid and the remaining portion of time used for the break is unpaid. The employee may be allowed, but is not required, to work before or after her normal shift to make up the amount of time used during the unpaid portion of the rest period.

Community Action will make reasonable efforts to provide a private location within close proximity to the employee's work station to express milk. The area should allow the employee to express milk concealed from view and without intrusion by other employees or the public. The area may not be a bathroom facility. Community Action will also make reasonable accommodations for known limitations relating to pregnancy, childbirth or a related medical condition, including lactation.

Employees who intend to express milk during work hours must give their supervisor reasonable oral or written notice of her intention so that the supervisor can make necessary preparations to cover time away from normal work activities.

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## **Holidays**

Community Action recognizes thirteen paid holidays each year. All regular full-time status staff members are eligible to receive holiday pay provided conditions described below are met.

Community Action paid holidays are:

- New Year's Eve
- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Juneteenth



- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Holiday pay is prorated based on your normal daily schedule. For example, an employee who is eligible for Holiday pay and normally works a 6 hour shift will be paid for 6 hours of holiday pay or 8 if normally working 8, etc. If a holiday falls on a normally scheduled work day, the number of holiday hours paid should reflect the number of hours the employee would have been scheduled to work on that day.

If an observed Community Action holiday falls on a weekend, the holiday will be typically be observed on the work day closest to the holiday. Employees who work weekend shifts should observe the holiday on the actual day it falls on the calendar.

The following conditions apply to Community Action's holiday pay policy:

- Holiday pay will not be considered as time worked for the purpose of overtime calculations
- Holiday pay is computed at individual employee's base rate of pay
- If a non-exempt employee is scheduled to work on a holiday because of staffing requirements, they will be paid their regular rate of pay for actual time worked plus the same number of hours they would normally have been scheduled to work on that day
- If a non-exempt employee is not normally scheduled to work on the day that the holiday occurs on, they will not be paid holiday pay
- If an exempt employee is required to work on a holiday, they may take the paid time off within the 30 calendar days following the holiday, with prior supervisory approval
- If a holiday falls within an approved scheduled vacation, it will be recorded as holiday pay

Time off without pay may be granted to employees who desire to observe a religious holiday which is not recognized by Community Action, provided that the time off does not create excessive hardship in the department in which they are employed. The employee may use Vacation Pay or the Personal Day to supplement pay in this situation.

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## **Vacation**

All regular full-time status employees are eligible for vacation leave benefits. Employees with an FTE of less than 1.0 will earn vacation on a prorated basis.

- Vacation accrual begins on the first day of regular employment (i.e., on the 91st day following hire)
- Vacation is accrued according to the rate schedule below and is based on actual hours worked

- The accrual is calculated by the Payroll Department in a manner that does not penalize an employee for taking vacation
  - Vacation leave will not be earned during an unpaid portion of a leave of absence
  - Employees who successfully complete their Introductory Period may request to take vacation after their 90<sup>th</sup> day of employment
  - Vacation will be paid at the employee's base rate of pay at the time the vacation is taken
  - Vacation pay does not count towards overtime pay calculations
  - If a holiday falls during the employee's vacation, the day will be paid as Holiday Pay, as applicable, rather than Vacation Pay. Vacation hours paid should reflect the number of hours the employee would have been scheduled to work on that day.

#### Vacation Accrual Rate Schedule

<b>Years of Service</b>	<b>Hours Accrued per Year (1.0 FTE)</b>	<b>Hours Accrued per Pay Period (1.0 FTE)</b>	<b>Hours Accrued per Year (0.5 FTE)</b>	<b>Hours Accrued per Pay Period (0.5 FTE)</b>
0-2	80	3.08	40	1.54
3-6	120	4.62	60	2.31
7+	160	6.16	80	3.08

Accelerated placement on the accrual schedule may occur for key positions and/or individuals with extensive directly-related experience. These situations are reviewed by the Director of Human Resources and must be approved by the Executive Director.

#### Scheduling Vacation

To schedule vacation time, employees can request time off using online request system/method or other process which includes documentation of the approval if authorized by their supervisor. Employees must make the request at least 30 days before the requested leave. If giving 30 days notice is not feasible, employees should seek approval with as much advance notice as is reasonably possible. Except for the case of separation of employment where payout of unused vacation time up to the established cap is generated, payment for unapproved vacation time will not occur.

Employees must ensure that they have enough accrued vacation leave available to cover the dates requested. Vacation leave is not advanced nor is unpaid vacation leave allowed. Supervisors can only approve vacation requests for which there is enough accrued vacation leave available to cover the dates.

Requests will be approved based on a number of factors, including department operating and staffing requirements. Due to the nature of our services, there may be instances where approval may need to be later rescinded to meet unforeseeable changes in business needs. The supervisor will notify the employee in writing whether the request has been approved or denied. If denied, the supervisor will provide an appropriate reason to the employee.

Staff members who work a partial year due to program design and are subject to work shutdowns during winter break and spring break are asked to refrain from requesting vacation

during times when programs are in session. This policy may be modified at the Department Director level in situations with extenuating circumstances.

### Supplementing Sick Leave

Effective July 1, 2023, - When regular sick leave related absences has resulted in the exhaustion of an employee's available sick leave bank, other accrued time of vacation/personal day may be drawn at the employee's option.

### Separation of Employment and Vacation Payout Cap (Cap Initially Effective 7/1/12)

If employment is terminated or an employee is impacted by layoff, accrued but unused vacation that has been earned through the last day of the last full pay period of active employment will be paid at the base rate of pay up to a vacation payout cap of 80 hours.

In the event of the employee's death, accrued but unused vacation time that has been earned through the last day of the last full pay period of active employment will be paid to the employee's estate or designated beneficiary up to the vacation payout cap of 80 hours.

Employees who terminate employment prior to completing their 90-day Introductory Period will not be paid for vacation accrued to date.

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## **Personal Day**

The Personal Day allows employees to have an additional day of paid leave to cover absences for personal reasons such as religious observances or to supplement vacation, sick and holiday pay.

### Eligibility

All regular full-time status employees who work 1040 hours or more in a fiscal year are eligible for one (1) Personal Day between July 1 and June 30. The Personal Day is prorated based on your normal daily schedule and is to be used in a one-day increment. For example, an employee who normally works a 6 hour shift will be paid for 6 hours of Personal Day pay or 8 if normally working 8, etc. The Personal Day is provided in addition to vacation leave, sick leave and Community Action's regularly observed holidays.

Employees must have worked a minimum of 90 calendar days before requesting the Personal Day.

### Procedure

The Personal Day must be taken in the fiscal year in which it is given and may not be carried over to the next fiscal year. The Personal Day may not be cashed out if not taken and is not paid upon termination of employment.

The Personal Day must be scheduled and approved in advance by the employee's direct supervisor. Personal Day hours paid should reflect the number of hours the employee would have normally been scheduled to work on that day.

Use of the Personal Day should be coded as Personal Day in the online timekeeping system.

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## Sick Leave

In accordance with Oregon's Sick Leave law paid sick leave accrual is provided to all employees and begins to accrue from the date of hire. Employees with an FTE of less than 1.0 accrue sick leave on a prorated basis according to the rate schedule below. Employees will be provided the protected use of up to 40 hours of sick leave per year (regardless of accrual balance) for purposes listed below. A year for purposes of this provision is no longer be on a calendar year basis but is the fixed 12-month period running from July 1 to June 30. This is also our fiscal year. Beginning July 1, 2024 the definition of a year for purposes of this provision will no longer be on a fixed 12-month period running from July 1 to July 30 but rather will be a rolling forward consecutive 12-month period beginning with leave use.

Employees can use sick time for the following purposes:

- for an employee's own physical or mental illness, injury, or health condition, including time off for medical diagnosis, care, treatment, and preventive medical care;
- to care for a family member with an illness, injury, or health condition, including time off for medical diagnosis, care, treatment, and preventive care. Family member under this leave type include the employee's spouse, same-gender domestic partner (as described in ORS 106.300 to 106.340), biological child, adopted child, stepchild, foster child, same-gender domestic partner's child, parent, adoptive parent, stepparent, foster parent, parent-in-law, same-gender domestic partner's parent, grandparent, grandchild, and any individual with whom an employee has or had an in loco parentis. Persons "in loco parentis" are those with day-to-day responsibilities to care for or financially support a child, or who had such responsibility for the employee when the employee was a child.
- for any purposes allowed under OFLA, such as bereavement leave, caring for a newborn child or newly adopted/foster child, school or childcare closures related to a statewide public health emergency, or sick child leave, regardless of whether the employee is eligible for OFLA leave;
- for any purpose allowed under Oregon's domestic violence, harassment, sexual assault, or stalking law; or
- in the event of a public health emergency, including upon an order of a general or specific public health emergency, or when the employer excludes the employee from the workplace by law or rule for health reasons.

If the employee is on leave under the Family Medical Leave Act (FMLA) or Oregon Family Leave Act (OFLA) or Oregon Sick Leave and/or Oregon Paid Family Medical Leave Insurance ("Paid Leave Oregon") benefits, it is the employee's option to use accrued sick leave, then accrued vacation leave and personal day, in that order, until all the leave banks are exhausted.

Sick leave benefits may not be used for any other absence except in the case of approved extensions to Bereavement Leave or unless if/as prescribed by the applicable leave type and policy – See Section 9 - Leave of Absence section. Sick leave does not accrue during unpaid leaves.

Effective July 1, 2023, - When regular sick leave related absences, not related to a formal leave of absence category (see Section 9 – Leave of Absence), has resulted in the exhaustion of an

employee's available sick leave bank, other accrued time of vacation/personal day may be drawn at the employee's option.

If the need to use sick leave is foreseeable, the employee must provide reasonable advance notice of their intention to use sick leave, not to exceed 10 days prior to the date the sick leave is to begin or as soon as otherwise practicable. The employee must make reasonable efforts to schedule time off in a manner that does not unduly disrupt Community Action's operations. Formal leave categories have other notice requirements. (See Section 9 – Leave of Absence)

If the need to use sick leave is unforeseeable, the employee must provide notice as soon as practicable and in compliance with Community Action's Notification, Absences, and Tardiness policy.

Paid sick leave should be used in minimum increments of one-half hour (30 minutes).

#### Sick Leave Accrual Rate Schedule

<b>FTE</b>	<b>Hours Accrued per Month</b>	<b>Hours Accrued per Year</b>
1.0	8	96
0.75	6	72
0.50	4	48

For all employees with an FTE less than 0.50, sick leave will accrue at a rate of 1 hour for every 30 hours worked.
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## 9. Leaves of Absence

### Oregon Paid Family Medical Leave Insurance (“PFMLI”) - “Paid Leave Oregon”

Beginning September 3, 2023, employees may be eligible to receive Paid Family and Medical Leave Insurance (“PFMLI”) also known as “Paid Leave Oregon” benefits from the Oregon Employment Department (“OED”) if they have earned at least \$1,000 from employment in Oregon in the previous year. A “Year” for purposes of this policy begins the Sunday before the period of leave and lasts 52 weeks. Your job is protected by law while on “Paid Leave Oregon” if you have worked at least 90 consecutive days for your employer.

It is solely at the employee’s discretion to choose to apply for Oregon Paid Family Medical Leave Insurance (“Paid Leave Oregon”) benefits.

PFMLI - “Paid Leave Oregon” provides between 12 to 14 weeks of wage replacement if an employee is unable to work due to their own serious health condition, for care for a qualified family member due to their serious health condition, to bond with a new child, or for situations related to sexual assault, domestic violence, harassment, or stalking.

Eligible leave reasons include:

- Medical Leave: An employee may be eligible for up to 12 weeks per Year of paid medical leave to care for their own serious health condition.
- Family Leave: An employee may be eligible for up to 12 weeks per Year of paid family leave, which includes: (1) bonding with a new child after birth, adoption, or foster placement taken within 12 months after the birth, adoption, or placement; (2) to care for a Family Member experiencing a serious health condition. Additional leave (limited to 2 weeks) is available for a birthing parent related to pregnancy or pregnancy-related conditions, including lactation.
- Safe Leave: An employee may be eligible for up to 12 weeks per Year of paid safe leave related to sexual assault, domestic violence, harassment, or stalking to obtain legal or law enforcement assistance, seek medical treatment or recover from injuries, obtain counseling or support services, or relocate or take other steps to secure the health and safety of themselves or their dependent child.

**Important: Effective July 1, 2024 the following categories below will only be covered by Paid Leave Oregon and will no longer be covered by OFLA unless otherwise indicated.**

- Employee’s own serious health condition, including pregnancy disability related conditions
- Parental Leave for newborn
- Serious health condition of employee’s family member including spouse, parent (custodial or non-custodial), child, parent-in-law, any domestic partner, grandparent, grandchild, and/or any other person with whom the employee is or was in a relationship of *in loco parentis* (acting as a parent).
- Effective from July 1, 2024 to December 31, 2024, an additional two weeks of leave will apply to placement or adoption of a child. Beginning January 1, 2025, this leave need will only be covered by Paid Leave Oregon and no longer be covered by OFLA.

A “Family Member” is defined by law, and includes spouse, any domestic partner (regardless of gender), parent (custodial or non-custodial), child, parent-in-law, grandparent, grandchild, and/or any other person with whom the employee is or was in a relationship of *in loco parentis* (acting as a parent), the spouse or domestic partner of an employee’s child, the spouse or domestic partner of an employee’s parent, the sibling or stepsibling of an employee or the sibling or stepsibling’s spouse or domestic partner, the spouse or domestic partner of an employee’s grandparent, the spouse or domestic partner of an employee’s grandchild and any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship, to the full extent defined by law.

Employees may receive PFMLI in increments of one workday or one workweek.

To determine eligibility and receive benefits from PFMLI, an employee must file a claim **directly with** the Oregon Employment Department (OED)-Paid Leave Oregon program. The OED-Paid Leave Oregon program **solely** receives and reviews applications and determines the eligibility for qualification and the applicable partial or full wage replacement rate for PFMLI.

This PFMLI leave will run concurrently with other unpaid leave the employee may be entitled to under the law, including but not limited to the FMLA and OFLA as applicable. Effective July 1, 2024, PFMLI will no longer run concurrently with OFLA but still will run concurrently with FMLA as applicable.

If the need for leave is foreseeable, employees must notify Human Resources in writing at least 30 days in advance of the anticipated PFMLI “Paid Leave Oregon” leave. In case of an emergency or when leave is not foreseeable, employees must notify Human Resources within 24 hours, and must provide written notice within 3 days of starting leave.

Penalty for failing to comply with the notice requirement: The first weekly benefit amount may be reduced by 25% unless it would reduce the benefit amount below the PFMLI “Paid Leave Oregon” minimum benefit amount (5% of the average weekly wage). Employees may appeal any penalty with the Oregon Employment Department (OED).

Employees receiving PFMLI “Paid Leave Oregon” benefits may opt to use accrued sick leave, then accrued vacation leave and personal day, in that order, until all the leave banks are exhausted. Issues of benefit eligibility and return-to-work rights will be governed by applicable laws.



## Family and Medical Leave

Community Action applies family and medical leave in compliance with the Family and Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA). These acts provide job protection to employees who must care for family members with serious health conditions or who may develop their own serious health condition. Situations which qualify under these leaves will be processed as such by Human Resources in accordance with the regulations.

For the purposes of this policy, “job protection” means that the employee will be reinstated to their former position upon return from family leave provided they are released to regular duty by a qualified health care provider and the position still exists within Community Action. If

Community Action eliminates a position for business reasons, “job protection” means that an employee returning from leave will be reinstated to any available equivalent position.

### Eligibility

To qualify for OFLA, an employee generally must:

- Must have worked for Community Action for a period of 180 calendar days, or more, immediately preceding the date the leave begins; *and*
- Must have worked an average of 25 hours per week during the 180-day period, unless the leave is to care for a newborn child or newly placed adoptive or foster child.

To qualify for FMLA, an employee:

- Must have worked for Community Action for a total of at least 12 months (time worked does not have to be consecutive); *and*
- Must have worked for at least 1250 hours during the 12 months immediately preceding the leave.

Employees must contact the Human Resources department to verify eligibility and to apply for use of either leave.

### Qualifying Conditions

Eligible employees are entitled to family leave in the following circumstances:

#### OFLA:

**Important: Effective July 1, 2024 the following categories below will only be covered by Paid Leave Oregon and will no longer be covered by OFLA unless otherwise indicated.**

- Employee’s own serious health condition, including pregnancy disability related conditions
- Parental Leave for newborn
- Serious health condition of employee’s family member including spouse, parent (custodial or non-custodial), child, parent-in-law, any domestic partner, grandparent, grandchild, and/or any other person with whom the employee is or was in a relationship of *in loco parentis* (acting as a parent).
- Effective from July 1, 2024 to December 31, 2024, an additional two weeks of leave will apply to placement or adoption of a child. Beginning January 1, 2025, this leave need will only be covered by Paid Leave Oregon and no longer be covered by OFLA.

Effective September 3, 2023, the definition of family member under OFLA is expanded from the list above to align with Oregon Paid Family Medical Leave Insurance (“Paid Leave Oregon”) and OFLA’s definition of family member will then also include:

- the employee’s domestic partner (regardless of gender)
- the spouse or domestic partner of an employee’s child
- the spouse or domestic partner of an employee’s parent



- the sibling or stepsibling of an employee or the sibling or stepsibling's spouse or domestic partner
- the spouse or domestic partner of an employee's grandparent
- the spouse or domestic partner of an employee's grandchild
- any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.
- Military family leave — up to 14 days if your spouse or domestic partner is a service member who has been called to active duty or is on leave from active duty.
- Sick child leave for your child with an illness or injury or condition that requires home care and effective July 1, 2024, this will include a child with a serious health condition. You may also take OFLA protected time if your child's school or childcare provider is closed due to a public health emergency, such as the COVID-19 pandemic school closures.
- Death of a family member (See Bereavement Leave for full details)

**FMLA:**

- Employee's own serious health condition, including pregnancy-related conditions
- Serious health condition of employee's family member including: spouse, parent, and/or child
- Parental leave for newborn, newly adopted child, or newly placed foster child
- Military caregiver or qualifying exigency leave
- Compensable workers' compensation injuries

For the purposes of OFLA and FMLA, a "serious health condition" is defined as:

- Illness or injury diagnosed as terminal or which poses an imminent danger of death
- Inpatient care in a hospital, hospice or residential care medical facility
- Absence for chronic conditions that require periodic visits for treatment, continue over an extended period of time and may cause episodic rather than continuing incapacity
- Permanent or long-term incapacity due to a condition for which treatment may not be effective
- Multiple treatments for conditions that if not treated would likely result in incapacity of more than three days
- Absences for pregnancy-related disability, occurring before or after delivery
- Absences for prenatal care
- Incapacity for more than three consecutive calendar days, which also involves two or more treatments by a health care provider, or one treatment followed by a regimen of continuing care

"Parental Leave" is the leave that is taken for the birth of a child or to care for the parent's newly born, adopted or foster child who is under 18 years old, or incapable of self-care. This type of leave is often also referred to as "bonding time." Parental Leave may be taken by employees of any sex or gender. Family members who work in the same Community Action department may not take parental leave at the same time unless one of the employees is suffering from a "serious health condition."

"Military Caregiver Leave" provides time off for an employee to care for a family member who is a Covered Service Member with a serious injury or illness incurred in the line of duty.

- A Covered Service Member is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious illness or injury.
- A “serious injury or illness” is an injury or illness incurred by the member in the line of duty that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.
- In the case of a veteran, a “serious injury or illness” means a qualifying injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran *and* is:
  - (a.) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; *or*
  - (b.) A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; *or*
  - (c.) A physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; *or*
  - (d.) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The employee must be the spouse, son, daughter, parent, or next of kin of the Covered Service Member. Under FMLA military caregiver leave, a “son or daughter” of a Covered Service Member is defined as a Covered Service Member’s biological, adopted or foster child, stepchild, legal ward or a child for whom the employee stood in loco parentis and who is of any age. Under FMLA military caregiver leave, a “parent” of a Covered Service Member is defined as a Covered Service Member’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the Covered Service Member. This definition does not include parents-in-law.

“Military Qualifying Exigency Leave” provides time off for a “qualifying exigency” arising out of the fact that a Covered Military Member who is the spouse, domestic partner, son, daughter, or parent of the employee is on active duty or called to active-duty status in support of a contingency operation.

- “Qualifying exigency” may mean short-notice deployment, military events and related activities, childcare arrangements and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and certain other activities.

### Amount of Leave Available

Employees are entitled to 12 workweeks of leave per leave year. Some exceptions exist, including:

- A child-bearing employee may take up to 12 weeks of additional leave for a pregnancy-related disability (including pre-natal care)
- Employees who use all 12 weeks of Parental Leave may use up to 12 additional weeks in the same leave year but only for Sick Child Leave
- An employee taking Military Caregiver Leave may take up to 26 weeks of combined leave during a single 12-month period measured forward from the first date Military Caregiver Leave begins, including no more than 12 weeks of Military Qualifying Exigency, Medical, Family and/or Parental Leave
- An employee may take up to 12 weeks of additional leave if they have two separate Qualifying Conditions and one of the Qualifying Conditions is covered by OFLA but not FMLA

### Leave Year

The “leave year” is the fixed 12-month period running from July 1 to June 30. This is also our fiscal year. A new leave year will begin for eligible employees each July 1.

Beginning July 1, 2024, the “leave year” for OFLA, Paid Family Medical Leave Insurance (“Paid Leave Oregon”) and OFLA Bereavement will transition to a rolling forward leave year, which is a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which the leave commences. For FMLA, the rolling forward leave year will begin the first date leave is taken.

The “workweek” for employees who have an FTE of less than 1.0 is based on the normal weekly hours. Parental Leave must be completed within 12 months of the birth of a newborn or placement of an adopted or foster child.

Leave may be taken in single-segment time periods, as a reduced work schedule or intermittently depending on the Health Care Provider’s recommendation. When possible, an employee must make a reasonable effort to schedule medical treatment or supervision at times that will minimize disruption of Community Action’s operations. Employees are required to provide the Human Resources department with requested documentation regarding the nature and duration of the leave in a timely manner.

Community Action may transfer an employee on intermittent leave or on a reduced work schedule into an alternative position with the same or different duties to accommodate the leave, provided that:

- Acceptance of the transfer is voluntary
- The transfer is temporary and has equivalent pay and benefits
- The employee returns to their former position when the employee notifies Community Action that they are ready to return to the former position

Any leave taken that qualifies under only one of the leave laws, either OFLA or FMLA, does not count against the entitlement for the law for which it does not qualify.

When a leave qualifies under both laws, OFLA and FMLA, any leave taken will count concurrently against the entitlement for both.

### Notification of Leave

If the need for leave is foreseeable, employees must notify Human Resources in writing at least 30 days in advance of the anticipated leave. If giving 30 days' notice is not possible, employees should give as much advance notice as is practicable and contact Human Resources concerning the circumstances.

In unanticipated or emergency situations, employees should give verbal or written notice within one or two business days of learning the need for leave, except in extraordinary circumstances. Written notice is required within three days after the employee's return to work.

### Certification of Leave

With the exception of Parental Leave, a Health Care Provider's Certification, Certification for Military Exigency or Certification for Military Serious Injury or Illness (as appropriate), will be required, as allowed by applicable law, to support a request for FMLA or OFLA leave. If requested by the Human Resources department, an employee must provide medical verification within 15 days of the request for information.

*Additional certification as allowed by applicable law may be required in the following circumstances:*

- Medical verification of the need for "sick child" leave may be required if the employee has taken sick child leave on all or any part of three separate days during a leave year, the employer may require this on the fourth day or any subsequent use of sick child leave within that leave year.
- Community Action may require an employee to provide certification from the employee's health care provider that the employee is able to resume work, before restoring the employee to their former position in a fully duty capacity.

*Recertification, as allowed by applicable law, may be required if:*

- your leave extends beyond six (6) months in length and is intermittent in nature;
- your leave extends beyond the expected minimum duration of the condition requiring leave;
- you request an extension of leave;
- circumstances described by the previous certification have changed significantly; or
- Community Action receives information that casts doubt upon the validity of the certification.

If Community Action finds a certification incomplete or insufficient (for example, if the information provided is vague, ambiguous or nonresponsive), Community Action will advise the employee and state in writing what additional information is necessary. The employee must cure the deficiency within 7 calendar days following a request, unless circumstances make it impracticable. Failure to cure deficiencies in a certification in a timely manner may result in disciplinary action consistent with Community Action's request for leave policies (see Vacation benefit), a delay in the start of leave, or a reduction in the length of leave, depending on the circumstances.

If required medical certifications are never produced, the absence will not qualify as FMLA/OFLA leave and the employee may be subject to disciplinary action consistent with Community Action's absenteeism policies.

### Pay During Leave

OFLA and FMLA are unpaid leaves. Employees on OFLA and/or FMLA unpaid leave may opt to use accrued sick leave, then accrued vacation leave and personal day, in that order, until all the leave banks are exhausted. If your paid leave availability is fully depleted prior to or during the leave, the remainder of the leave will be unpaid.

If an employee chooses to apply for and is approved for Oregon's Paid Family Medical Leave Insurance ("Paid Leave Oregon") benefits, the statute requires all employers to run OFLA concurrently for applicable leave types but beginning July 1, 2024, OFLA will no longer be allowed to be run concurrently with Paid Leave Oregon. Employees receiving Oregon's Paid Family Medical Leave Insurance ("Paid Leave Oregon") benefits may opt to use accrued sick leave, then accrued vacation leave and personal day, in that order, until all the leave banks are exhausted.

Employees are responsible for accurately accounting for all leave-related absences by using the appropriate time off pay codes on their timesheet and recording time off in increments which reflect their regular schedule. Employees should be in contact with their supervisor every 2 weeks during single segment leaves to ensure accurate timesheet reporting.

In all cases, Supervisors must validate the accuracy of the timesheet before signing it and then submitting it to Payroll. Any questions regarding completion of timesheets during leave should be directed to the Human Resources department.

### Impact to Benefits

Community Action will continue to pay its share of the employee's medical benefits during certified leave. The employee must maintain their regular contribution to insurance premiums via payroll deduction during this period. If the employee's available sick or accrued vacation balances are depleted to the extent that funds are not available for payroll deduction during the leave, employees must submit payment for insurance coverage within 30 days of the due date.

Paid vacation and sick leave will not accrue during the unpaid portion of leave. Any benefits accrued up to the point when the leave becomes unpaid, will not be forfeited. Benefit accruals will resume upon return to regular employment.

### Returning to Work & Job Protections

Employees must notify the Human Resources department and their direct supervisor at least 5 business days prior to the date they intend to report for work. Sufficient notice is required so that your supervisor can properly plan work in order to effectively return you to your former position or to adjust work responsibilities to accommodate return to work with physical restrictions, on an intermittent or on a reduced work schedule.

Failure to provide sufficient notice may result in a delay to return to work.

Employees who are released to return to full duty by their Health Care Provider will be reinstated to the position they held when the leave began. If the position was eliminated for business reasons while the employee was on leave, the employee will be restored to an available equivalent position.

Effective September 3, 2023, under both Oregon Family Leave Act (OFLA) and Oregon's Paid Family Medical Leave Insurance ("Paid Leave Oregon") the following applies to returning to work: if an equivalent position at the same job site of the employee's former position is unavailable, the employer shall offer the employee an equivalent position at a job site located within 50 miles of the job site of the employee's former position, if such a position is available. If equivalent positions are available at multiple sites, the employer shall first offer the employee the position at the job site that is nearest to the job site of the employee's former position.

When employees are released by their health care provider to return to work with restrictions to duties or in an intermittent or reduced work schedule capacity, Community Action may temporarily reassign duties in order to accommodate the restrictions. Supervisors are expected to work with employees in an interactive manner when adjusting work responsibilities for this reason.

Employees who give notice of their intent not to return to work from family leave may forfeit their reinstatement rights.

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## **Bereavement Leave**

Community Action offers bereavement leave benefit to regular full-time status employees, even if not eligible for Oregon Family Leave Act (OFLA) bereavement leave, in order to provide a time for mourning after the loss of an immediate family member.

Non-OFLA eligible regular full-time status employees may be allowed up to three consecutive days off from regularly scheduled duty with regular pay in the event of the death of an immediate family member. This leave is in addition to and does not impact accrued vacation or sick leave. A non-OFLA eligible employee may request up to a maximum of 5 additional days for more time off if needed. Additional time away from work requires their supervisor's approval and will be granted based on Community Action's business needs and staffing requirements. Use of available sick leave then accrued vacation leave and paid Personal Day (in that order) will be required while on leave. If paid leave availability is fully depleted prior to or during the course of the leave, the remainder of the leave will be unpaid. An employee who wishes to take time off due to the death of an immediate family member should notify their supervisor immediately to seek authorization and contact Human Resources.

For purposes of Community Action's Bereavement Leave benefit, the immediate family is defined as: spouse, domestic partner, child (biological, adopted, or foster), grandchild, grandparent, stepchild, mother, father, stepparent, sister, brother, in-laws (mother, father, brother, sister, daughter, son and grandparent-in-law), aunt, uncle, niece and nephew.

An employee who is eligible for the Oregon Family Leave Act is entitled to take a maximum of two weeks of OFLA bereavement leave per death of a family member (see definition below), up to a maximum of 12 weeks per leave year. Effective July 1, 2024, this maximum is changed to 4 weeks per leave year. Specifically, an OFLA eligible employee may now take leave for dealing

with the death of a family member by: 1) Attending the funeral (or alternative) of the family member; 2) Making arrangements necessitated by the death of a family member; or 3) Grieving the death of a family member. Effective July 1, 2024, the OFLA Bereavement leave year will transition to a rolling forward leave year, which is a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which the leave commences.

For purposes of OFLA bereavement leave, a family member is defined as: a spouse or domestic partner; a child of a covered individual or the child's spouse or domestic partner; a parent of a covered individual or the parent's spouse or domestic partner; a sibling or stepsibling of a covered individual or the sibling's or stepsibling's spouse or domestic partner; a grandparent of a covered individual or the grandparent's spouse or domestic partner; a grandchild of a covered individual or the grandchild's spouse or domestic partner; any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

The OFLA bereavement leave must be completed within 60 days after the date on which the employee receives notice of the death of the family member. If the employee is both OFLA bereavement leave eligible and regular full-time status, the employee may be allowed up to three consecutive days off from regularly scheduled duty with regular pay. These consecutive days will count toward and are not in addition to the two-week OFLA bereavement leave entitlement and any additional time away on remaining OFLA bereavement leave will require the employee to use sick leave, accrued vacation leave and paid Personal Day (in that order). If paid leave availability is fully depleted prior to or during the course of the leave, the remainder of the leave will be unpaid. Supervisors are responsible for verifying accurate leave usage on the employee's online timesheet.

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### **Leave for Victims of Domestic Violence, Harassment, Sexual Assault or Stalking (DVHSAS)**

Any Community Action employee who is a victim of domestic violence, harassment, sexual assault or stalking or who is the parent or guardian of a minor child or dependent who is a victim of domestic violence, sexual assault or stalking is entitled to a reasonable safety accommodation as requested unless this would impose an undue hardship on the operation of the business of the employer. This safety accommodation may include, but is not limited to: unpaid leave from employment, a transfer, reassignment, modified schedule, changed work telephone number, changed workstation, installed lock, implemented safety procedure or other adjustment to a job structure, workplace facility or work requirement in response to the actual or threatened domestic violence, harassment, sexual assault or stalking.

Leave may be used for the following purpose(s):

- To seek legal or law enforcement assistance to ensure the health and safety of the eligible employee or the eligible employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal proceedings related to domestic violence, sexual assault or stalking.
- To seek medical treatment for or to recover from injuries caused by domestic violence, sexual assault or stalking to the eligible employee or the employee's minor child or dependent.

- To obtain, or to assist the eligible employee’s minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, sexual assault or stalking.
- To obtain services from a victim services provider for the eligible employee or the eligible employee’s minor child or dependent.
- To relocate or take steps to secure an existing home to ensure the health and safety of the eligible employee or the eligible employee’s minor child or dependent. Relocation includes: a) Transition periods spent moving the eligible employee or the eligible employee’s minor child or dependent from one home or facility to another, including but not limited to time to pack and make security or other arrangements for such transition related to domestic violence, sexual assault or stalking; and/or b) Transportation or other assistance required for an eligible employee or the eligible employee’s minor child or dependent related to the domestic violence, sexual assault or stalking.

### Definitions Related to Eligibility

The definitions of “*victim*” include a person who has suffered financial, social, psychological or physical harm as a result of domestic violence, harassment, sexual assault or stalking committed against *a member of the victim’s immediate family*.

“*Immediate family*”, means spouses and domestic partners, children, parents, siblings or stepsiblings, grandparents, grandchildren, and any individual related by blood or affinity, whose relationship is equivalent to family, to the full extent defined by law, or any person who had the same primary residence as the victim at the time of the domestic violence, harassment, sexual assault or stalking.

### Procedure

Employees should contact the Human Resources department to provide notice and to obtain information about this leave.

- The HR department will work with the employee and their direct supervisor in compliance with Community Action’s confidentiality policy.
  - All records and information kept regarding a DVHSAS leave are confidential and may not be released without the express permission of the eligible employee, unless otherwise required by law.
- An eligible employee must provide reasonable advance notice of their intent to take leave unless giving the advanced leave is not feasible.
- In an emergency situation, the employee must give oral or written notice “as soon as is practicable.” This notice may be given by any other person on behalf of the employee.
- As requested in writing by the employer, the employee must provide certification within a reasonable time after requesting the leave. Any of the following meet this certification requirement:
  - Copy of police report indicating the employee or employee’s minor child or dependent was a victim of domestic violence, sexual assault or stalking.
  - Copy of protective order or other evidence from a court or attorney that the employee appeared in or was preparing for a civil or criminal proceeding related to domestic violence, harassment, sexual assault or stalking.
  - Documentation from an attorney, law enforcement officer, health care professional, licensed mental health professional or counselor, member of the clergy or victim services provider that the eligible employee or the eligible



employee's minor child or dependent is undergoing treatment or counseling, obtaining services or relocating as a result of domestic violence, harassment, sexual assault or stalking.

- An employee who takes leave to attend a criminal proceeding and is benefits-eligible may opt to use any paid accrued vacation leave during this period or may use any other paid leave that is offered by the covered employer during the period of leave regardless of the employee receiving Oregon's Paid Family Medical Leave Insurance ("Paid Leave Oregon") benefits.
- DVHSAS leave may be taken concurrently with leaves related to the Oregon Family Leave Act (OFLA) and/or the Family Medical Leave (FMLA)
- Leave may be taken in multiple blocks of time and/or in the form of an altered or reduced work schedule.
- Community Action may transfer an employee on intermittent leave or on a reduced work schedule into an alternative position with the same or different duties to accommodate the leave, provided that:
  - Acceptance of the transfer is voluntary
  - The transfer is temporary and has equivalent pay and benefits and lasts no longer than is necessary
  - The transfer may be made only when there is no other reasonable option which allows the employee to access leave
  - The transfer does not cause a chilling effect, does not discourage, or create undue hardship for the employee using the leave
  - The employee returns to their former position when the employee notifies Community Action that they are ready to return to the former position

Community Action must allow an eligible employee to take reasonable leave and may only limit the amount of leave taken if the leave creates an undue hardship on Community Action.

DVHSAS leave will not be used in determining compliance with Community Action's absence policy.

Employees must follow Community Action's procedures and policies regarding periodic reporting to Community Action of the status of the leave.

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### **Leave to Attend Criminal Proceeding**

Eligible employees will be allowed protected leave time to attend criminal proceedings. Community Action may limit the amount of leave time to attend a criminal proceeding if the leave creates an undue hardship. An eligible employee may notify the prosecuting attorney if taking leave to attend a criminal proceeding would cause undue hardship to the employer. The prosecuting attorney shall then notify the court or hearing body which will take the employee's schedule into consideration when scheduling the criminal proceeding.

#### Eligibility

An employee is eligible to take leave to attend a criminal proceeding if:

- They worked an average of more than 25 hours per week for at least 180 calendar days immediately preceding the date the employee takes leave to attend a criminal proceeding, and who is a crime victim.
- A crime victim is a person who has suffered financial, social, psychological, or physical harm as result of a personal felony, as defined in the rules of the Oregon Criminal Justice Commission, and includes a member of the immediate family of the person.
- Immediate family for purposes of leave to attend a criminal proceeding includes a spouse, domestic partner, father, mother, sibling, child, stepchild, or grandparent of the employee.

### Procedure

Employees should contact the Human Resources department to provide reasonable notice and to determine eligibility for leave to attend criminal proceedings. Employees should supply copies of any notices of the scheduled criminal proceeding. All records kept by the employer regarding an eligible employee's use or request for leave are confidential.

- An employee who takes leave to attend a criminal proceeding and is benefits-eligible may opt to use any paid accrued vacation leave during this period or may use any other paid leave that is offered by the covered employer during the period of leave regardless of the employee receiving Oregon's Paid Family Medical Leave Insurance ("Paid Leave Oregon") benefits.

Leave time used by eligible employees to attend criminal proceedings will not be used in determining compliance with Community Action's absence policy.

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### **Injured Workers**

All work-related accidents, injuries, and near misses must be reported immediately to the employee's supervisor. The injured employee and/or the direct supervisor are required to:

- Complete an Incident Report and submit it to the Safety Officer within 24 hours; *and*
- Contact the Human Resources department immediately if an accident occurs which requires professional medical treatment so that a completed Workers' Compensation 801 form can be submitted in a timely manner.

If an accident occurs in an Organization-owned vehicle and reasonable suspicion exists, the driver and/or injured worker will be subject to drug testing in accordance with Community Action's Drug and Alcohol Free Workplace Policy (see Post Accident Drug Testing Protocol, page 107). In this event, the Human Resources department must be notified immediately and the appropriate testing completed within 4 hours of the onset of the accident.

All employees are required to cooperate with a reasonable investigation of a workplace accident, injury and/or illness.

In the event of time loss from work as a result of the injury, the employee must obtain a work release and/or work restriction report prior to his or her return to work. In many cases, Community Action has light duty work available and can accommodate a doctor's work restriction. Your work release should specify one of the following:

- “Light Duty” meaning that you are able to return to work with restrictions/accommodations
- “Full Release” meaning you are able to return to work at your regular duties
- “No Return” meaning you are not able to return to work

If you are not able to return to work or you are unable to attend a scheduled doctor’s appointment, you must contact the Human Resources department to re-schedule your appointment.

An employee’s failure to report for modified duty or failure to report for a scheduled doctor’s appointment may result in discipline, up to and including termination.

Upon full release to regular duty, an employee is entitled to return to his or her former position if request to return is provided in a timely manner (see below). If the former position has been eliminated, Community Action is not obligated to create a job but must offer the employee an available, equivalent position.

An employee may forfeit reinstatement rights if any of the following occurs:

- The employee is determined to be medically stationary and not physically able to return to the former position or to any position
- The employee is eligible for and participates in vocational assistance
- The worker accepts suitable employment with another employer after becoming medically stationary
- The employee refuses a bona fide offer of suitable light duty or modified employment from Community Action before becoming medically stationary
- Request for reinstatement is not made by the employee within 7 calendar days from the date the employee is notified by the insurer that the worker’s attending physician has released him or her to the former position or for reemployment
- Three years have elapsed since the date of the worker’s original injury
- The employer discharges the worker for reasons not connected with the injury and for which others are or would be discharged
- The worker clearly abandons future employment with Community Action
- The worker does not report to work as specified in Community Action’s suitable job offer

Employees may not be disciplined for absences related to a compensable workers’ compensation injury claim. Absences due to injuries constituting a serious health condition will be deducted from the employee’s FMLA leave bank, but not the employee’s OFLA leave bank.

### Impact to Benefits

Community Action will continue to pay its share of the employee’s medical benefits during an absence related to a compensable workers’ compensation injury. The employee must maintain his or her regular contribution to insurance premiums via payroll deduction during this period. If the employee’s available sick or accrued vacation balances are depleted to the extent that funds are not available for payroll deduction during the leave, employees must submit payment for insurance coverage within 30 days of the due date.

Paid vacation and sick leave will not accrue during the unpaid portion of leave. Any benefits accrued up to the point when the leave becomes unpaid, will not be forfeited. Benefit accruals will resume upon return to regular employment.

An employee on leave for a compensable work-related injury is not eligible for Holiday Pay if a holiday falls on the same day he or she is designated to be off from work. Employees working a reduced work schedule may be eligible for a prorated portion of Holiday Pay.

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## **Return to Work Program**

### Purpose

Community Action's Return to Work policy is intended to facilitate an employee's return to employment at the earliest date following any injury or illness. This policy applies to all staff members and will be followed whenever appropriate.

### Procedure

Where feasible, transitional positions will be made available to injured employees in order to minimize or eliminate time loss from work. Community Action defines "transitional work" as temporary modified work assignments within the worker's physical abilities, knowledge, and skills.

### Employee Responsibilities

#### *Accident Reporting:*

- All work-related accidents, injuries, and near misses must be reported immediately to the employee's supervisor.
- If an accident occurs, but does not require professional medical treatment, the supervisor should immediately be informed so that an Incident Report can be completed. If first-aid treatment is needed, it should be sought on-site.
- If an accident occurs which requires professional medical treatment, the employee must contact Human Resources to fill out a Workers' Compensation 801 form as soon as possible.

#### *Employee's Physical Condition:*

- If professional medical treatment is sought, the employee should inform the attending physician that Community Action has a Return to Work program with light duty/modified assignments available.
- The employee should obtain a Release to Return to Work form and completed Job Description form (if available) from the Human Resources department. This should be provided to the treating physician and should be returned to Human Resources Department following the initial medical treatment.

### *Unable to Return to Work*

- If the employee is unable to report for any kind of work, the employee must call in to the Human Resources department at least weekly to report medical status. The Human Resources department will provide regular updates to the supervisor with respect to expected date of return to work.
- While off work, it is the responsibility of the employee to supply Human Resources with a current telephone number (listed or unlisted) and an address where the worker can be reached.
- The employee is expected to notify Human Resources within 24-48 hours if significant changes in medical condition occur.

### *Release to Work*

- If the attending physician releases the employee to return to work, the employee must provide the Human Resources department with the specified release form within 24 hours for assignment of modified work.
- The employee cannot return to work without a release from the attending physician.
- The Human Resources department will work in coordination with the direct supervisor to evaluate the availability of modified duty work.
- Transitional positions are developed in consideration of the employee's current physical abilities, the business needs of Community Action, and the availability of transitional work.
- The physical requirements of transitional work will be provided to the attending physician.
- The physician is responsible for approving the employee to return to work in a transitional capacity based on the physical requirements for the transitional work.
  - The work assignment may include a change to the working shift of the impacted employee based on the business needs of Community Action.
- The employee is expected to report for work at the designated time.
- If the employee returns to a transitional/temporary job, the employee must make sure that they do not go beyond either the duties of the job or the physician's restrictions.
- If the employee's restrictions change at any time, they must notify their supervisor at once and give the supervisor a copy of the new medical release.
- It is the responsibility of the employee and/or supervisor to immediately notify Human Resources of any changes concerning a transitional/temporary work assignment. Human Resources will then communicate with the insurance carrier and attending physician as applicable.

### *Permanent Changes to Work Ability*

- In some cases, an employee impacted by injury or illness is unable to return to their former position because of changes in physical capabilities.
- In cases of work-related injuries, Community Action will consider the placement of an injured employee in a modified or different position as a permanent change. Placement will take into consideration the employee's current physical abilities, the business needs of Community Action, and the availability of transitional work.
- In cases of non-work related injuries or illness, Community Action, if requested by the employee, will participate in an interactive process to consider options for adjusting work conditions in order to accommodate a disability.

- If Community Action is able to make adjustments to working conditions, a written Job Offer Letter will be prepared by the Human Resources department. It will be mailed by certified mail to the employee's last known address or presented to the employee.
  - The letter will note the doctor's approval and will explain the job duties, report date, wage, hours, time duration of transitional work assignment, phone number, and location of the transitional assignment.
  - The employee will be asked to sign the Job Offer Letter indicating acceptance or refusal of the offered work.
  - In the case of a work related injury, copies of the Job Description, Work Releases, and Job Offer Letters will be forwarded to the insurance carrier.

#### *Supervisor Responsibilities:*

- In all cases, the supervisor will monitor the employee's performance to ensure the employee does not exceed the worker's physician release and that performance is satisfactory with respect to behaviors and productivity.
- The supervisor will monitor the employee's recovery progress through regular contact to assess when and how often duties may be changed.
- The supervisor will assess Community Action's ability to adjust work assignments upon receipt of changes in physical capacities.

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### **Jury Duty**

Community Action provides income protection up to 120 hours, or a prorated FTE equivalent, while an employee carries out their civic responsibility in jury duty.

#### Eligibility

Regular full-time status employees are eligible to receive this benefit.

#### Procedure

- Upon receiving notification from the state or federal courts of an obligation to serve on a jury or to act as a court witness, the employee should notify their supervisor.
- The employee is required to provide a copy of the subpoena or jury summons to their supervisor.
- The supervisor will verify the notification and make scheduling adjustments to accommodate the employee's obligation.
- The supervisor and employee are responsible for ensuring that the online timesheet accurately reflects time away from work due to actively serving the jury duty which corresponds to the employee's regular work schedule.

If situations where jury service lasts longer than 120 hours, or a pro-rated FTE equivalent, non-exempt employees may use vacation time, or the time will be unpaid. Exempt employees who continue to provide services to Community Action during periods that court is not in session will continue to receive their regular salary for any time spent on a jury.

### Witness Duty

Employees summoned or subpoenaed to appear in court regarding a Community Action client or as a representative of Community Action should notify their supervisor immediately. If it is determined that your attendance in court is required and appropriate, the applicable time will be counted as regular working hours. Regular rate of pay and benefits will be allocated, including applicable reimbursement for travel.

### Personal Business

Employees appearing as a plaintiff, defendant or for non-subpoenaed court appearance will not receive paid time off. Vacation or unpaid time must be used for these instances.

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### **Military Leave**

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) is intended to assist employees with a smooth re-entry into the workforce after up to five years of voluntary or involuntary service in the uniformed services.

The uniformed services include the Army, Navy, Marine Corps, Air Force, Coast Guard, Public Health Service commissioned corps, and the reserve components of each of these services. USERRA rights also extend to employees who receive federal training or perform service in the Army National Guard and Air National Guard.

### Eligibility Criteria

In order to be eligible for these rights, you must meet the following five eligibility criteria:

- Be employed in a civilian job before your service in the uniformed services.
- Ensure that Community Action receives advance written notice or verbal notice of your service.
- Have five years or less of cumulative service in the uniformed services while being employed with Community Action.
- Have not been released from uniformed service with a disqualifying discharge or under other than honorable conditions.
- You must apply for re-employment within the following specified time limits after return:
  - eight hours (following service of less than 31 days)
  - 14 days (following service of between 32 and 180 days)
  - 90 days (after service of 181 days or more).
  - If an employee suffers service-related injuries that prevent him/her from applying for re-employment or if circumstances beyond the employee's control make reporting within the time limits impossible or unreasonable, these time limits may be extended for two years or more.

Certain types of uniformed service do not count against an employee's five-year maximum. These include service during war or call-ups during national emergencies, reserve drills and annually scheduled active duty for training.

### Procedure

- Upon learning of notice to report for uniformed service, please notify your direct supervisor as soon as is feasible.
- Complete a Leave of Absence Request form and submit it to the Human Resources Department at least two weeks before beginning service, if possible.
- Set up a meeting with the Human Resources department to review employee responsibilities and impact to benefits prior to beginning Leave of Absence.

### Returning to Work

Returning employees, who meet the criteria specified above, are entitled to return to the position they would have held had they not been absent for uniformed service or, in some cases, a comparable job.

Employees returning to employment after an extended period of absence may require a period of retraining in order for them to function in a new position.

Employees who return with a disability will be treated in accordance with applicable federal and state laws including the Americans with Disabilities Act (ADA), the Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA).

### Your Rights Under USERRA

- Returning employees are entitled to receive the length of service, status, pay and other benefits to which they would have been entitled had they not gone on leave to perform uniformed service.
- Employees who are enrolled in Community Action retirement savings programs will continue to receive Community Action contributions during their uniformed service.
- Community Action will continue health insurance coverage for the first 31 days of uniformed service and COBRA benefits will be offered to eligible employees for up to 24 months.
- If Community Action health care coverage is discontinued by the employee during their military service, they are entitled to immediate reinstatement of coverage upon re-employment with no waiting period or exclusion for pre-existing conditions.
- Time spent on USERRA leave will count toward both the 12 months of employment and the 1,250 hours worked Family and Medical Leave Act (FMLA) eligibility requirement.
- Employees may use accrued vacation time, sick time and Personal Day in that order during the USERRA leave but are not obligated to do so.

Employees are not required to state their intent to return to employment after completing uniformed service. However, if an employee knowingly and in writing provides Community Action with notice of intent not to return after uniformed service is complete, accrual of benefits will be forfeited.



## Personal Leave of Absence

To recognize the needs of regular full-time staff who have worked for Community Action for a minimum of 180 days and who may require time off due to extenuating personal circumstances (other than needs related to vacation/recreation) may apply for approval of a Personal Leave of Absence. These are typically situations where either the extenuating personal circumstances would apply to one of Community Action's Leave benefits, but the employee is not yet eligible, or the extenuating personal circumstances are of a serious personal nature not related to Community Action's Leave benefits. A Personal Leave of Absence may be requested and is subject to approval per the procedures within this section. The maximum duration of an approved Personal Leave of Absence is 90 days.

Personal Leave if granted is not job protected. It applies only to single segment absences and does not apply to or allow for intermittent leave or reduced workweek schedules. Personal Leaves are unpaid unless the employee opts to first use their balance of accrued sick leave, accrued vacation and personal day in that order until the balances are exhausted, at which point the remainder of the leave is unpaid.

While accrued balances are drawn, they must be drawn in increments equal to the employee's normal scheduled work hours. Benefits will remain in effect and usual employee premium shares as applicable will be taken from generated paychecks. Once balances are exhausted the leave becomes unpaid, and the employee will be responsible for timely payment of the full benefit costs of all applicable benefits to keep them in force.

### Criteria for Approval or Denial of Personal Leave

Requests for Personal Leave may be denied or granted by Community Action for any lawful reason, or for no reason, and are within the sole discretion of Community Action. Job performance, absenteeism and departmental requirements will all be taken into consideration before a request is approved or denied. Approvals of the immediate supervisor, Department Director and Human Resources are required.

Personal Leave is considered an interruption to employment. As a result, the following impact to compensation and benefits will occur:

- Vacation and sick leave will not accrue during any unpaid portions of the leave period.
- Community Action paid benefits, including holidays, insurance premiums and Community Action contributions to the retirement savings plan will not be made during any unpaid portion of the leave period.
- Employees on a Personal Leave of Absence at the time of a cross-Community Action wage adjustment will become eligible for the compensation change upon return from the leave period and the adjustment to pay will not be retroactive.

If an employee's position is eliminated or changed during the course of the leave, the employee will be notified by certified mail. If a different, but reasonably equivalent position is available, the employee may be offered that position, including its applicable terms and conditions, in lieu of terminating employment. In this type of situation, rate of pay, location, supervisor, hours and responsibilities are subject to change at the discretion of Community Action.

## Procedure

### *Requesting a Personal Leave:*

- An eligible employee should submit a request in writing to their immediate supervisor and copy Human Resources at least 30 days in advance of the desired leave or as soon as is practicable in emergency situations.
- The immediate supervisor will review the request, taking workload scheduling and departmental requirements into consideration.
- The supervisor will review the request with the Department Director and obtain the approval of the Department Director who will verify eligibility with Human Resources.
- If the request is approved, the Department Director will submit a Personnel Action Notice (PAN) to Human Resources for both start and return dates. Human Resources will return the final decision and leave parameters copying the supervisor and Department Director.
- Employees should be in contact with their supervisor every 2 weeks during single segment leaves to ensure accurate online timesheet reporting.

### *Returning from Personal Leave:*

- An employee is required to return from the Personal Leave on the originally scheduled return date. If the employee is unable to return, they must request an extension of the leave in writing. Extensions of leave will only be considered on a case-by-case basis.
- If Community Action does not extend the leave, the employee must then return to work on the originally scheduled return date or be considered to have voluntarily resigned from their employment.

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## **Professional Development Leave**

In an effort to recognize the needs of regular full-time status employees who may require time off or the ability to flex their schedule or FTE to pursue professional development related to their work duties or career development at Community Action, Professional Development Leave may be granted at Community Action's sole discretion and only as authorized. Only regular full-time status employees are eligible for this leave.

Each request will be reviewed on a case-by-case basis by the Department Director and Human Resources for creation of appropriate PAN forms. Final approval of the Executive Director is required. Depending upon financial ability, staffing needs to sustain quality services, and the nature of the development being pursued, employees may be authorized to alter their normal schedule to complete education or other professional development activities via unpaid leave, consideration of all or part of class time as time worked, accrued vacation time, 4-day or alternate work weeks or a combination of the aforementioned. Proposals for consideration of such should be detailed and submitted in writing to the Department Director with a copy to Human Resources at least 30 days prior to professional development activity beginning.

## 10. Attendance

Community Action is a service organization. In order to accomplish our mission, it is imperative that every employee be present, punctual, and prepared to start work as scheduled so that we can fulfill our clients' expectations and contribute to our work team's success.

***Prompt and consistent attendance is an essential function of every position within Community Action.***

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### Qualifying Absences Exempt from Attendance Record

Absences which are eligible for coverage under Oregon's Paid Family Medical Leave Insurance ("PFMLI") "Paid Leave Oregon", Oregon's Sick Leave law, the Family and Medical Leave Act (FMLA), the Oregon Family Leave Act (OFLA), the Oregon Victims of Certain Crimes Leave Act (OVCCLA), those associated with a compensable work-related injury, or as otherwise required by law, will not result in adverse actions or be counted against an employee's attendance record. Notification, documentation, and qualification requirements accompany each of these regulations and must be complied with in these circumstances (see Leave of Absence).

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### Notification, Absences and Tardiness

Prescheduled and preapproved time away from work using accrued vacation, holiday, or personal day is not considered an occurrence for the purpose of this policy. (See Benefits)

An "unscheduled absence" occurs when an employee misses more than three (3) hours of work within a normal workday. An unscheduled absence is an occurrence for the purpose of this policy.

A tardy arrival, unauthorized early departure or other shift interruption is also considered one occurrence for the purpose of this policy.

#### Notification to Supervisor

Occasionally, it is necessary to be tardy or absent from work. In these instances, the employee has the following responsibilities unless superseded by more stringent department standards which can occur due to grant/contract requirements:

- Contact your supervisor at least 30 minutes before your scheduled shift start or in cases of emergency or unforeseen illness as soon as it is reasonably known that your shift will be interrupted so that necessary adjustments can be made to ensure minimal disruption to the workplace and clients.
- If your supervisor is not available to speak directly with you, you must leave a voicemail message.
- Keep your supervisor informed every day that you are absent as to when you expect to return to work.

In the event of your own medical emergency, contact your supervisor as soon as possible and no later than within 24 hours of onset. If you are not able to contact your supervisor, have an immediate family member do so. If you are incapacitated, make contact as soon as you are able.

If you are absent for more than three (3) scheduled work days due to illness or injury, we may require reasonable documentation of the illness from your health care provider and you may be required to present a doctor's release to return to work. The work release must state whether or not you are capable of performing your regularly scheduled duties, and if not, what duties you are not capable of performing at that time. If you have any questions regarding Oregon's Sick Leave law, the Oregon Family Leave Act or the Family Medical Leave Act, please contact Human Resources for assistance.

Failure to provide sufficient notification to your supervisor or more than one occurrence of non-qualifying absenteeism and/or tardiness in any rolling 30-day period may result in discipline, up to and including termination of employment.

#### Year to Year Rollover

Community Action provides that unused sick leave benefits may accumulate indefinitely and are not subject to carryover restrictions.

#### Separation of Employment

If employment is terminated, unused sick leave benefits are not payable or exchangeable upon separation of employment. If a former employee is rehired within 180 days of their last day worked, unused sick leave balances will be reinstated.

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#### **No Call/No Show**

Not reporting to work and not calling to report the absence is a no call/no show and is a serious matter. Any instance of no call/no show will result in discipline, up to and including termination of employment.

A no call/no show for two (2) or more scheduled work days may be considered job abandonment and subsequently result in termination of employment. The Supervisor and the Human Resources department may consider extenuating circumstances when determining discipline for a no call/no show (for instance, if the employee is in a situation of qualifying absence such as in a serious accident and is hospitalized) and has the right to exercise discretion in such cases.

## 11. Recruitment and Hiring

Community Action's hiring policy is to select the most qualified individual for the position based on qualifications, education, training and experience in accordance with the principles of Equal Employment Opportunity. Former and current Head Start parents who are equally qualified for a position may be given preference at the time of offer in accordance with Head Start policies.

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### Openings and Vacancies

When it is necessary to add a new position in a department or to fill a vacancy created for an existing position, the Hiring Supervisor must complete a New Hire Recruitment Request and submit it to the Human Resources department in order to initiate recruitment.

At that time, the Hiring Supervisor should be prepared to discuss the following with the HR Business Partner conducting the recruitment:

- the essential functions of the desired position
- the hiring pay range and Full Time Equivalent (FTE)
- whether the recruitment will be conducted internally and/or externally
- the date the recruitment should be closed

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### Job Descriptions

Community Action develops and maintains job descriptions in order to communicate the essential functions for all positions. Essential functions include responsibilities, requirements and working conditions. If a new position is being created for which there is no existing job description, a New Hire Recruitment Request must be submitted to Human Resources and permit a reasonable amount of time for the Human Resources department to develop a new job description, to assign the appropriate Fair Labor Standards Act classification and to classify the position to the appropriate pay grade within the Community Action pay scale structure approved by the Community Action Board of Directors and the Head Start Policy Council. Failure to provide timely notice of this request may delay recruitment and selection.

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### Recruiting and Interviewing

#### Internal Recruitment

Community Action is committed to offering employees the opportunity for development and career advancement through transfer/promotion from within the Organization.

All positions requiring recruitment will be opened internally and existing employees who meet the qualification criteria and are in good standing are encouraged to apply for these positions. The following exceptions apply:

- Employees who are actively undergoing Coaching and Counseling or completing a Performance Improvement Plan as part of Coaching and Counseling are not eligible to apply for other internal job opportunities until performance is determined to be successful (see Performance Management & Discipline – Coaching and Counseling).
- Employees who have been in their current position for less than 6 months are not eligible to apply for other internal job opportunities. Community Action reserves the right to grant individual exceptions based on business needs and the decision of the employee's current director.

If qualified, an employee should notify his/her supervisor (the Releasing Supervisor) of a desire to pursue a new opportunity as a notification courtesy. Human Resources is available for consultation on this process if requested by the employee. The current supervisor should confirm the employee's eligibility for the posted position with the Hiring Supervisor.

Positions created within a specific department as the result of reorganization, promotion or transfer may be filled by appointment, rather than recruitment, on an exception basis. Actions of this nature require the joint approval of the Department Director and the Director of Human Resources.

In some cases, a minimum requirement for a position may be met by equivalency. This action requires joint approval from the Department Director and Director of Human Resources.

The Hiring Supervisor is responsible for filling the position with the most qualified candidate without regard to age, disability, national origin, gender and gender identity, race, color, religion, sexual orientation, pregnancy, marital status, family relationship, genetic information, as well as any other class protected by law. If an internal applicant is selected, the Hiring Supervisor must notify the Releasing Supervisor of the selection prior to extending an offer and the two should work together to negotiate a reasonable transfer date. A reasonable period of time is typically two weeks for non-exempt employees and four weeks for exempt employees. The Releasing Supervisor and the Hiring Supervisor may agree to another transfer date based on overall business needs. In periods of extreme need, the length of the holdover period may be extended for up to an additional thirty days.

The Releasing Supervisor should write a Transfer Review within four (4) weeks of the transfer date in order to document the year-to-date performance of the employee and to assist in the ongoing progression of professional development goals.

### External Recruitment

The Hiring Supervisor may opt to conduct an external recruitment in addition to an internal recruitment for an open position. The HR Business Partner conducting the recruitment, in consultation with the Hiring Supervisor, will determine the appropriate advertising publications and websites in order to generate a diverse pool of potentially qualified applicants.

All externally posted positions, excluding senior executives, will also be advertised with the State Employment Service.

## Accepting Applications

All applicants are required to complete and submit Community Action's Application for Employment form to Human Resources by the application cut-off date in order to be considered as applicants in our screening processes. In accordance with Oregon's "Ban the Box" law (effective 1/1/2016), neither the application form nor the application screening process will require any applicant:

1. to disclose on an employment application a criminal conviction;
2. to disclose, prior to an initial interview, a criminal conviction; or
3. if no interview is conducted, to disclose, prior to a conditional offer of employment, a criminal conviction.

The Hiring Supervisor is responsible for conducting all interview processes in a manner that supports the principles of Equal Employment Opportunity in conjunction with Human Resources.

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## Reference Checks

To ensure that individuals who join Community Action are well-qualified and have a strong potential to be productive and successful, the Hiring Supervisor must check the employment references (a minimum of three is required) provided by the selected applicant prior to requesting that an offer of employment be extended by Human Resources. References should be work-related and are for the purpose of inquiring about job-related performance only. In lieu of an employment reference, one personal reference may be substituted. Family members may not provide employment references.

The direct supervisor of a current employee may provide a reference for the employee under the following circumstances:

- For purposes of the employee applying to or enrolling in an educational program which requires reference letters for admission
- For purposes of the employee applying for or renewing a certification which is required for their position

The Human Resources Department is designated to respond to reference check inquiries from other employers. All calls, contacts and written inquiries concerning former employees should be referred to the Human Resources. It is the policy of Community Action to provide references concerning job-related information of former employees and only at the request of a prospective employer. Responses to such inquiries will confirm dates of employment, wage rates and the title of position held (see Employee Records).

Community Action does not provide reference information on current employees.

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## **Background Investigations**

The Organization conducts background investigations as a necessary component of our hiring and ongoing employment process. The extent of the investigation varies depending upon the nature of the job being filled and any grantor requirements pertaining to the funding of the position. Community Action contracts with a third party administrator to ensure that background investigations are conducted in a consistent and confidential manner. Community Action complies with the Fair Credit Reporting Act regarding disclosure, authorization and notice provisions.

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## **Offers of Employment and Disposition of Candidates**

The Hiring Supervisor and Human Resources collaboratively determine the starting salary to be offered in accordance with our Compensation Philosophy and Guidelines. Any deviation from the compensation guidelines needs prior approval by the Department Director and the Director of Human Resources.

All internal and external offers of employment are administered by the Human Resources department after appropriate interview and approval processes have concluded. Head Start Policy Council is also engaged in the hiring process and decision when required by Head Start Regulations. Before an offer will be extended, the Hiring Supervisor is expected to send the following information to the Recruiter:

- Hiring Justification Form
- Completed application
- Offer rate, with appropriate signatures in writing
- Completed interview notes
- Completed reference check documentation

To complete the disposition process, the Hiring Supervisor should inform all non-selected applicants of the decision to not hire and submit all remaining interview and hiring documents to Human Resources for retention within one (1) week of offer acceptance.

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## **New Hire Intake and Orientation**

If an offer of employment is accepted by a candidate, additional contingencies may arise that a new employee must satisfy in order to perform certain aspects of their position and maintain employment. These contingencies may include, but are not limited to:

- Completion of certain health screenings and/or drug testing prior to first day of work
- Fulfillment of Organization background check processes prior to first day of work
- Acquisition of required certifications and/or degrees as specified in the job description
- Completion of section 1 of Form I-9 on or before first day of work

Prior to the first day of work or if not possible within no more than three (3) business days of starting work, new employees are required to attend an individual or group meeting with the Human Resources department in order to complete the following:



- Section 2 of the I-9 verification process (if this is not successfully completed, the employment relationship must be separated within no more than 3 business days of starting work)
- Federal and state tax withholding forms
- Emergency contact information form
- Benefit plan enrollment forms
- Applicable payroll forms
- Receive employee handbook and sign applicable acknowledgment forms

Within one to three months of hire, new employees are required to attend a New Hire Human Resources Orientation and Organization Orientation so they can learn about our policies and procedures that are critical to their initial and ongoing success, as well as gain familiarity with our mission and programs.

Time spent in orientation is paid time.

All new hires must receive and review a Community Action Personnel Policies Manual (Employee Handbook). An Acknowledgement of Receipt form is placed in each employee's personnel file and constitutes knowledge and understanding of Community Action's policies and procedures. It is also available via the Organization's intranet electronically.

The Supervisor of the new employee is expected to support attendance at Orientation events, work with the employee to orient him or her to Organization processes and systems and to establish an integration plan and developmental goals.

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## **Employment of Relatives**

Family members of current employees may apply for open positions and be employed by Community Action. Due to potential, perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment that can be carried into the daily working relationship, the following restrictions apply to the hiring of relatives.

Relatives of persons currently employed may be hired only if they:

- will not be working directly for or supervising a relative, *and*
- will not occupy a position in the same line of authority where employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include but are not limited to hiring, retention, transfer, promotion, wages and leave requests.

This policy applies to all current and potential employees.

For the purpose of this policy, a "relative" is defined as one of the following:

- Relationships by blood -- parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin
- Relationships by marriage – husband, wife, step-parent, stepchild, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece, spouse/partner of any of the above
- Domestic partner

The Hiring Supervisor is responsible for ensuring policy compliance. Department Directors are responsible for monitoring changes in employee reporting relationships after initial hire to ensure compliance with this policy. Employees are responsible for reporting any changes immediately to their supervisor.

If any employee, after employment, enters into one of the above relationships, one individual must seek a transfer or a change in the reporting relationship. If a decision can't be made among the affected employees within 14 days, reassignment will be made upon direction of the Department Director and the Director of Human Resources.

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## Outside Employment

An employee who is considering accepting outside employment should first consult with their supervisor to consider several factors including job performance, current work demands and schedule, potential for conflicts of interest and guidelines pertaining to outside employment.

Any employee holding a job with another organization must always demonstrate satisfactory performance in his or her job responsibilities with Community Action. All employees will be evaluated based on the same performance standards and will be subject to Community Action's scheduling demands, regardless of any existing outside work requirements.

If Community Action determines that an employee's outside work interferes with his or her job performance, the employee may be asked to terminate the outside employment if he or she wishes to remain with Community Action and/or be subject to corrective actions to improve performance.

Activities and conduct away from the job must not compete, conflict with or compromise the Organization's interests (See Conflict of Interest). For example:

- Employees may not perform any services for clients on nonworking time that are normally performed by Community Action.
- Employees may not use Organization tools, equipment and/or use any confidential information when performing work for another organization.
- Employees may not solicit or conduct any outside business during paid working time for Community Action.

Activity related to outside employment may not take place during the employee's paid working time nor involve the use of the Community Action resources. Employees who accept outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

Community Action is a service organization. In order to accomplish our mission, it is imperative that every employee be present, punctual, and prepared to start work as scheduled so that we can fulfill our clients' expectations and contribute to our work team's success.

## 12. Performance Management

### Training and Professional Development

Community Action is committed to the ongoing training and professional development of employees. Our clients put their trust in us to deliver our services with expertise and professionalism. In order to meet the needs of our clients, we must continuously learn about programs, services and best known practices which are relevant to our mission.

We also believe that continuous learning is a positive means for motivating and engaging staff to become more informed, creative and intuitive. By empowering our staff, we empower the clients we serve.

New employees must attend New Hire Human Resources Orientation and Community Action Orientation within one to three months of their hire date so they can learn about our mission and program, as well as policies and procedures that are critical to their initial and ongoing success.

Supervisors of new employees and recently transferred or promoted employees are expected to work with the employee to create short and long range goals in the form of a training and professional development plan and to discuss expectations for learning about the new job and about each other.

Department Directors are expected to allocate training and development funds within budgetary considerations. Responsibility for ongoing professional development is a shared responsibility between employee and the supervisor. Individual and team goals should be discussed on a regular basis and should serve to advance Community Action's mission and programs. Ideas for development opportunities may include:

- attendance at Community Action-sponsored seminars and forums
- certification events sponsored by external organizations
- taking classes at local academic institutions
- on-the-job training via internal mentors
- attendance at professional workshops

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### Performance Reviews

A performance review is an interactive tool designed to evaluate and document each employee's performance based on objective performance standards and job-related criteria. It is used to monitor progress made on goals established in the prior review period and to set new goals for the future.

Employees are encouraged to seek feedback and coaching from their supervisors as a means of continuously improving performance.

Community Action does not permit non-staff members to attend performance review or other work-related meetings unless the visitor has a specific business reason for attending, attendance

has been approved in advance and all parties have been given reasonable notice of the additional attendee prior to the meeting.

### Review Timing

The preparation and delivery of the annual performance review is a structured event that should occur once per fiscal year (July 1 – June 30). New hires will receive an Introductory Review upon reaching 90 days of employment with Community Action. For employees who change supervisors because of an internal job change, the new supervisor will be provided access to prior evaluations completed under the former supervisor.

### Review Content

The performance review may include the following:

- review of previous performance and professional development plan
- review of the particular performance strengths and areas needing performance growth
- feedback from important stakeholders and/or internal customers
- a performance and professional development plan for the next appraisal period including employee requests for additional assistance, support or training
- optional employee performance self-evaluation questionnaire and employee comments

Once completed, the performance review process provides a fair and consistent method for making decisions about promotion, demotions, transfers and/or other personnel actions.

### Review Approval and Acknowledgement

Upon delivery, performance reviews should be signed by the supervisor and the employee who is receiving the review. Both parties' signatures serve as confirmation that the review was delivered and may or may not indicate mutual agreement with the contents of the review. Employees who do not agree with the contents of their performance review may request to have an addendum attached that outlines their points of disagreement. All completed forms will be placed in the employee's personnel file. Second-level Managers will also sign the review and will typically do so after it is administered but reserve the right to request to preview a draft of the review from the administering supervisor for training and assistance purposes.

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## **Performance Management & Discipline: Coaching and Counseling**

The primary objective of Coaching and Counseling is to clearly communicate and document performance standards so that employees can correct and improve performance. Performance is defined as carrying out work responsibilities including but not limited to: meeting workplace behavioral expectations, meeting performance standards, adhering to employee handbook policies, ethics, professionalism, and/or administration of departmental procedures. It is also intended to promote clear communications, expectations, methods of assistance for success and to clearly state the ramifications should failure to correct deficiencies or improve performance occur.

Tools that supervisors may apply in any order depending upon the nature and severity of the issue or concern include verbal correction, written Coaching and Counseling, suspension or even termination as the first action.

This policy does not constitute a contract of employment. It does not promise or guarantee any particular benefit or specific action. The policy of Coaching and Counseling does nothing to change any employee's at-will status. Community Action or employee may terminate the employment relationship at any time, with or without cause, and with or without notice.

### Content

Written Coaching and Counseling Notices should contain one or more of the following as applicable:

- A description of the problem
- The impact of the problem
- Expectations for future performance and behavior
- Any additional support, training or assessment such as a detailed performance improvement plan
- How performance will be assessed
- The consequences of failing to meet expectations
- An area for the employee to add comments and provide any additional response should they so desire

Written Coaching and Counseling (including Performance Improvement Plans) will be kept on record in the employee's personnel file.

### Expectations and Consequences

It is expected that an employee will maintain successful performance in all other areas of their job while working on the issue(s) associated with the written Coaching and Counseling and any associated Performance Improvement Plan. Failure to correct the deficiencies and obtain and sustain on an on-going basis a successful level of performance may constitute the need for further discipline, up to and including termination of employment.

### Involuntary Discharge

Conduct including repeated poor performance, failure to improve performance, significant policy or rule violations or instances of misconduct may result in termination.

Community Action reserves the right to temporarily suspend an employee from work responsibilities, with or without pay, pending a reasonable investigation of the issues involved in a particular situation.

### Determining Misconduct

The impact of misconduct or policy violations may include, but is not limited to:

- Financial losses and liabilities
- Loss of current and future revenue and customers
- Negative publicity and damage to Community Action's good public image
- Loss of employees and difficulty in attracting new personnel

- Deterioration of employee morale
- Harm to relationships with donors, clients, vendors, bankers and/or contractors
- Litigation and related costs of investigations

Community Action is committed to establishing and maintaining a work environment of the highest ethical standards. Achievement of this goal requires the cooperation and assistance of every staff member and volunteer at all levels of the organization.

For the purpose of this policy, misconduct includes, but is not limited to:

- Actions that violate Community Action’s Standard of Conduct and Ethical Behavior (and any underlying policies) or any of the employment, accounting and financial policies included in this manual or the Accounting and Financial Policies and Procedures Manual.
- Fraud, including but not limited to:
  - Intentional misstatement in Community Action’s records
  - Theft
  - Embezzlement
  - Other misappropriation of assets intended for Community Action or for clients, subcontractors, vendors, contractors, suppliers or others with whom Community Action has a business relationship
  - Authorizing or receiving payment for goods not received or services not performed
  - Authorizing or receiving payment for hours not worked
  - Forgery or alteration of documents, including but not limited to timesheets, checks, bank drafts, contracts, purchase orders, receiving reports, and/or documents or other records pertaining to employment or Community Action business, including electronic records and transmissions
- Destruction, alteration, mutilation or concealment of any document or record with the intent to obstruct or influence an investigation, or potential investigation, carried out by a department or agency of the government or by Community Action in connection with this policy.
- Disclosure to any external party of proprietary information or confidential personal information obtained in connection with employment with or service to Community Action, and not otherwise permitted to be disclosed by law, rule, or regulation.
- Unauthorized personal or inappropriate (non-business) use of equipment, assets, services, personnel or other resources.
- Acts that violate Federal, state or local laws or regulations.
- Accepting or seeking anything of material value from contractors, vendors, or persons providing goods or services to Community Action, with the exception of gifts less than a nominal value as defined in the Standards of Conduct section.
- Impropriety of the handling or reporting of money in financial transactions.
- Failure to report known instances of misconduct in accordance with the reporting responsibilities described in this manual. This includes tolerance by supervisory employees of misconduct of subordinates.
- Unlawful harassment or other discrimination.

### Reporting Responsibility

Every staff member, officer of the Board of Directors, member of management and volunteer is responsible for immediately reporting suspected misconduct to their supervisor, the Director of Human Resources, the Director of Finance, or the Chair of the Finance Committee. The Director of Finance shall report all known issues of misconduct to the Internal Audit.

### Non-Retaliation

Community Action will not retaliate against any individual who, in good faith, reports a suspected act of misconduct in accordance with this policy, or provided to a law enforcement officer any truthful information in relation to the commission or possible commission of an offense.

### Investigative Responsibilities

Depending on the nature of the concern, the Director of Finance or the Director of Human Resources has the primary responsibility for investigating suspected misconduct involving employees below the Executive Director and executive management level. For issues involving financial misconduct, the Director of Finance will provide a summary of all investigative work to the Finance Committee.

Investigation into suspected misconduct will be performed without regard to the suspected individual's position, length of service or relationship with Community Action.

The existence, the status or results of investigations into suspected misconduct should not be disclosed or discussed with any individual other than those with a legitimate need to know in order to perform their duties and fulfill their responsibilities effectively. Failure to comply with Community Action's confidentiality policies may be considered an act of misconduct, subject to disciplinary procedures.

### Disciplinary Action

Based on the results of an investigation into allegations of misconduct or policy violations, disciplinary action may be taken against a violator. Disciplinary action will be coordinated with the Human Resources Department. The seriousness of the misconduct or violation will be considered when determining appropriate disciplinary action, which may include:

- Written Coaching and Counseling which may include a Performance Improvement Plan.
- Suspension, demotion or termination
- Reimbursement of losses or damages
- Referral for criminal prosecution or civil action

The listing of possible disciplinary actions is for informational purposes only and does not alter the at-will employment relationship or bind Community Action to follow any particular order of action, policy or procedure. Community Action strives to ensure that employee terminations are handled in a professional manner with minimal disruption to ongoing work functions.

## 13. Leaving Community Action

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### Voluntary Termination

When an employee initiates a termination, the termination is considered voluntary.

A voluntary termination may also be initiated when an employee has been absent for two (2) or more scheduled work days without notification or when an employee fails to return from an approved leave of absence for a period of two (2) or more scheduled work days without notification.

### Procedure

- The resigning employee is expected to provide the immediate supervisor with written notice of resignation, not less than two weeks in advance of the date upon which the employee would have the resignation become effective. Accrued vacation leave should not be authorized in lieu of a notice period. Unless on a formal leave, the last day worked will be considered the last day physically worked.
- Upon acceptance of an employee's resignation, the supervisor should submit a copy of the resignation letter and a completed Personnel Action Notice (PAN), including all pertinent information, to the Human Resources Department. Community Action reserves the right to determine the employee's last day of work.
- The supervisor is responsible for approving and submitting the final timesheet via the online timekeeping system by noon the day before the employee's last day worked or by the deadline established by Payroll. This step is intended to ensure that the employee's final paycheck is paid in accordance with state and federal laws or regulations.
- On or before the last day of work, the Supervisor is responsible for collecting all Community Action property, such as keys, communication devices (including phones), and electronic equipment (including laptops and tablets). Human Resources is responsible for notifying IS to delete account information.
- Human Resources is available for in-person exit interviews prior to the separation date if the employee so desires.

After separation of employment, the former staff member will be sent the following information via U.S. mail:

- COBRA Continuation of Coverage Election Notice
- COBRA Election Form

Completion of the exit interview questionnaire is voluntary, but encouraged, because it provides the individual with an opportunity to freely express views about working at Community Action and will be held in strict confidence. The Human Resources department will compile data from exit interviews to determine if feedback should be communicated.

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## **Involuntary Termination**

When Community Action initiates a termination, the termination is considered involuntary.

Involuntary terminations may occur for a variety of reasons, including but not limited to: misconduct, tardiness, absenteeism, unsatisfactory performance, layoff, or reduction in force. In some cases, accelerating levels of discipline may be used, prior to termination, to correct a performance problem. However, certain types of employee misconduct are so severe that one incident of misconduct or policy violation will result in immediate dismissal as the first course of disciplinary action.

### Procedure

- When practical, employees will be counseled regarding unsatisfactory conduct or performance. However, Community Action reserves the right to terminate any employee without warning depending on the nature of the conduct or violation. Head Start Policy Council is also engaged in the involuntary termination process when required by Head Start Regulations.
- The date of separation will be the employee's last day worked.
- The supervisor is responsible for completing a Personnel Action Notice (PAN), including all pertinent information, and submitting it to the Human Resources department.
- The supervisor is responsible for approving and submitting the final electronic timesheet to the Payroll Department as soon as possible. This step is intended to ensure that the employee's final paycheck is paid in accordance with state and federal law.
- The supervisor is responsible for collecting all Community Action property, such as keys, communication devices including phones), and electronic devices (including laptops and tablets). Human Resources is responsible for notifying IS to delete account information.

After separation of employment, the former staff member will be sent the following information via U.S. mail:

- COBRA Continuation of Coverage Election Notice
- COBRA Election Form

Completion of the exit interview questionnaire is voluntary, but encouraged, because it provides the individual with an opportunity to freely express views about working at Community Action and will be held in strict confidence. The Human Resources Department will compile data from exit interviews to determine if feedback should be communicated.

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## **Reduction in Force or Layoff**

A reduction in the size of our workforce occurs when changing priorities, budgetary constraints, or other business conditions require Community Action to eliminate positions. Such reductions shall occur at the sole discretion of Community Action. A reduction may also occur when a position changes so significantly that the employee is no longer able to perform the required duties. A reduction in force may happen in one of two forms: the elimination of a position or a seasonal layoff.

## Selection for a Reduction in Force Separation of Employment

### *Position Elimination*

A position elimination decision will be based on the business needs of Community Action at the time and requires an evaluation of the need for particular positions and the relative value of work performed by specific employees so that Community Action can continue to provide the highest level of service possible with a reduced work force.

### *Seasonal Layoff*

A seasonal layoff may occur at any time during any specific program or funding year depending on the business needs of Community Action. The timing and order of layoff will be determined at the discretion of Community Action.

There is no promise of rehire (recall) from a Seasonal Layoff. Community Action may recall all or some of the employees laid off at a later date. Community Action reserves the right to recall only those employees who continue to meet the criteria of an employee in good standing.

Factors to be considered in recalling employees may include but are not limited to:

- Specialized skills or knowledge vital to the department in the delivery of services.
- Relative skills, knowledge, productivity and quality of job performance.
- Length of service of employees.
- Consideration of equal employment factors to avoid adverse impact.

If an employee is in their Introductory Period at the time of layoff, the Introductory Period will be suspended and then resumed upon the effective date of any recall from layoff.

If an employee is on an approved Leave of Absence at the time of layoff, the time counting towards the allowable leave duration amount will be suspended. If the employee needs to continue the Leave of Absence at or after the time of any recall, the calculation of usage will resume upon the effective date of the recall from layoff.

### Reduction in Force Support

Via its Human Resources department, Community Action may provide outplacement counseling through the department or through a vendor of its choice.

Services must be initiated within 30 days of separation and generally include help in job targeting, resume preparation, job market research, interviewing skills and skill enhancement as appropriate.

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## **Eligibility for Rehire**

### Voluntary Resignation & Reduction in Force

- An individual who was in good standing at the time of their voluntary resignation is eligible for consideration of rehire to open positions for which they apply.

- An individual who was in good standing at the time of being impacted by a reduction in force (position elimination or seasonal layoff) is eligible for rehire; however, no promise of rehire/recall exists. (See Reduction in Force section)
- If a former employee is rehired within 180 days of their last day worked:
  - Years of service will not be interrupted.
  - Depending on the FTE of the new position, benefits that are allocated based on years of service will be reinstated at their former level.
  - Unused sick leave balances will be reinstated.

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## Death

A termination due to the death of an employee will be made effective as of the date of death.

Upon receiving notification of the death of an employee, the supervisor should notify the Human Resources department immediately.

Representatives from the Human Resources department and the Payroll department will process all appropriate beneficiary payments and final pay from the various benefits plans as well as assist with communication plans and employee assistance programming, as appropriate.

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## Final Pay

All terminated employees will be paid in accordance with state and federal laws. Earned but unused vacation will be paid in accordance with the Community Action's vacation policy.

- Employees who give at least 48 hours of notice, excluding weekends and holidays, will receive their final paycheck on the last day worked, unless the last day falls on a weekend or holiday. In that case, the check will be provided on the next business day.
- Employees who give less than 48 hours notice, excluding weekends and holidays, will receive their final paycheck within five days, excluding weekends and holidays, or on the next regular payday, whichever comes first.
- If an employee is discharged, the final paycheck will be provided no later than the end of the next business day.
- When an employer and employee mutually agree to terminate the relationship, the final paycheck will be provided by the end of the following business day, as in the case of discharge.

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## Impact to Benefits

Information regarding continuation of health and dental benefits, conversion/portability of other plan benefits and our 403(b) retirement plan will be provided along with COBRA notification information which is sent to the separating employee via the U.S. mail. If you wish to obtain that information sooner, please contact Human Resources.

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## 14. Workplace Violence Prevention

Community Action is committed to preventing workplace violence and to maintaining a safe work environment. Community Action has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

### Scope of Policy

All active employees are covered by and expected to comply with this policy.

All staff members, temporary employees, clients, volunteers and visitors should be treated with courtesy and respect at all times.

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited.

- Causing physical injury to another person
- Making threatening remarks (bodily harm, verbal assault or following/stalking)
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
- Intentionally damaging employer property or property of another employee
- Possession of a firearm or weapon while on Organization property or while on Community Action business
- Possession of a dangerous or hazardous device or substance, not required for the performance of one's job responsibilities, while on Community Action property or while on Community Action business
- Committing acts motivated by, or related to, sexual harassment or domestic violence

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### Reporting Procedures

Any potentially dangerous situation must be reported immediately to a supervisor or the Human Resource department. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. In order to maintain workplace safety and the integrity of its investigation, Community Action may suspend employees, either with or without pay, pending an investigation. All workplace emergency and safety procedures are to be followed at all times.

Follow these safety tips whenever possible:

- Notify your supervisor or the Human Resources department if you have knowledge of a potentially dangerous individual, either in your personal or professional life.
- If a member of the community is visiting you, escort them at all times when inside a Community Action facility.
- Be vigilant about strangers in the building. Ask for identification if you are concerned about a visitor's purpose.
- Employees who experience or encounter a disturbance, or an armed or dangerous person, should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual.

- Employees who experience potentially intimidating experiences on the phone are encouraged to make the caller aware of our organizational policy about not tolerating intimidation. If the situation does not improve, the staff member should politely end the call and should notify their supervisor immediately.
- If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given.
- Avoid situations of being alone in a facility with a client.
- Ask your supervisor or another staff member to remain onsite during client meetings, whenever possible.
- When meeting with a client alone is unavoidable, or is part of off-site services, exercise caution and be alert to potential safety risks. Make your supervisor aware of your schedule and whereabouts.
- If a situation becomes uncomfortable, leave the premises immediately.

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### **Enforcement**

Community Action encourages employees to remember their responsibility to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources department before the situation escalates into potential violence (see Problem Resolution and Solution Policy).

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

## 15. Alcohol and Drug-Free Workplace

Alcohol and drug abuse pose a threat to the health and safety of Community Action employees and to the security of our clients, equipment and facilities. In compliance with the Drug-Free Workplace Act of 1988, Community Action is committed to the elimination of drug and/or alcohol use and abuse in the workplace, to providing a safe, quality-oriented and productive work environment and to fostering the health and wellness of its employees. Community Action prohibits the manufacture, sale, use, impairment by or possession of alcohol and illegal substances (except strictly in accordance with medical authorization), or any other substances which impair job performance or pose a hazard, on our premises or property, or during work time, or while representing us in any work-related fashion.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of Community Action. The Human Resources department is responsible for policy administration.

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### Employee Assistance and Drug-Free Awareness

Information about the adverse health and safety consequences associated with illegal drug use and alcohol abuse, as well as sources of help for drug/alcohol problems, is available from the Human Resources department and from our Employee Assistance Program provider.

Community Action will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other Community Action policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers or otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or have violated this policy previously. Once a drug test has been scheduled, the employee will have forfeited their right to be granted a leave of absence for treatment, and may be subject to discipline, up to and including discharge.

While Community Action has no intention of intruding into the private lives of its employees, Community Action does expect employees to report for work in a condition to do their duties. Community Action recognizes that employees' off-the-job, as well as on-the-job, involvement with drugs and/or alcohol can have an impact on the workplace and on our ability to accomplish our goal of a drug, alcohol and weapons-free work environment.

This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medication's effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

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## Definitions

- “Community Action Premises” includes all buildings, offices, vehicles and other facilities used by Community Action to conduct its operations plus all work sites to which employees are assigned in the course of the performance of their duties for Community Action.
- “Illegal Drug” means a substance whose use or possession is controlled by federal law and is deemed illegal under either state or federal law, including marijuana unless its use or possession is under the strict medical authorization and supervision of a licensed health care professional.
- “Legal Drug” includes prescribed and over-the-counter drugs legally obtained.
- “Refuse to Cooperate” means to obstruct the collection or testing process; to submit an altered, adulterated, or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.
- “Reasonable Suspicion” shall be defined for all purposes under this policy as a belief based on observed, specific, objective facts where the rational inference drawn under the circumstances is that the person is under the influence of drugs or alcohol. An unexplained workplace accident may be considered to provide reasonable suspicion.
- “Under the Influence of Alcohol” means actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.
- “Under the Influence of Drugs” means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly over-the-counter) where there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient’s name, the name of the substance, quantity/amount to be taken, and the period of authorization).

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## Policy

- Whenever employees are working, are operating any Community Action vehicle, are present on Community Action premises, or are conducting Community Action-related work off site, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia);
  - Being under the influence of alcohol or an illegal drug as defined in this policy;
  - Misusing any legally prescribed or over-the-counter drug; *and*
  - Possessing or consuming alcohol in a manner that violates Community Action’s Standards of Conduct and/or safety policies.
- The presence of any detectable amount of any illegal controlled substance in an employee’s body system, while performing Community Action business or while in an Community Action facility, is prohibited.

- Community Action will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce this if asked.
- Any illegal drugs or drug paraphernalia may be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

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## **Required Testing**

### Pre-Employment

Applicants for designated positions must pass a drug test before beginning work. Refusal to submit to testing will result in disqualification of further employment consideration.

It is preferred that a new employee who is required to complete pre-employment testing be tested prior to reporting for work. However, under certain circumstances a new employee may start before test results are known. In such circumstances the employee's employment is conditional upon passing the drug test.

### Random

Certain designated positions within Community Action are subject to random drug and alcohol testing as determined by the Federal Highway Administration, the US Department of Transportation and the Oregon Department of Transportation.

- Covered Drivers are required to hold a Commercial Driver's License in order to meet qualifications standards for their jobs. Covered drivers may be tested for drugs and/or alcohol whenever they are "on duty."

### Reasonable Suspicion

Employees are subject to testing based upon (but not limited to) observations by the supervisor of apparent workplace use, possession or impairment. Supervisors should consult with Human Resources before sending an employee for testing.

When a supervisor observes behavior or performance problems that could adversely affect an individual's personal safety or the personal safety of others, the supervisor, with the concurrence of a representative from the Human Resources department, will determine whether a drug test for reasonable suspicion should be conducted.

If a drug test for reasonable suspicion becomes necessary for an employee, the supervisor must implement the Reasonable Suspicion and Post Accident Testing Protocol described below. The employee will be immediately suspended with pay until a full evaluation has taken place and an appropriate course of action is determined. No prior notice is required to test for cause.

Under no circumstances will the employee be allowed to drive him or herself to the testing facility. A member of supervisory staff or a Human Resources representative must escort the



employee to the testing facility and the supervisor will make arrangements for the employee to be transported home.

### Post-Accident

Employees are subject to testing when they are involved in a workplace vehicular accident where reasonable suspicion exists and that meets one or more of the following conditions:

- Results in damage to a Community Action vehicle, equipment, or property
- Occurs in their personal vehicle or rented vehicle while performing work on behalf of Community Action
- Results in an injury to themselves or another employee or client requiring off-site medical attention

The investigation and subsequent testing must take place within four (4) hours following the accident and according to the Reasonable Suspicion and Post Accident Testing Protocol described below. Under no circumstances will the employee be allowed to drive him or herself to the testing facility.

### Violations

Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge.

Depending upon the circumstances and the employee's work history/record, Community Action may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms. The terms could include follow-up drug testing at times and frequencies determined by Community Action for a minimum of one (1) year but not more than two (2) years, as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete their rehabilitation program or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.

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## **Collection and Testing Procedures**

Employees subject to alcohol or drug testing shall be driven to a Community Action designated facility and directed to provide breath and/or urine specimens. Specimens shall be collected and tested by trained technicians. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by Community Action as work rule violations.

Test results are reviewed and validated by a third party Medical Review Officer. Test results will be communicated to the Community Action Human Resources department in a confidential manner and the employee will be notified of the results and consequences, if applicable to an Community Action policy violation, within 72 hours of testing.

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## Consequences

- Compliance with testing requirements is voluntary. However, refusal by an employee to submit to a search or testing procedure may constitute grounds for termination or appropriate disciplinary action.
- Employees who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated.
- The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.
- Employees will be paid for time spent in alcohol/drug testing and then suspended with pay pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision and a Human Resources representative.

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## Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the Human Resources department shall be kept confidential to the extent required by law and maintained in secure files separate from standard personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed where relevant to a charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

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## Inspections

Community Action reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their work areas and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

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## Crimes Involving Drugs

Community Action prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on Community Action premises or while conducting company business. Community Action employees are also prohibited from misusing legally prescribed or over-the-counter drugs. Law enforcement personnel shall be notified, as appropriate, where criminal activity is suspected.

Community Action reserves the right to take appropriate disciplinary action for drug usage/sale/distribution while off company premises. All employees who are convicted of, plead

guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to Human Resources within five days. Failure to comply will result in automatic discharge. Cooperation in complying may result in suspension to allow management to review the nature of the charges and the employee's past record with Community Action.

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### **Reasonable Suspicion/Post-Accident Reasonable Suspicion Testing Protocol**

1. The employee will be advised that Community Action believes that there is reasonable suspicion to believe that they are affected by illegal drugs or alcohol (or due to the nature of the accident the policy mandates this) and that this test is being offered to confirm or deny this suspicion.
2. The employee will be transported to Community Action's contracted testing facilities. The employee should be accompanied by one member of the management team or a designated attendant. *Under no circumstances will the employee be allowed to drive him or herself to the testing facility.*
3. Prior to leaving for the testing facility, the supervisor or an HR representative will contact the testing facility to inform them that staff from Community Action will be arriving and will need a drug and/or alcohol test completed. Community Action representative should hand carry, fax or email a Drug and Alcohol Test Request form to the testing facility.
4. The employee should be provided water to drink prior to leaving Community Action facility and reasonable time - not to exceed 15 minutes - to secure photo ID in the company of a Community Action representative.
5. The employee to be tested MUST present a PHOTO ID (i.e., a driver's license or state ID card) to the testing facility staff before the specimen can be obtained. Ensure that the employee brings this with them when leaving Community Action premises.
6. The employee to be tested must sign a consent form provided by/at the testing facility. Refusal to sign is addressed under the "Consequences" section of this document.
7. The Community Action representative must sign as a witness to the collection procedure, along with the tested employee.
8. After returning to Community Action or when leaving the testing facility, the supervisor/manager MUST make arrangements to transport the person home (unless testing results are immediate and negative). *Under no circumstances will the tested employee be allowed to drive him or herself home if test results are positive, inconclusive or pending.*

## 16. Organization Tools and Equipment

You may be issued one or more electronic or other tools to aide your productivity and effectiveness in performing your assigned work. These tools may include, but are not limited to, a laptop, cell phone, pager, blackberry, digital camera and/or mechanical or technical equipment specific to your function in the Organization. Each employee who is provided with electronic tools or who uses a portable storage device such as a USB stick, is responsible for the physical security of the tool and/or storage device. Unsecured devices are not to be used to store or transfer confidential information, such as client or personnel information. All laptops acquired for or on behalf of the Organization shall be deemed Organization property.

Employees are additionally responsible for the security and protection of personal and/or private information that may be temporarily or permanently housed on the device. Any security breach must be reported immediately to the Director of Operations and the Department Director. A security breach, whether intentional or unintentional, may include the tampering, loss, theft, and/or destruction of the tool or device. The Organization will thoroughly investigate any report of a security breach and will comply with all applicable laws to resolve or mitigate impacts related to a security breach. Violation of this policy may be grounds for disciplinary action, up to and including termination of employment.

Community Action reserves the right to access and/or search workspaces and equipment that have been assigned to an employee for legitimate business reasons and/or employee safety.

Tools will be signed out to employees and each employee is expected to protect the equipment from loss, theft or damage. Loss, theft and/or damage of electronic business equipment must be reported to the employee's supervisor and the Information Systems department immediately upon discovery. Organization property is not available for personal use.

Upon job change, resignation or termination of employment, or at any time upon request, an employee will be asked to produce electronic and/or other business tools for return or inspection. Employees unable to present the tool(s) in good working condition within the time period requested (i.e. 24 hours) may be expected to bear the cost of a replacement.

Employees who engage in misuse of this equipment will be subject to discipline, up to and including termination from employment.

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### Communication System (Phone) Usage

Personal phone usage, web access, and/or texting should be limited to break/lunch time or calls of very short duration in order to avoid disruption of service to clients and/or negative impact to the productivity of the employee or others. Flexibility will be provided in circumstances demanding immediate attention.

Please also be aware that this is an open work environment and demonstrate discretion and respect for others by keeping the speaking volume of personal calls to a minimum.

Always refrain from eavesdropping on the calls of other staff members and/or clients. If necessary, make or receive personal calls in a private location in an effort to minimize disruption to work activities and distraction to others.

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### **Cell Phones and Tablets (iPads)**

Community Action provides cell phone coverage and equipment for those staff that need it for their work and at the discretion of the Department Director. While occasional personal use of your Community Action issued cell phone is acceptable, excessive use is not acceptable.

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use must refrain from using their phone while driving. Safety must come before all other concerns. Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk or violate Oregon State law in order to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be responsible for liabilities that result from such actions.

While at work, employees are expected to exercise the same discretion in using personal cell phones as is expected for the use of company phones and communication systems. Community Action will not be liable for the loss of personal cell phones brought into the workplace.

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### **Community Action-Owned Vehicles**

All staff members who drive Community Action-owned vehicles while performing work on behalf of Community Action are required to possess a valid driver's license submitting proof of such to Human Resources. At time of hire and annually thereafter Human Resources will conduct a motor vehicle record check. These records will be held as confidential records in Human Resources. These staff members must strictly adhere to all driving regulations including, but not limited to, not using a cell phone while driving or otherwise being distracted while driving and the use of seatbelts is always required. All accidents need to be reported to Human Resources within 48 hours.

Community Action vehicles which are authorized for staff use in conducting duties may only be occupied by those staff members.

## 17. Business-Related Travel

### Use of Private Vehicles

All staff members who regularly drive their own vehicles while performing work on behalf of Community Action are required to carry state-mandated levels of insurance and possess a valid Driver's license submitting proof of such to Human Resources. At time of hire and annually thereafter Human Resources will conduct a motor vehicle record check and request proof of insurance. These records will be held as confidential records in Human Resources. These staff members must strictly adhere to all driving regulations including, but not limited to, not using a cell phone while driving or otherwise being distracted while driving and the use of seatbelts is always required. All accidents need to be reported to Human Resources within 48 hours.

### Mileage Reimbursement

Employees will be reimbursed for mileage when using a privately owned vehicle for Community Action work which requires travel from their assigned work location for that day. Normal commuting travel to/from the employee's normal work location or assigned work location for the day is not eligible for mileage reimbursement.

The mileage reimbursement rate for the use of private vehicles is adjusted annually to coincide with rates established by the Internal Revenue Service. Community Action will communicate rate changes and change procedures in advance of the change taking effect.

### Parking Costs

Parking costs incurred while on Community Action-related business are reimbursable with appropriate documentation.

### Repairs and Tickets

Vehicle repairs and maintenance, traffic tickets and/or parking tickets incurred during Community Action-related travel are not reimbursable.

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### Out of Town Travel

#### Reimbursement of Expenses

Out of town travel expenses must be approved in advance by the Department Director or their designee.

Employees will be reimbursed for reasonable expenses incurred while traveling on Community Action-related business. Alternatively, a cash advance may be requested to cover out of town travel expenses such as transportation, meals and accommodations.

- Community Action will pay the cost of meals that employees incur in carrying out Community Action-related business or as a result of out of town travel. Alternatively, employees may request a per diem allowances in advance, which is based on the current per diem rate.

- All receipts and requests for reimbursement must be submitted to the Community Action Finance Department within 5 days of returning from travel.
  - All cash remaining as a result of a cash advance must be returned to the Community Action Finance Department within 5 days of returning from travel.
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### **Payment for Travel Time**

Non-exempt employees will be paid at their hourly rate of pay for travel time under the following circumstances:

- Travel time between work sites during the course of normal work duties requiring movement from one site to another.
- Travel time for a one-day assignment to a location greater than 30 miles from the employee's normal work location.
- On overnight trips, travel time as a passenger on a common transportation carrier that occurs during an employee's regularly scheduled work shift even if on non-scheduled work days.
- Travel time to a multi-day assignment that occurs when the employee is driving, regardless of the time of day.

Employees will not be paid for travel time under the following circumstances:

- When the employee is a passenger on a common transportation carrier and the travel occurs outside of the employee's regularly scheduled work hours.
- When the employee is traveling to a different work site for the day which is not greater than 30 miles from the employee's normal work location.
- Driving to and from work and home.

## 18. Building Policies

### Bulletin Boards

For the benefit and awareness of our employees, Community Action has posted bulletin boards throughout the workplace to display legally required information, as well as general information about services relevant to Community Action's mission and programs. These bulletin boards are the property of Community Action. Employees are encouraged to review bulletin boards on a regular basis.

Items posted must have been approved by Community Action, the posting date noted and will be removed after a reasonable period of time.

Community Action strives to maintain a respectful and professional workplace. Any materials deemed to be offensive, inappropriate or in violation of any Community Action values or policies will be removed.

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### Solicitation of Support and Distribution of Materials

Community Action supports and encourages active employee involvement in community and charitable organizations.

The following guidelines pertain to activities such as solicitation for support and distribution of materials that are not directly related to work:

- Non-employees are not permitted to solicit, survey, petition, support or distribute materials on Community Action premises at any time. This includes persons soliciting for charities, salespersons, questionnaire surveyors, labor union organizers, or any other solicitor or distributor. Exceptions to this rule may be made in special circumstances where Community Action determines that a third party's solicitation would serve the best interests of the organization and our employees. An example of an exception might be the United Way campaign or a similar, community-based fund-raising effort.
- Employees may not solicit each other for any purpose during work time. Reasonable solicitation between employees is permitted during non-work time, such as before or after work or during meal or break periods. Employees who are on non-work time may not solicit other employees who are on work time.
- Solicitation and distribution activities may only occur in non-work areas, such as a lunch room. Where a facility has no lunch room, a conference room will be considered a non-work area for purposes of this policy.
- Email systems may not be used for solicitation or distribution during working times (this does not include scheduled breaks, mealtimes, or before/after an employee's shift)



## Use of Community Action Grounds

Due to our unique mission, Community Action will occasionally have the experience of having homeless individuals select our property as a temporary resting site. In an effort to align with our mission and goals, we should strive to demonstrate as much empathy as possible towards individuals in these circumstances. We will balance our actions with our commitment to meeting the safety and confidence needs of our employees and clients.

Please contact Community Action's Manager of Homeless and Housing Services and the Director of Housing Stability if you have a concern related to this topic or want advice about how to react to specific circumstances. Community Action will assist individuals in transitioning to alternative services and options to whatever extent we can.

All visitors to Community Action will be expected to comply with our Alcohol and Drug Free Workplace guidelines, Harassment Free Workplace guidelines, Workplace Violence Prevention guidelines and non-smoking guidelines.

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## Children at Work

Community Action values family and work/life balance as reflected by our employment policies and benefits. Community Action also believes in an environment that is conducive to work and therefore, the workplace should not be used in lieu of child care.

It is generally inappropriate for minor children and other minor relatives of employees to be in the workplace during working hours. This policy has been implemented to minimize potential liability to Community Action, risk of harm to children and decreased employee productivity due to distractions and disruptions. This policy is not intended to prohibit children or other minors and family members from being in the workplace during Community Action-sponsored events.

If an employee's child is ill and no one else in the household is available to assist with care, an employee may use paid sick leave to care for a sick child. Employees may also use leave to care for children in the event of a school and/or care closure related to a statewide public health emergency. (Refer to Oregon Sick Leave & Oregon Family Leave Act).

If bringing a child to work with the employee is unavoidable, the employee must first contact their supervisor as soon as possible to discuss the situation and obtain permission to have the child accompany the employee while working.

- Factors the supervisors will consider are the age of the child, how long the child needs to be present, the work environment in the employee's area, and any possible disruption to the employee's and coworkers' work.
- Consideration will not be given to allowing a child with an illness to come to work with the employee.

In all instances, the child brought to the workplace is the responsibility of the employee parent and must be accompanied and be under the direct supervision of the employee parent at all times. The employee parent must also ensure that:

- The child is not disruptive to staff, clients or the business of Community Action.
- The employee parent's and/or coworkers productivity is minimally impacted.
- The presence of the child or the child's activities does not present a safety hazard to self or to others.
- The child's personal belongings and equipment are kept to a minimum and do not infringe on safety regulations for the work area.

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### **Severe Weather – Facilities are Open**

Community Action intends to remain open whenever possible to meet the needs of our clients; however, there are times when events such as severe weather may disrupt normal Community Action operations. Employees are expected to make every reasonable effort to meet their scheduled obligations and be at their assigned work site or be working from home if on a temporary hybrid/telework schedule on days involving snow or other severe weather. Community Action recognizes that these events affect employees differently, and therefore employees may need to make a personal decision about their ability to report to a worksite, or to work from home if on a temporary hybrid/telework schedule, based on their individual circumstances.

Employees may request authorization to arrive late to work or leave early to avoid hazardous conditions with authorization from their direct supervisor. Employees who feel they are unable to safely report to worksites or unable to work remotely if on a temporary hybrid/telework schedule are to follow their call-in protocols and discuss the situation with their supervisor.

#### Pay Practices

When Community Action is open and staff are unable to meet their scheduled obligations, employees will denote the time not worked as vacation when completing their timesheets. If the employee has exhausted all vacation leave, they will be allowed to denote the time as sick leave instead, or if sick leave is also exhausted, their unused personal day.

Employees who had previously scheduled and received approval for a leave of absence, i.e., for medical reasons, for vacation, etc., should denote time away from work as sick leave or vacation leave, depending on the reason for the scheduled absence.

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### **Severe Weather - Facility Closures**

The Executive Director is responsible for deciding when to close Community Action facilities. Once made, this decision will at a minimum be communicated by Community Action's mass communication platform, website, telephone line, and other public service announcements as needed.

If Community Action facilities close for severe weather, all staff should be prepared to meet their work obligations to the best of their abilities. Community Action recognizes events like these can affect an employee's ability to meet all their regularly scheduled obligations. When that is the case, employees must communicate any changes to their schedule or availability for that day to

their supervisor. If there are no suitable alternatives, the supervisor may dismiss the affected employees with pay for the remainder of the employees' regularly scheduled shifts.

Certain types of positions provide services that do not shut down such as the Hillsboro Family Shelter which will continue to operate 7 days a week, 24 hours a day. Staff are expected to remain on site until relief staff arrive and based on communication with their supervisor.

### Pay Practices

Employees will be paid their usual rate of pay for regularly scheduled work time that is interrupted due to closures or adjusted hours of operation.

Employees who had previously scheduled and received approval for a leave of absence, i.e., for medical reasons, for vacation, etc., should denote time away from work as sick leave or vacation leave, depending on the reason for the scheduled absence.

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## **Accident Reporting and Investigation**

### Incident Reporting

An incident is an actual event or near miss that presents a risk of injury or death to any employee, client or/any visitor to Community Action. It may include a facility, location, equipment, tool, job, task or action involving any of the following: Community Action employees, clients, students, vendors, emergency responders, civil or state authorities, the general public and/or Community Action property.

Incidents may be emergencies or non-emergencies and may or may not require medical attention (includes First Aid). If an employee is injured, see Injured Workers section on page 70.

### Procedure

- Dial 9-1-1 (or 9-9-1-1 if using an internal office phone) if the incident is life threatening.
- Designate a staff member to contact the Staff Supervisor of the area immediately.
- Contact the Community Action Site Safety Lead if appropriate.
- Notify the Community Action Facilities Manager of the situation.
- Complete an Incident Report form and submit it to the Facilities Manager within one (1) business day of the incidents occurrence.
- Once received, the Incident Report will be reviewed and analyzed by the Facilities Manager. Copies will be distributed to appropriate departments in a timely manner so that related departments can take appropriate action to avoid a reoccurrence of the same or similar incident.
  - Any employee who is invited to participate in an incident investigation is expected to participate in an honest and contributory manner in order to ensure to a safe workplace for all staff and visitors.
- The Director of Operations is responsible for maintaining Community Action incident records and occurrence rates, as well as for reporting to appropriate oversight agencies and insurance carriers.

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## **Employee Property**

Community Action is not responsible for loss, theft or damage to employee-owned personal property (including vehicles) kept on site at Community Action facilities. Employees are expected to safeguard their personal belongings in a manner that causes no harm to self, others or Community Action facilities and/or systems. (See Use of Electronic Equipment, Drug and Alcohol Free Workplace, Violence Free Policy).

### Personal Electronic Devices

Use of personal electronic devices strains the overall electrical capacity of Community Action facilities, may present a safety hazard, increases Community Action utility costs and negatively impacts Community Action's commitment to sustainability.

Prohibited personal electronic devices include:

- Microwaves
- Coffee pots/makers
- Space heaters
- Refrigerators

Exceptions to this policy may be considered on a case-by-case basis. Requests for exceptions due to special circumstances should be submitted to the immediate supervisor. The immediate supervisor must consult and seek approval from the Facilities Manager prior to approving any request of this nature. Requests for accommodations associated with the Americans with Disabilities Act must also be submitted and reviewed by the Director of Human Resources.

Failure to comply with this policy may result in confiscation of the personal item.

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## **Smoking/Vaping and Use of Tobacco Products**

Smoking/Vaping is prohibited in all Community Action facilities and vehicles.

Use of tobacco products, including cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, or spit tobacco in any form including all smokeless tobacco products, is prohibited under the following circumstances:

- On Community Action premises where the Head Start program is administered.
- Wearing or bringing clothing that smells of tobacco smoke into a Child Development Center or in outdoor areas where Head Start participants are present.
- At all Head Start sponsored events, on or off premises.
- In all Head Start vehicles.
- By staff, volunteers or family members within sight of Head Start participants.

In facilities where the Head Start program is not administered, outdoor smoking areas may be designated for employees and guests and must be strictly adhered to. Federal and state regulations regarding location of such areas and/or distances from building windows, intakes

and doors must be strictly adhered to at all Community Action worksites and buildings including shelters. All smoking materials must be disposed of in appropriate receptacles.

Employees violating Community Action work rules regarding use of tobacco products or smoking areas will be subject to disciplinary action in accordance with Community Action policies and procedures.

Smokers who wish to quit are encouraged to contact the Human Resources department and/or their health care provider for information on smoking cessation options available to them.

## 19. Employee Records

### Personnel Files

Employee files are maintained in the Human Resources department and are considered confidential. These records are the property of Community Action. The Human Resources department maintains, stores and retains employee records in accordance with applicable Federal and State laws.

### Changes to Data in Employee Records

Community Action's payroll and human resources data systems require that we use an employee's name as it is listed on their Social Security card. If an employee needs to change their name in our system of record, a Personal Information Change Form and Social Security card which reflects the employee's new legal name must be presented in person to the Human Resources department. The timekeeping system can also provide access for personal information changes but be sure to use this form as applicable in addition to the timekeeping system change options. Email and payroll systems will be updated shortly thereafter.

### Access to Personnel Records & Requests to Verify Employment

#### *Employee Access:*

- *Current Employees:* Current employees may review their personnel file only in the Human Resources department and in the presence of a representative from the Human Resources department. Access to the personnel file will be permitted as soon as is practicable. If requested, Community Action will furnish a copy of the records contained in the personnel file at a cost of \$0.05 per page and allowing 3-5 business days for receipt via certified mail.
- *Terminated Employees:* An employee who terminates from Community Action may request and be furnished with a certified copy of their personnel file at a cost of \$0.05 per page and allowing 3-5 business days for receipt via certified mail. This request must be made within 60 days from the date of termination in order to guarantee maintenance of the file.

#### *Manager and Supervisor Access:*

Managers and supervisors, other than the Director of Human Resources and the Executive Director, may only have access to personnel file information on a need-to-know basis. A manager or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file.

Personnel files are to be reviewed in the Human Resource department. Personnel files may not be taken outside of the department.

#### *Access by Others:*

Representatives of government or law enforcement agencies, in the course of their business, may be allowed access to file information. This decision will be made at the discretion of the Human Resource department in response to the request, a legal subpoena, or court order.

*Requests to Verify Employment:*

The Human Resources department will respond to requests to verify a current or past staff member's employment with Community Action when the request is related to a legitimate need for outside services, such as applying for a loan or various social services.

*Reference Requests:*

The Human Resource department is designated to respond to reference check inquiries from other employers. All calls, contacts and written inquires concerning former employees should be referred to Human Resources. It is the policy of Community Action to provide references concerning job-related information of former employees and only at the request of a prospective employer. Responses to such inquiries will confirm only dates of employment, wage rates and the title of position held (see Employee Records).

Community Action does not provide reference information on current employees.

Questions or Concerns

If an employee has a concern about the accuracy and/or completeness of information contained in their personnel file, they are encouraged to bring the concern to the attention of their assigned Human Resources Business Partner or the Director of Human Resources. The concern will be assessed and the file audited, followed by appropriate corrections if applicable.

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**Medical Records**

Medical records are maintained in a separate file from the Personnel File in accordance with the Americans with Disabilities Act (ADA) and the Genetic Information Non-Discrimination Act (GINA). This includes any medical record information, including physical examinations, medical certifications, medical leaves, workers' compensation claims, and drug and alcohol testing.

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**Records of Self-Identification**

Records related to Equal Employment Opportunity, including self-identification of gender, race, ethnicity, disability and/or veteran status are maintained in a separate file from the Personnel File. I-9 records related to work eligibility are maintained in a separate file from the Personnel File.

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## **License and Certification Records**

### Criminal Background Registry

Employment in certain positions within Community Action is conditional upon immediate and continued enrollment in the Criminal Background Registry (CBR) maintained by the Child Care Division of the Oregon Employment Department.

The job description will indicate whether or not CBR is required. Employees may not work until enrollment is completed.

If a current employee permits their enrollment to expire, they must immediately notify the direct supervisor. The employee will be suspended without pay until enrollment can be reinstated.

All documents related to enrollment and renewal in the CBR must be submitted to the Human Resources department.

### Commercial Driver's License

Employment in positions requiring transportation of children is subject to the Oregon Department of Education requirements. Employment is conditional upon ongoing compliance with the following expectations, including but not limited to:

- Holding and maintaining a valid Oregon Commercial Driver's license and Oregon School Bus Driver Certificate with endorsements for passenger, school bus and air brakes.
- Passing the physical requirements of a school bus driver as determined by the Oregon Department of Education.
- Possessing a driving record that is sufficient to pass a check of driving and criminal records by the Oregon Department of Education.

### Background Investigations

Community Action conducts background investigations as a necessary component of our hiring process. The extent of the investigation varies depending upon the nature of the job being filled and any grantor requirements pertaining to the funding of the position. Community Action contracts with a third party administrator to ensure that background investigations are conducted in a consistent and confidential manner. Community Action complies with the Fair Credit Reporting Act regarding disclosure, authorization and notice provisions.



## 20. Personal Office Relationships

Community Action strongly believes that an environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships may progress during working hours and within the working environment.

Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information and their ability to influence others.

- During working time and in working areas employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.
- Allowing personal relationships with coworkers to affect the working environment is not acceptable.
- Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is that romantic or sexual relationships between supervisors and subordinates are not acceptable.
- Supervisors, managers, executives or anyone else in sensitive or influential positions must disclose the existence of any romantic and/or sexual relationship with another coworker to their immediate supervisor, the Department Director or the Director of Human Resources as soon as the situation arises. Community Action has a responsibility to determine whether any conflict of interest exists because of the relative positions of the individuals involved.
- Where problems or potential risks are identified, Community Action will work with the parties involved to consider options for finding a mutually agreeable solution. The initial solution may require reallocation of duties to avoid any actual or perceived reward or disadvantage resulting from the relationship.
- In some cases, more extreme measures may be necessary such as transfer to other positions or departments.
- Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation.
- Failure to work with Community Action to resolve such a situation in a mutually agreeable fashion may result in discipline, up to and including termination.
- The provisions of this policy apply regardless of the sexual orientations of the parties involved.
- Any employee who feels they have been disadvantaged as a result of this policy, or who believes this policy is not being adhered to, are encouraged to share their concerns with their Department Director or the Director of Human Resources.

## 21. Political Activities

Community Action encourages its employees to participate fully in the democratic political process as private citizens. However, as a non-profit 501(c)(3) tax-exempt organization and recipient of Community Services Block Grant and other federal funds, Community Action must follow certain rules concerning political activity.

### Permitted Activities by Individuals (Off Duty)

All Community Action employees may engage in the following activities as private citizens, if conducted during non-Community Action work hours, off Community Action premises; and without direct or indirect Community Action financial support or identification:

- Hold membership and office in, attend meetings of, vote in, and otherwise participate in, political parties, clubs, organizations, and conventions;
- Participate in and manage partisan or nonpartisan political campaigns, including volunteering, writing and making speeches, writing letters, and soliciting voters to support or oppose a candidate;
- Be a candidate in a nonpartisan election for public office;
- Contribute to partisan or nonpartisan political campaigns or political parties and request contributions (but not advise, command, coerce, or attempt to coerce such contributions) from others (except from employees whom they supervise);
- Participate in voter registration drives; *and*
- Assist in providing transportation to the polls.

### Prohibited Activities by Individuals (On Duty)

While on duty at Community Action, on Community Action premises, or using Community Action resources, Community Action employees may not engage in any of the activities listed above.

### Prohibited Activities by Individuals (At All Times)

In general, Community Action employees may not engage in the following activities at any time or place, including during off-duty hours, during leave of any type (including unpaid leave), and off Community Action premises:

- Be a candidate for public office in a partisan election (including primaries);
- Use official authority or influence to interfere with or affect the results of an election or a nomination for office, *and*
- Directly or indirectly coerce, attempt to coerce, command or advise any employee of Community Action or other Community Action or Head Start Agencies to make political contributions, or request such contribution from Community Action employees whom they supervise.

However, if the Community Action employee either: 1) spends less than half of their working time employed by Community Action or receives less than half of their working income from Community Action; or 2) receives a Community Action salary which is not funded in any part by the Community Service Block Grant or Head Start and does not perform any work in connection with activities funded by the Community Services Block Grant or Head Start, the employee may

be exempted from the restrictions stated above. In order to be exempted, the employee must receive written authorization from the Community Action Executive Director.

#### Community Action Activities

- Community Action may not participate or intervene in a political campaign on behalf or in opposition to any candidate for public office. Community Action employees should scrupulously avoid identification of Community Action with, or use of its funds or resources for, such activity.
- Community Action funds may not be used to make contributions to political campaigns, political parties, or political action committees.
- Community Action may under certain conditions conduct limited activities designed to educate, but not influence, voters, such as neutral candidate forums or voter guides, voter registration drives, and transportation to the polls, but only if they are carried out by Community Action programs or employees not funded by the Community Services Block Grant or Head Start and receive the prior approval of the Community Action Executive Director.