



Personnel Policies & Procedures

Approved by OOI Head Start Policy Council

August 25, 2020

Ana Castro-Beard, Chair, Policy Council

Approved by OOI Board of Directors

August 25, 2020

Paulette Hill, Chair, Board of Directors

NOTE: This manual is not to be construed to be a contract of employment. The employment relationship may be altered at any time by the employee or the agency.

Ozark Opportunities, Inc.
Personnel Policies & Procedures

Table of Contents

	<u>SECTION 1 – INTRODUCTION</u>	4
	▪ Purpose	
	▪ Acknowledgement	
	 <u>SECTION 2 – EMPLOYMENT</u>	
2-1	Equal Employment Opportunity Policy	5-6
2-2	Personnel with Criminal Records	6-7
2-3	Drug Free Workplace	8
2-4	Conduct	8-10
2-5	Violation of Breach of Conduct	10
2-6	<reserved>	10
2-7	Office Hours	10-11
2-8	Salaries and Wages	11
2-9	Advancement and Salary Increases	11
2-10	Employment Status Categories	11-12
2-11	Payroll Process (& Time Sheets)	12
2-12	Overtime	12
2-13	Personnel Records	13
2-14	Applications for Employment	13
2-15	Background Checks	13
2-16	Probationary Period	13
2-17	Condition of Employment	13-14
2-18	Performance Evaluation	14
2-19	Prudent Worker Policy	15
2-20	Genetic Information Nondiscrimination Act (GINA) Policy	15
2-21	Americans with Disabilities Act	15-16
2-22	Termination of Employment	16
	 <u>SECTION 3 – LEAVE</u>	
3-1	Holidays	16
3-2	Leave of Absence	17
3-3	Absentee and Attendance Policy	17-18
3-4	Annual Leave or Vacation	18-19
3-5	Sick Leave	19-20
3-6	Administrative Leave	20
3-7	Military Leave	20
3-8	Jury or Witness Leave	20-21
3-9	Family and Medical Leave Act and Military Family Leave	21-22
3-10	Workers’ Compensation and Paid Leave	23

Ozark Opportunities, Inc.
Personnel Policies & Procedures

SECTION 4 – BENEFITS

4-1	Employee Benefits	23
4-2	Fringe Benefits	24
4-3	OOI Retirement Plan	24
4-4	Group Health Benefits	24
4-5	Other Benefits	25
4-6	Accidental Injuries	25

SECTION 5 – EMPLOYEE CONDUCT

5-1	Employee Dress and Personal Appearance	25-26
5-2	Confidentiality	26-27
5-3	Policies that Relate to Outside Employment	27
5-4	Fire Safety	27-28
5-5	Drug Free Workplace Policy	28-29
5-6	Medical Marijuana	29
5-7	Smoke/Tobacco Free Environment	29-30
5-8	Computer, Email and Internet Use Policy	30-31
5-9	Employee Protection (Whistleblower) Policy	31
5-10	Notification of Employee Protections under 41 U.S.C. § 4172	31-32
5-11	Grievance Procedures	32-33
5-12	Disciplinary Actions	33-34
5-13	Anti-Harassment Policy	34-36

SECTION 6 – OTHER

6-1	Prohibition Against Partisan Political Activity	36
6-2	Travel Regulation	36
6-3	Reimbursement for Use of Employee-Owned Vehicle	36-37
6-4	Use of Agency Vehicles	37
6-5	Vehicle Safety	37
6-6	Home Visits	37-38
6-7	Document Retention and Destruction Policy & Schedule	38
6-8	Public Information Policy	38
6-9	Violence Prevention	38-39
6-10	Adverse Weather Conditions and Emergency Closing Policy	39-40
6-11	Arkansas Community Services Block Grant Policy and Procedures	41-42
	Manual Section VII- Sub Grantee Requirements	
6-12	Attendance Incentive – Classroom Staff	43

SECTION 7 – JOB DESCRIPTIONS (Additional Document- Attachment A)

Ozark Opportunities, Inc.
Personnel Policies & Procedures

SECTION 1- INTRODUCTION

PURPOSE:

This manual is developed for you as an employee of *Ozark Opportunities, Inc.* and is intended to answer questions you may have or receive about jobs, benefits and the agency.

This Personnel Policy supersedes any other handbook and/or personnel policies previously issued by Ozark Opportunities, Inc. and will be edited and updated from time to time at the discretion of the Board of Directors of *Ozark Opportunities, Inc.*

This manual is not to be construed to be a contract of employment. The employment relationship may be altered at any time by the employee or the agency.

The Board of Directors may set rules and regulations governing the conduct of the employees. The rules, however, are not intended to cover all instances of misconduct.

With regard to vacation, sickness and other fringe benefits outlined herein, it must be understood that these **benefits are not required by law nor are they guaranteed by the agency.**

ACKNOWLEDGMENT:

I acknowledge that I have received a copy of the *Ozark Opportunities, Inc.* Personnel Policy dated below (in footer of this page) and as an employee of *Ozark Opportunities, Inc.* agree to abide by the policies as set forth therein; and as revised from time to time.

Employee's Signature

Date

Ozark Opportunities, Inc.
Personnel Policies & Procedures

SECTION 2 - EMPLOYMENT

2-1 Equal Employment Opportunity Policy:

No applicant or employee of *Ozark Opportunities, Inc.* shall be discriminated against because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, veterans' status or genetic information. Should any applicant for services or employment, or any employee contend that he or she has been unlawfully discriminated against because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, veterans' status or genetic information; or that he or she has been unlawfully punished for the exercise of a constitutionally protected right (e.g. free speech, free association, political patronage, access to courts, privacy, etc.) or treated in any other unlawful or unconstitutional manner, the applicant or employee shall request, in the time and manner set forth in this employment policy, a hearing before the agency grievance committee to provide the agency's final policymaker with authority and opportunity to learn of the alleged unlawful discrimination or unlawful punishment and to thereby have an opportunity to voluntarily conform the conduct of agency personnel to the requirements of the policy.

It is the policy of *Ozark Opportunities, Inc.* to provide equal opportunity for all qualified persons and to prohibit unlawful discrimination in employment practices. Personnel are expected to be capable and responsible, of good character and reputation, and be sympathetic with the objectives of the agency. Since *Ozark Opportunities, Inc.* operates programs dealing with children, all personnel are subject to the provisions of minimum licensing requirements for day care centers and the Head Start Program, Early Head Start Program and Arkansas Better Chance Program.

Employees and applicants for employment may be required to apply for and pass criminal records background checks, child maltreatment and sex offender background checks, and other background checks as may be required by law or program guidelines. All employees may also be required to submit to periodic drug testing. All employees are strongly urged to have a valid driver's license.

Hiring, appointments and promotions shall be made solely on the basis of merit, fitness and performance of duties. The attainment of a high level of education, or specialized training, may be important to performance in certain positions. Prior to hire, qualified candidates are interviewed, personal and employment references are verified and applicable background checks are completed.

All *Ozark Opportunities, Inc.* employees are "at will" employees. Employment is not for a specific period of time and employment may be terminated at any time, without notice or liability of any kind (except for wages earned and unpaid) and with or without cause.

The Chief Executive Officer shall be hired by the Board of Directors utilizing a process in accordance with the Head Start Act regarding the Policy Council role in employment of program staff and consistent with paragraph (1)(E)(iv)(IX) of the Head Start Act. The Chief Executive Officer shall be responsible for the hiring of all other personnel, and may delegate that authority.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

The Chief Executive Officer shall utilize a process in accordance with the Head Start Act regarding the Policy Council role in employment of the Head Start Director, Director of Human Resources, Chief Fiscal Officer and any other person in an equivalent position with the agency.

Retaliation against any employee for making complaint under this policy or for providing information during an investigation is strictly prohibited, will not be tolerated, and is a violation of this policy.

2-2 Personnel with Criminal Records:

- A. Conviction of a crime in itself will not prevent employment. It is the policy of *Ozark Opportunities, Inc.* when hiring personnel with criminal records that they be considered on an individual basis.
- B. No person shall be eligible to be a childcare facility employee if that person has pled guilty, or been found guilty, of any of the following offenses (including current and future offenses as defined by Minimum Licensing Requirements for Child Care Centers as issued by Arkansas Department of Human Services Child Care Licensing Unit)

The following offenses are permanently prohibited:

- 1. **Abuse of an endangered or impaired person, if felony**
- 2. **Arson**
- 3. **Capital Murder**
- 4. **Endangering the Welfare of an Incompetent person – 1st degree**
- 5. **Kidnapping**
- 6. **Murder in the First degree**
- 7. **Murder in the Second degree**
- 8. **Rape**
- 9. **Sexual Assault in the First degree**
- 10. **Sexual Assault in the Second degree**

No person shall be eligible to be a child care facility owner, operator or employee if that person has pled guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state, or any similar offense by a federal court.

The following offenses are prohibited:

- 1. Criminal Attempt to commit any offenses in MLR Section 110
- 2. Criminal Complicity to commit any offenses in MLR Section 110
- 3. Criminal Conspiracy to commit any offenses in MLR Section 110
- 4. Criminal Solicitation to commit any offenses in MLR Section 110
- 5. Assault in the First, Second, or Third degree
- 6. Assault, Aggravated
- 7. Assault, Aggravated on a Family or Household Member
- 8. Battery in the First, Second, or Third Degree
- 9. Breaking or Entering
- 10. Burglary
- 11. Coercion
- 12. Computer Crimes Against Minors
- 13. Contributing to the Delinquency of a Juvenile

Ozark Opportunities, Inc.

Personnel Policies & Procedures

14. Contributing to the Delinquency of a Minor
15. Criminal Impersonation
16. Criminal Use of a Prohibited Weapon
17. Death Threats Concerning a School Employee or Students
18. Domestic Battery in the First, Second, or Third Degree
19. Employing or Consenting to the Use of a Child in a Sexual Performance
20. Endangering the Welfare of a Minor in the First or Second Degree
21. Endangering the Welfare of an Incompetent Person in the First or Second Degree
22. Engaging Children in Sexually Explicit Conduct for Use in Visual or Print Media
23. False imprisonment in the First or Second Degree
24. Felony Abuse of an Endangered or Impaired Person
25. Felony Interference with a Law Enforcement Officer
26. Felony Violation of the Uniform Controlled Substance Act
27. Financial Identity Fraud
28. Forgery
29. Incest
30. Interference with Court Ordered Custody
31. Interference with Visitation
32. Introduction of Controlled Substance into Body of Another Person
33. Manslaughter
34. Negligent Homicide
35. Obscene Performance in a Live Public Show
36. Offense of Cruelty to Animals
37. Offense of Aggravated Cruelty to Dog, Cat, or Horse
38. Pandering or Possessing Visual or Print Medium Depicting Sexually Explicit Conduct Involving a Child
39. Patronizing a Prostitute
40. Permanent Detention or Restraint
41. Permitting Abuse of a Minor
42. Producing, Directing, or Promoting a Sexual Performance by a Child
43. Promoting Obscene Materials
44. Promoting Obscene Performance
45. Promoting Prostitution in the First, Second, or Third Degree
46. Prostitution
47. Public Display of Obscenity
48. Resisting Arrest
49. Robbery
50. Robbery (Aggravated Robbery)
51. Sexual Offense (any)
52. Simultaneous Possession of Drugs and Firearms
53. Soliciting Money or Property from Incompetents
54. Stalking
55. Terroristic Act
56. Terroristic Threatening
57. Theft by Receiving
58. Theft of Property
59. Theft of Services
60. Transportation of Minors for Prohibited Sexual Conduct
61. Unlawful Discharge of a Firearm from a Vehicle
62. Voyeurism

Ozark Opportunities, Inc.

Personnel Policies & Procedures

2-3 Drug-Free Workplace:

Employees are expected to report to work in a physical and mental condition that will allow them to perform their assigned tasks in a competent and safe manner, free of the influence of alcohol, legal or illegal drugs, or other dangerous substances. All applicants and rehires who are viable candidates for employment may be required to take a drug screening test as part of the employment process. Refusal to consent to drug screening will result in termination of employment process.

OOI explicitly prohibits:

- A. The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription or use in contravention of a physician's orders on *OOI* worksites or while performing an assignment.
- B. Being impaired or under the influence of legal or illegal drugs or alcohol away from *OOI*'s premises, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk *OOI*'s reputation.
- C. Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from *OOI* premises, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk *OOI*'s reputation.
- D. The presence of any detectable amount of prohibited substances in the employee's system while at work, while on the premises of *OOI* or while on Agency business. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

2-4 Conduct:

Ozark Opportunities, Inc. shall observe the following minimum standards governing the conduct of board members, employees, and their immediate families. For the purpose of these requirements, an immediate family member shall be defined as follows: Husband, Wife, Father, Father-in-law, Mother, Mother-in-law, Brother, Brother-in-law, Sister, Sister-in-law, Son, Son-in-law, Daughter, Daughter-in-law.

Board members, Policy Council Members, and agency employees shall act in an ethical manner in all dealings, with care and concern for potential conflicts of interest and perception in mind. If any question exists of whether a situation is questionable, the Chief Executive Officer or Board Chair should be contacted to discuss the matter.

Code of Conduct:

- A. No Board member, employee, or member of his/her immediate family shall have a financial interest in a contract of *OOI* (except an employee's contract of employment) which is supported by CSBG or other grant funds. This shall not be construed to deny services provided by *OOI* to a person otherwise eligible to receive such services. To insure against the appearance of impropriety, all applications for assistance submitted by any Board member, employee, or member of his/her immediate family shall be reviewed and approved (or denied) by the appropriate Program Manager and the Chief Executive Officer.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Code of Conduct; continued:

- B. Board members, employees, and members of their immediate families shall not solicit or accept gifts, gratuities, favors, or anything of monetary value from any contractor, potential contractor or subcontractor of *OOI*, any person applying for or receiving benefits or services through *OOI*, or any person in a position to benefit otherwise from the activities of *OOI*.
- C. A Board member or employee of *OOI* shall not participate in any matter involving CSBG funds or other funds administered by OCS which affects, to his/her knowledge, the financial interest of:
 - 1. Such Board member or employee or his/her immediate family (this prohibition shall not apply to matters of reimbursement of board members in accordance with these regulations or to an employee's contract of employment);
 - 2. His/her business partner(s) or a business organization with which he/she is associated;
 - 3. Any person or organization with whom he/she is negotiating or has any arrangement concerning prospective employment.
- D. No person may serve on the *OOI* Board who is:
 - 1. A Board member or employee of a delegate agency, except a
 - 2. Delegate agency which is responsible for comprehensive community programming and planning for low-income areas served by *OOI*;
 - 3. An employee of *OOI*, Arkansas DHS, U.S. Department of Health and Human Services, U.S. Department of Energy.
- E. No person shall be employed if she/he or a member of his/her immediate family serves on a Board or committee of *OOI* or delegate agency if that Board or committee has authority to order personnel action affecting his/her job.
- F. No person shall hold a position of employment over which a member of his/her immediate family exercises supervisory authority.
- G. Board members and employees of *OOI* shall refrain from conduct which gives the appearance of violating any of the above standards.

Child Development Code of Ethics:

Child Development employees must adopt the following principles:

- A. Pledge to care for every child entrusted with love, understanding and respect.
- B. Commit to providing high quality childcare in accordance with proven program philosophy, goals, and objectives.
- C. Protect and promote each child's physical and emotional well-being, mental capability and social competency.
- D. Agree to reach out to each child and family, attempting to enhance their quality of life by recognizing their unique needs.
- E. Respect parents as the prime educators of their children and endeavor to strengthen the bond among all family members.
- F. Promise to conserve and protect the property and resources entrusted to my care.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Child Development Code of Ethics; continued:

- G. Treat all children, parents, co-workers and supervisors with respect.
- H. Continued awareness and pride in my role within the community as an important influence on the lives of young children.
- I. Accept the responsibility of involving the community in all aspects of nurturing its future leaders.
- J. Continue to improve personal growth and skills as a childcare professional through relevant training.
- K. Always be truthful when dealing with parents, co-workers, and supervisors.
- L. Dedicated to maintaining high professional standard, safeguarding confidentiality, and performing with intelligence, commitment and enthusiasm.

Conflict of Interest:

It is important for *Ozark Opportunities, Inc.* Board, Head Start Policy Council, and employees to be aware that both real and apparent conflicts of interest or dualities of interest sometimes occur in the course of conducting the affairs of their duties and that the appearance of conflict can be troublesome even if there is in fact no conflict whatsoever. To address this issue, each member and employee is required to accept the *Ozark Opportunities, Inc.* Conflict of Interest Agreement upon request.

2-5 Violation of Breach of Conduct:

It should be noted that a breach of the above outlined guidance (2-4 Conduct; Code of Conduct, Code of Ethics and Conflict of Interest) will result in administrative action. Board & Policy Council members and staff of OOI are all trained and understand that breaches of conduct may result in their termination from service. Staff disciplinary actions are outlined in section 2-22 of this document.

2-6 <reserved>

2-7 Office Hours:

The Administrative Office of *Ozark Opportunities, Inc.* is open five (5) days a week from 8:00 a.m. to 4:30 p.m. Hours are posted in a conspicuous place. Community Services Offices and Child Development Classrooms will post regular hours and notify the administrative office of these hours. Worksites staffed by one person will notify the administrative office of closing due to out-of-office work duties, illness or annual leave. Administrative and Community Services offices are closed ½ hour for lunch.

Child Development Classrooms have hours of center operation between 7:30 am – 3:30 pm, depending on location. Time of classes will be clearly posted where staff and parents are able to see them.

The designated Center Director will advise the *Assistant Classroom Staff Supervisor* if their center's individual needs vary from these times. Classroom staff are expected to work the full day, as scheduled. The designated Center Director will report any tardiness of assigned time to the

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Assistant Classroom Staff Supervisor. Excessive tardiness or unexcused absences will result in disciplinary action.

2-8 Salaries and Wages:

All major funding applications are approved by the Board of Directors of *Ozark Opportunities, Inc.* All positions and salaries are part of these funding applications.

If an employee is not satisfied with rates assigned, that employee may seek appeal through the same channel as a grievance procedure.

No employee is paid at a rate lower than the Federal or State Minimum Wage; whichever is higher.

2-9 Advancement and Salary Increases:

A. Advancement:

The "at will" employment policy applies equally to hiring and promoting. Nothing herein shall create a property right in employment, entitlement to be hired or promoted or an expectancy of continued employment. Nothing herein establishes grounds upon which hiring or promoting is based. Priority consideration is given to present employees in good standing that are qualified for any job vacancy.

B. Salary Increases:

Salary ranges established in the salary schedule are contingent upon funds availability. Salary ranges are intended to furnish administrative flexibility in recognizing individual differences among employees in the same position, in providing employee incentive for growth and improved performance and in rewarding employees for meritorious service.

Only employees of *Ozark Opportunities, Inc.* at the time of a salary increase are eligible for a salary increase.

In addition, if funds allow, staff who have completed one year of service as of February 1, and have had no disciplinary actions (warning, disciplinary probation or suspension) during that year, will be eligible (up to two times per year) for a meritorious service bonus; based on most recent job evaluation (to be completed by February 15 of each year).

2-10 Employment Status Categories:

The following employment status categories are used for personnel employed by *Ozark Opportunities, Inc.*:

- A. REGULAR FULL-TIME EMPLOYEES: Those employees who work a full forty (40) hours per week and whose employment is not time limited.
- B. REGULAR PART-TIME EMPLOYEES: Those employees who work less than a full forty (40) per week on a regularly scheduled basis and whose employment is not time limited.
- C. REGULAR HOURLY EMPLOYEES: Those employees who work up to forty (40) hours per week, scheduled as needed to meet program needs.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Employment Status Categories; continued:

- D. TEMPORARY EMPLOYEES: Those employees not having a regular schedule; not to exceed a monthly total of 128 hours and an annual total of 990 hours.
- E. CONSULTANTS: A person serving with or without compensation who provides expertise in a particular field. Depending on the circumstances, consultants may or may not be considered employees of the agency.
- F. CHILD DEVELOPMENT HOURLY EMPLOYEES: Those employees who are scheduled to work during the school year term.

Non-Exempt and Exempt Employees:

- A. NON-EXEMPT EMPLOYEES: those employees who are not exempt from the Fair Labor Standards Act (FLSA) and any applicable state laws, and therefore receive overtime pay for any hours worked in excess of forty (40) in a work-week. Non-exempt employees are paid on an hourly basis.
- B. EXEMPT EMPLOYEES: those employees who are not entitled to overtime pay. Exempt employees are paid on a salary basis.

2-11 Payroll Process (& Time Sheets):

- A. Each employee is responsible for completing a timesheet on a daily basis as prescribed in the Agency Finance Manual.
- B. Time and Attendance reports are submitted to immediate supervisor twice each month; one for pay period the first (1st) through the fifteenth (15th) and one for the period sixteenth (16th) through the last day of the month. Reports should be submitted on the last working day of the pay period. Provided there are no delays beyond the control of the agency, payroll deposits for the pay period ending the 15th will be made on the 20th; payroll deposits for the pay period ending the last day of the month will be made on the 5th. Additional explanation of payroll process and requirements are listed in the Agency Finance Manual.
- C. Pay stubs are mailed quarterly to all employees (pay periods ending on March 31, June 30, September 30 and December 31). Additional pay stubs from the Finance Department are available upon request.

2-12 Overtime:

Employees subject to the provisions of the Fair Labor Standards Act as amended in 2004 (non-exempt employees) are paid overtime for all hours worked in excess of forty (40) hours in a work week at a rate not less than 1.5 times the employee's regular rate of pay. The agency work week begins on Sunday and ends on Saturday. **Supervisors will not permit overtime to be worked by non-exempt employees without proper advance authorization from the Chief Executive Officer.**

Overtime is discouraged. Non-exempt employees are expected to arrive on time, take a 30-minute lunch break (except for those that work in a Child Development environment) and leave at the designated quitting time. Supervisors have the responsibility to assure that non-exempt employees do not work (with or without permission) in excess of 40 hours during the work week (Sunday through Saturday) unless prior approval has been obtained. Failure to comply with this policy may result in disciplinary action, up to and including termination for all employees involved.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

2-13 Personnel Records:

The Chief Operating Officer shall establish the official agency folders for maintaining records for personnel management activities. Personnel files are available to the Chief Executive Officer, applicable Program Directors and management staff, and those required by law.

2-14 Applications for Employment:

Applications for employment at *OOI* are accepted for posted or advertised vacancies. Applications received for general employment or other positions not currently available are not acknowledged. Applications shall be submitted on the standard form prescribed and provided by the Chief Executive Officer. Applications that are complete and signed are considered active for 180 days from signature date. Previous employees of *Ozark Opportunities, Inc.* (unless prohibited by law or legally binding settlement agreements) are eligible to make application. All candidates for a position shall be evaluated against the same qualification requirements.

2-15 Background Checks:

Criminal Background Checks (CRC), Child Maltreatment Central Registry Checks, State and National Sexual Offender Registry check and State and FBI Fingerprint Background Checks are completed on applicable employees as prescribed by Head Start Performance Standards and Arkansas Childcare Licensing Regulations. Applicants who refuse required background checks are not considered for employment. Current employees who refuse required background checks are subject to dismissal.

2-16 Probationary Period:

All new Regular and Child Development Hourly employees must successfully complete a probationary period of **60** working days (**480** hours). A supervisor should provide training and assistance to insure the employee has an opportunity to learn the job during the probationary period. A supervisor should also evaluate the employee on a regular basis in order to determine whether the employee should or should not be retained beyond the end of the introductory period. Separation during the introductory period shall not be subject to appeal. Employees are not eligible for fringe benefits, including holidays and jury duty pay until successful completion of the probationary period. Successful completion of the probationary period does not alter the employee's at-will employment status.

2-17 Condition of Employment:

Employees must meet the following conditions as part of employment:

- A. Attend training as deemed necessary and advisable, including training where travel, including overnight travel, is required.
- B. Work in the classroom, center, or other job site in the *OOI* service area, as deemed necessary by the Program Manager or other authority.
- C. Keep all information regarding Child Development children and families and program clients confidential, and ensure such information will only be given to the parent/guardian or to staff members who have a "need to know" in order to perform their assigned duties.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Condition of Employment; continued:

- D. Child Development staff will not use any form of behavior guidance which is humiliating, frightening, physically harmful to children, or which is associated with food, rest, or toilet privileges. Inappropriate punishment would include but is not limited to spanking, undue restraint, scolding, harsh treatment, isolation without supervision, verbal abuse, sarcasm, threats, or derogatory remarks about a child or his family.
- E. Child Development staff will continue to maintain a clean record with the Arkansas Child Maltreatment Central Registry.
- F. Comply with all requirements of the job description.
- G. All Child Development staff are required to complete an annual screening questionnaire approved by Head Start Health Advisory Committee and Head Start Policy Council to assess exposure and risk of tuberculosis or obtain a health card stating they are free of tuberculosis. The health card and/or questionnaire is filed in the Central Office Day Care Licensing Review System. New staff may be asked to obtain a tuberculosis screening test. Contagious or infectious disease, flea and head lice policies are applicable to Child Development staff.

2-18 Performance Evaluation:

Each staff member should have an annual performance review. Performance reviews shall generally be based on an assessment of the individuals' performance that is identified in the job description. The supervisor, in collaboration with staff, should develop performance expectations of each staff member. The employee's signature on their performance review will indicate that it was presented to them. Each employee may make comments about their appraisal and such comments will be included in their Personnel File.

The Board of Directors, as supervisors of the Chief Executive Officer, will perform an annual evaluation of the Chief Executive Officer's performance and compensation. It is the responsibility of the Board to establish performance expectations, compensation, apply disciplinary action and dismiss, if necessary, the CEO. The Chief Executive Officer shall be evaluated and compensation set by the Board of Directors utilizing a process in accordance with the Head Start Act regarding the Policy Council role in employment of program staff and consistent with paragraph (1)(E)(iv)(IX) of the Head Start Act.

New employees should have an employee evaluation at midpoint and end of probationary period. If retained, new staff should have an annual performance review as program schedule dictates.

STAFF PERFORMANCE APPRAISAL – CHILD DEVELOPMENT CENTERS: There should be staff performance appraisals for each employee each school year, and visits may be unscheduled. If these performance appraisals are unfavorable, more evaluations may be required to make sure the employee is making the necessary modifications in performance. The Child Development Program Management Staff and Child Development Supervisors will make the visits. Time will be allowed after the appraisals to discuss the findings.

The Chief Executive Officer shall utilize a process in accordance with the Head Start Act and Head Start Program Performance Standards regarding the Policy Council role in the evaluation and compensation of staff compensated with Head Start/Early Head Start funds.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

2-19 Prudent Worker Policy:

- A. Employees must make every effort to avoid the appearance of professional improprieties. When processing applications for *OOI* services or employment from employees, immediate family members of employees, or Board members, diligent care must be taken to insure that such applications are not given preferential treatment.
- B. On a regular basis, all employees and members of *OOI* Board of Directors will be required to complete an Internal Audit of services received from the Agency.
- C. This policy must be followed when processing applications from employees of *Ozark Opportunities, Inc.*; immediate family members of employees and board members (mother, father, brother, sister, husband, wife or child; in-laws); and current board members.
 - 1. Application for service or employment is accepted at the usual location (county office, Head Start Center, etc.)
 - 2. Original application for service or employment is processed according to policy – income verification, documentation, etc.
 - 3. Preliminary eligibility determination is made at the local level and attached to application
 - 4. Forward complete application with all attachments and verifications, to the attention of the Chief Executive Officer.
 - 5. The Chief Executive Officer shall have the responsibility to review the application and determine approval or denial of services.
 - 6. In the event the Chief Executive Officer is unavailable or subject to this policy, the Chief Financial Officer shall make eligibility determination.

2-20 Genetic Information Nondiscrimination Act (GINA) Policy:

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

2-21 Americans with Disabilities Act:

It is the policy of *OOI* to not discriminate against qualified individuals with a disability with regard to any aspect of employment. *OOI* is committed to complying with the American with Disabilities Act, as amended.

OOI recognizes some individuals with disabilities may require reasonable accommodations. If you are disabled or become disabled (meaning you have a mental or physical impairment substantially limiting one or more of the major life activities) and you require a reasonable accommodation, you must contact the Chief Operating Officer to begin the interactive process of discussing your disability, limitations, and possible reasonable accommodations that may enable you to perform

Ozark Opportunities, Inc.

Personnel Policies & Procedures

the functions of your position, make the workplace readily accessible to and usable by you, or otherwise allow you to enjoy equal benefits and privileges of employment.

2-22 Termination of Employment:

All *Ozark Opportunities, Inc.* employees are "at will" employees. Employment is not for a specific period of time and employment may be terminated at any time, by either party.

To maintain continuity of services to our clients and services, advance notice of an employee's departure of 2-4 weeks is requested.

Upon termination, the employee will return all property of *OOI* in proper working order. The exiting employee may be held financially responsible for damaged property. Property includes, but not limited to, the following: laptops, cell phones, tablets, vehicles and other equipment. Failure to return equipment may be considered theft and may lead to criminal prosecution by *OOI*.

Monies owed *OOI* may be recovered from final wages, annual leave and sick leave payments. Monies owed may include, but are not limited to, those covered by educational agreements, travel advances, meals, advance payments for future events (conference fees, registration fees, airline tickets, etc.) and wage overpayments. *OOI* will comply with state and federal laws and regulations when recovering monies owed the agency.

SECTION 3 - LEAVE

3-1 Holidays:

Eligible employees: Regular Full-Time, Regular Part-Time, Regular Hourly, and have completed the **Probationary Period (2-16)**

The agency administrative and satellite offices are closed on these holidays:

- January: New Year's Day; Martin Luther King, Jr. Day
- February: Presidents' Day
- March/April: Easter Monday
- May: Memorial Day
- July: Independence Day (July 4th)
- September: Labor Day
- November: Veterans' Day, Thanksgiving Day & Friday after
- December: Christmas Eve & Christmas Day

If a holiday falls on a Saturday, the agency is closed on Friday; if it falls on a Sunday, the agency is closed on Monday.

In order to receive pay for a legal holiday, an eligible employee must be in a work or paid leave status on the scheduled workday immediately preceding and immediately following the holiday.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

3-2 Leave of Absence:

Leave is granted according to standards set by *Ozark Opportunities, Inc.* and subject to limitations of each type of leave. Employees may not take leave without pay if appropriate paid leave hours are available. Paid leave time is used in minimum increments of one-half hour (30 minutes).

3-3 Absentee & Attendance Policy:

Excellent attendance is an expectation of all employees of *Ozark Opportunities, Inc.* Daily attendance is especially important for child development classroom staff who must be present to meet program and licensing standards for the protection of the students, and program staff who have clients that depend on their presence on a regularly scheduled basis.

Sick Leave is made available to eligible employees for such unscheduled events as personal illness, immediate family member illness and subsequent doctor appointments.

Excused Absence: An absence is considered excused when:

1. The employee has made acceptable arrangements to be off work prior to the day they will be gone.
2. In cases of sudden illness, the employee has notified their supervisor no later than their regularly scheduled start time; or in the case of child development classroom staff, no less than 2 hours prior to scheduled start time so that appropriate substitute staff can be arranged to meet childcare licensing standards.

All employees are required to talk directly with their immediate supervisor. If their supervisor is not available, a message will be left in the supervisor's voicemail box and the employee will talk directly with any management staff available. This process must be followed each day of absence, unless prior approval has been made for extended leave. Child Development Center Staff must contact the designated Center Director, in addition to the Assistant Classroom Staff Supervisor each day concerning the absence.

Unexcused Absence: An absence is considered to be unexcused if:

1. the call-in is not made by the employee, PERSONALLY. Call-ins made by spouse, friends, etc. will not be excused. If an employee does not have a telephone, he/she is still expected to advise their supervisor*.
2. the employee does not telephone the supervisor within the timeframes set in **Excused Absence** items 2 or 3.
3. the employee arrives late to work.
4. the employee does not call in and does not have a reasonable cause for missing work. If the employee does not call in by the beginning of the third day of an absence, they will be assumed to have vacated their position and voluntarily self-terminated.
5. the absence results in leave without pay, with the exception of unpaid Family and Medical Leave approved absence.

***= may be waived by the Chief Executive Officer in writing in an extreme, documented medical emergency.**

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Absentee & Attendance Policy; continued:

Frequent or Patterned Absence: examples include, but are not limited to:

1. Absence the day before or after a scheduled holiday or vacation day, or school/center closed day.
2. Use of sick time as quickly as it accrues.
3. Coincidence of absence with desired days off.
4. Coincidence of absence with days of heavy or light workload.
5. Repeated or patterned absence on a specific day of the week.

Tardiness: An employee is considered tardy when he/she is not at the assigned workstation, working, on time as scheduled.

1. Absence and tardiness that results in customer complaints, inability of supervisor to contact employee, non-compliance with child/staff ratio regulations, and/or impaired job performance may result in disciplinary action up to and including termination.
2. Employees anticipating a late arrival or other variance from their regular schedule are required to talk directly with their immediate supervisor. If their supervisor is not available, a message will be left in the supervisor’s voicemail box at work, the receptionist voicemail box, and the employee will talk directly with any management staff available. This process must be followed each day, unless prior approval has been made for a change of schedule.

3-4 Annual Leave or Vacation:

Eligible employees: Regular Full-Time, Regular Part-Time, Regular Hourly, and have completed the **Probationary Period (2-16)**

Annual Leave is computed for each complete **pay period** of service as detailed on the following chart. Weekend, Holidays and non-working days within a period of Annual Leave are not charged as leave.

An application for Annual Leave exceeding two days must be submitted at least **seven (7) working days** prior to requested leave period, unless otherwise authorized by the Chief Executive Officer. Requests are reviewed with approval based on a number of factors, including business needs and staffing requirements.

Hours of Annual Leave Earned Per Pay Period for Each Complete Year of Service

Weekly Hours	Years of Employment		
At least	61st day	3rd	6th
40	3 hours	6 hours	8 hours
Less than 40 per week	Pro-rated	Pro-rated	Pro-rated

Annual Leave will be allowed to accumulate and be carried forward from **pay period-to-pay period** for an accrued total not to exceed **320 hours** for any one employee; providing that no employee will be granted Annual Leave with pay for a period exceeding **thirty (30)** consecutive days during any six (6) month period, unless used for qualified FMLA purposes.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

A regular employee who becomes separated from his employment will be entitled to receive pay for the total hours of accrued, but unused, Annual Leave.

Ozark Opportunities, Inc. reserves the right to require employees to apply this time off to specific days as designated by the employer. This may include use for business closures for insufficient workload, holidays, vacations, and other breaks from work caused by the employer or by the business's operating requirements.

3-5 Sick Leave:

Eligible employees: Regular Full-Time, Regular Part-Time, Regular Hourly, Child Development Hourly, and have completed the **Probationary Period (2-16)**

Four (4) hours of sick leave will be recorded in each eligible employee's leave account at the end of each pay period (not to exceed maximum of 720 hours) during which the employee has performed work, or been on paid leave or holiday status each day of the pay period.

Regular and Child Development hourly employees who are on paid status less than full time will have a pro-rated amount of sick leave recorded in their leave account. Negative leave accounts are not permitted. Annual sick leave allocations range is 72-96 hours per year, depending on work schedule. The Sick Leave Accrue Schedule for Child Development Programs is available from the Finance Department upon request.

Sick Leave will be allowed to accumulate and be carried forward from year to year; employees may accumulate a maximum of **720 hours** Sick Leave.

Employees who have been employed for at least one year will receive pay for unused Sick Leave upon separation at the rate of 25% (example= 120 hours Sick Leave x 25% = 30 hours payable leave).

Weekends, Holidays and non-working days within a period of Sick Leave are not charged as leave.

- A. An application for leave must be completed on any Sick Leave. An employee will be required to furnish a **Return to Work (RTW)** certificate from a medical provider for all instances of Sick Leave of more than **three (3) consecutive working days**. RTW certificates must detail any applicable restrictions. Classroom employees included in child/staff ratio shall discuss any restrictions with the Chief Operating Officer prior to returning to work.
- B. Sick Leave will be granted to an employee:
 - 1. Who is incapacitated for the performance of his duties by sickness or injury, or by need for medical, dental, or optional treatment or examination;
 - 2. Whose presence on duty, through exposure to a contagious disease, would jeopardize the health of others;
 - 3. Who is called away because of extreme illness, serious injury, or death of a member of his immediate family, not to exceed **three (3) days**, if within the county, or **five (5) days** outside the county; unless otherwise authorized by the Chief Executive Officer. (For purposes of this regulation, the "immediate family" will be confined to parents, siblings,

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Sick Leave; continued:

- spouse, children, grandparents, or any individual acting as parent or guardian of employee);
4. To attend the funeral of other relatives or close friends when leave is not in excess of one (1) day.
 5. For child development staff, availability during the school year is crucial for program operations; therefore, all doctor, dentist, and other visits that can be scheduled during the off seasons (holidays & summer break) should be done during those time periods.
 6. Many types of Sick Leave can be planned for and requested in advance, especially in the area of prevention of illness. Such things as dental treatments, general optional medical treatments and operations and the like are usually done by appointment and absences can be requested in advance.
 7. If a person becomes ill, it must be reported on the first day of absence and an application for leave completed upon their return to work. The employee shall call in each day of absence except in cases of FMLA or approved long-term absence.
 8. Sick Leave will not be granted for slight illness or indisposition not incapacitating the employee from the performance of regular duties.

3-6 Administrative Leave:

The Chief Executive Officer will have the final determination on what is considered cause for declaring Administrative Leave.

3-7 Military Leave:

OOI complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA), which protects applicants and employees who serve in the military from discrimination in the areas of hiring, job retention and advancement. USERRA provides job and benefit protection for employees who serve in the military, and it provides certain reemployment rights to any employee who has been absent from work due to service in the United States uniformed services.

OOI will grant military leaves of absence to employees who are required to miss work because of service in the United States uniformed services in accordance with USERRA. You must notify *OOI* if you receive notice that you will require a military leave of absence unless providing such notice is precluded by military necessity, impossible, or unreasonable. You should provide *OOI* with a copy of your official orders.

3-8 Jury or Witness Leave:

Eligible employees: Regular Full-Time, Regular Part-Time, Regular Hourly and Child Development Hourly, and have completed the **Probationary Period (2-16)**

An eligible employee may be excused from work with pay without charge to earned leave if subpoenaed as a witness or jury member in a court case. An eligible employee on witness leave shall receive their regular pay and retain all jury fees. Jury or witness leave will not be applied to cases where the employee is personally involved in a suit or litigation.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Jury or Witness Leave; continued:

Employees are required to notify their supervisor immediately of any anticipated absence due to jury duty or witness subpoena, and provide documentation of summons or subpoena. Documentation of jury duty is required for all periods of time in which the eligible employee is absent from work due to jury duty. Employees are expected to return to work if released from jury service at any time during the regularly scheduled workday. Submit documentation with timesheet(s).

3-9 Family and Medical Leave Act and Military Family Leave Entitlements:

The FMLA provides 12 weeks of family and medical leave in a 12-month period for most types of leave covered by this policy. Those individuals taking military caregiver leave to care for a son, daughter, parent, or next of kin can take up to 26 weeks of leave in a single 12-month period.

- A. **Qualifying Employees:** An employee must have been employed for at least twelve (12) months and worked at least 1,250 hours during the previous twelve (12) months to qualify for FMLA. A "rolling" 12-month period measured backward from the date of any FMLA leave usage is utilized to determine eligibility.
- B. **Purposes for Which Leave Can Be Taken:** Employees are entitled to take up to twelve (12) weeks unpaid FMLA leave a year for:
 - 1. The birth of the employee's child.
 - 2. The placement of a child with the employee for adoption or foster care.
 - 3. To care for the employee's spouse, child or parent who has a serious health condition.
 - 4. A serious health condition rendering the employee unable to perform his or her job.
- C. The employee may take leave intermittently or on a reduced work schedule when medically necessary due to the employee's or a family member's illness.
- D. **Notice Required:** The employee is to provide at least 30 days' notice, if possible, of the intention to take leave. If advance notice is not practicable, the employee must provide notice as soon as practicable, generally the same or next business day.
- E. **Medical Certification:** The agency may require medical certification that the leave is needed due to the employee's own serious health condition or that of a family member. Medical certifications must be returned within 15 days. The agency may, at the agency's expense, require a second medical opinion. If the first and second opinions differ, the agency may request a third opinion, at the agency's expense, which is then binding.
- F. **Continuation of Benefits:** The agency will continue the employee's health insurance under the same conditions as if the employee were working. Leave under this Act is not a "qualifying" event under COBRA. If the employee does not return to the job, the employee shall be liable to the agency for the repayment of the health insurance benefits paid by the agency during the employee's FMLA leave.
- G. **Return to the Job:** Upon returning from leave, an employee is entitled to be restored to the same or equivalent position with equivalent pay, benefits and other terms and conditions of employment.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Family and Medical Leave Act; continued:

- H. Concurrent Leave: All FMLA, including Military Caregiver and Qualifying Exigency Leave will automatically run concurrent with all other available leave time, e.g., sick leave, annual leave and workers' compensation.
- I. Military Caregiver Leave: Granted to an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness up to a total of **26 work-weeks** of **unpaid** leave during a "single 12-month period" to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

The "single 12-month period" begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the employer for other types of FMLA leave. An eligible employee is limited to a **combined** total of 26 work weeks of leave for any FMLA-qualifying reason during the "single 12-month period."

- J. Qualifying Exigency Leave: Granted to an eligible employee up to a total of **12 workweeks** of **unpaid** leave during the normal 12-month period established for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces. Qualifying exigencies include: short notice deployment; military events and related activities, childcare and related activities, making or updating financial and legal arrangements, counseling, rest and recuperation, post-deployment activities.
- K. Military Leave Certification: Leave for a qualifying exigency will be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency, including contact information if the leave involves meeting with a third party. Leave to care for a covered service member with a serious injury or illness will be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.
- L. The employee may take leave intermittently or on a reduced work schedule when necessary due to the employee's or a family member's military service-related qualifying event. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt *OOI* operations.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

3-10 Workers' Compensation and Paid Leave:

If you are absent from work because of a temporary occupational illness or injury and are entitled to workers' compensation benefits, you may use sick leave to supplement your workers' compensation so that your semi-monthly pay from both sources is equal to (but does not exceed) your normal pay at the time of the injury or onset of the illness. If applicable, the *Family Medical Leave Act* leave will automatically run concurrent with all other available leave time (e.g., sick leave, annual leave and workers' compensation.)

Accrued leave is reduced by the amount you use to supplement workers' compensation. Sick leave will be used first, followed by annual leave. If receiving workers' compensation benefits for a permanent disability, you are eligible for full pay from both sources until your accrued sick leave is exhausted.

Employees receiving workers' compensation will continue to accrue leave in proportion to the amount of sick and/or annual leave being paid. For holidays occurring during this period, the employee will be paid at a rate in proportion to the amount of leave being used. After all leave is exhausted, employees are not entitled to leave or pay benefits other than workers' compensation. Employees may be put into "leave without pay" status during this time.

For a Regular or Child Development Hourly employee disabled with a work-related injury, a position will be held open as long as the program can function with the position vacant. At some point following exhaustion of all available leave, (no later than one year after the date of injury) the employee (if unable to return to work) will be separated from OOI.

SECTION 4 – BENEFITS

4-1 Employee Benefits:

Ozark Opportunities, Inc. reserves the right to modify, add or delete the benefits it offers at any time, without advance notice, unless required by law. The enrollment period for these benefits may vary. Eligibility for paid leave, holidays or other employee benefits does not create any property right in employment or any expectancy of continued employment.

Termination of Coverages:

- Health Insurance, Dental Insurance, Life Insurance and AirEvac benefits will terminate on the last day of the month of the event of termination, retirement, unpaid absence or covered leave (FMLA, CFRA) exhausting.
- When terminating, the employee must be in paid status at least one full scheduled day in the month to get coverage for that month.
- COBRA, if elected, will be effective the first of the month following date of termination.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

4-2 Fringe Benefits:

The OOI Chief Operating Officer will notify employees when eligibility for Agency Benefits is met; and when OPEN ENROLLMENT for Group Health and Dental Plans is scheduled.

It is the responsibility of the employee to respond to OPEN ENROLLMENT opportunities in a timely manner. Enrollment applications received after the posted deadline may not be approved.

4-3 OOI Retirement Plan:

All employees are eligible to participate and make salary reduction contributions, except for those who are non-resident aliens with no U.S. source of income and those who are classified or treated as independent contractors.

Employees hired in eligible employment categories are provided the Summary Plan Description of *Ozark Opportunities, Inc.* Retirement Plan at orientation and are automatically enrolled after successful completion of the probationary period and submission of required enrollment documents. An amount equivalent to 5% of an eligible employee's earnings and employee optional tax deferred payroll deductions are deposited into the plan on a monthly basis. Eligible employees are fully vested after 3 years of employment.

4-4 Group Health Benefits:

Ozark Opportunities, Inc. provides group insurance for its employees. Group Medical and Dental Insurance are subject to COBRA.

Medical Insurance:

Regular and Child Development Hourly employees who work at least 30 hours per week are eligible to enroll for insurance coverage to begin the 1st day of the month during which 90 calendar days have passed since the date of hire.

- A *Summary of Benefits and Coverage* and information on cost of coverage will be provided to eligible employees in advance of enrollment.
- Employees who choose spousal and/or dependent coverage are responsible for the additional premium cost for family members.
- Annual open enrollment is during the 4th quarter; with coverage beginning January 1.

Dental Insurance

Regular and Child Development Hourly employees who work at least 30 hours per week are eligible to enroll for dental insurance coverage to begin the 1st day of the month following the completion of 60 working days (480 hours).

- A *Summary of Benefits and Coverage* and information on cost of coverage will be provided to eligible employees in advance of enrollment.
- *Ozark Opportunities, Inc.* will pay the full premium for employee coverage. Employees who choose spousal and/or dependent coverage are responsible for the additional premium cost for family members.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

- Annual open enrollment is during the 4th quarter; with coverage beginning January 1.

4-5 Other Benefits:

Life Insurance & Employee Assistance Plan:

Regular and Child Development Hourly employees who work at least 30 hours per week are automatically enrolled for life insurance coverage to begin the 1st day of the month during which 90 calendar days have passed since the date of hire.

- *Ozark Opportunities, Inc.* pays the full premium for this coverage.

Air Evac:

Regular, Child Development Hourly employees who work at least 30 hours per week are automatically enrolled for Air Evac membership. Membership will terminate at end of employment.

- *Ozark Opportunities, Inc.* pays the full premium for a family membership.

4-6 Accidental Injuries:

It is the agency's intent to provide a safe working environment in all areas, for all employees. Accidents and injuries are prevented by controlling the work environment and the actions of employees. Therefore, safety takes precedence over expediency or shortcuts.

All employees accept their positions with the understanding that accidental injuries occurring on the job are covered by the Arkansas Workers' Compensation laws. Consequently, all injuries and illnesses arising out of and during the course of employment must be reported to the immediate supervisor and Chief Operating Officer immediately upon occurrence. Failure to report such injuries may result in a denial of payment for medical care and/or compensation payments prior to the time notification is received by the agency.

All reports of injury must be submitted **in writing**, using form AR-N. Form AR-N is to be forwarded **that day** to OOI's central office, attention Chief Operating Officer. The employee and immediate supervisor will start an accident report and obtain appropriate medical treatment or evaluation. All accidents are to be reported, no matter how slight the injury.

SECTION 5 – EMPLOYEE CONDUCT

5-1 Employee Dress and Personal Appearance:

Ozark Opportunities, Inc. wishes to present a professional business image to the community; therefore, all employees' style of dress, grooming and hygiene should reflect that image. Personal neatness, cleanliness and appropriate apparel will convey a professional image to the public. Employees are required to present themselves during working hours in attire that is appropriate to their position and the nature of the work performed on that day.

Name badges must be worn at all times while at work or when representing the Agency. Photo ID badges are provided by the Agency. Replacement badges are available on request.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Employee Dress and Personal Appearance; continued:

Appropriate attire should be in good condition, neat and clean, wrinkle free, of appropriate size and fit and should adequately cover one's body. All clothing should be well fitting and allow for ease of movement.

Jeans may be worn occasionally on days determined by and at the discretion of the Chief Executive Officer. Skirts, dresses and Capri pants should be knee length. Employees should wear comfortable shoes that are appropriate to their job duties and description. *Ozark Opportunities, Inc.* is not responsible for accidents incurred as a result of inappropriate footwear.

Where Child Development classrooms are located on a school campus, the school dress code policy will take precedence over agency dress-code policies. Because of the active nature of their work, classroom staff are allowed to wear jeans that are free of holes, bleach stains, ragged edges and decorative embellishments (if not prohibited by school campus policy). Sneakers are the preferred shoes for classroom settings; other soft-soled, closed toed shoes are acceptable.

- **Strictly prohibited items** are shorts, sweatpants, sweat suits, worn or faded clothing, mini-skirts, flip-flops/beach shoes, tank tops, and hats, low-cut tops or jeans, and tight-fitting clothing. T-shirts with questionable slogans or pictures are not allowed
- While on duty, pierced areas shall be covered, with the exception of regular pierced earrings.
- Body art, however tasteful or sentimental, must be covered while on duty.

NOTE: Supervisory personnel have the authority to send an employee home if dress is deemed inappropriate.

5-2 Confidentiality:

In the course of performing their duties, employees may have access to or gain knowledge of confidential information concerning *OOI*, its customers/clients, and other employees. "Confidential information" is defined as information to which the public does not have general access. This policy governs the use or further disclosure of such information.

It is of the utmost importance that all information concerning application for and/or receipt of services through *OOI* remain confidential and discussed only with the staff that has a responsibility to know such information. All client records will be stored in a secure area with restricted access.

Only after release of information is authorized, may *OOI* personnel share or disclose information as needed to secure necessary services for the client. Employees of *OOI* are expected to follow all specific program guidelines on disclosure of client information.

All original records remain the property of *Ozark Opportunities, Inc.* Records will be destroyed by shredding after the retention period stipulated by the funding source has been met.

Unauthorized access to, and disclosure of confidential information may result in disciplinary action, up to and including termination.

All employees and members of *OOI* Board of Directors and Head Start Policy Council are required to follow the *OOI* Statement of Confidentiality.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Exceptions to Confidentiality:

- Staff have a “duty to warn”, which means if a client or client’s family member are dangerous to self or others, staff will take steps to insure safety.
- If a client commits an unlawful act on *Ozark Opportunities, Inc.* property, staff have a duty to report.
- If subpoenaed by the **court**, staff will cooperate with the court, releasing files (with proper permission and guidance) and testifying as required. OOI Administration requires staff to contact their immediate supervisor immediately when compelled to release documents or testify in court.
- Staff who are mandated reporters of suspected child maltreatment are required to call the Child Maltreatment Hotline at 1-800-482-5964 if they have reason to suspect child maltreatment. Additionally, these same individuals are required by Act 530 of 2019, to notify law enforcement if they have a good faith belief that there is a serious and imminent threat to the health or safety of a student, employee, or the public, based on a threat made by an individual regarding violence in, or target at, a school (child care center) that has been communicated to the person in the course of their professional duties. (PUB-002 Rev. 01/01/2020)

5-3 Policies that Relate to Outside Employment:

Any employee of *Ozark Opportunities, Inc.* must follow these policies as they relate to outside employment:

- A. Such employment shall not interfere with the efficient performance of the employee’s duties.
- B. Such employment shall not involve a conflict of interest or conflict with the employee’s duties.
- C. Such employment shall not involve the performance of duties that the employee should perform as part of their employment.
- D. Such employment shall not occur during the employee's regular or assigned working hours unless they are either on annual leave or leave without pay during the hours of such employment.

5-4 Fire Safety:

- A. Candles, Incense & Open Flames:
 - Candles, oil lamps, incense, alcohol lamps and open flame burners or other open flame devices are prohibited at all locations.
- B. Space Heaters:
 - Space heaters are forbidden in all Child Development Classrooms unless approved by the Chief Executive Officer in an emergency situation (in writing.)
 - Space heaters are allowed in individual work areas provided the following specifications are met:
 1. contain a non-glowing heat element and utilize a cool-to-the-touch housing.
 2. contain a tip-over automatic shut-off.
 3. not exceed 1500 watts and be UL approved.
 4. be connected to a power supply with adequate power cords.
 5. be used in the immediate proximity of the person responsible for the device.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

6. be turned off when not attended by the person responsible and be unplugged at the end of each workday. **Employees who violate this policy will have portable space heater removed and are subject to disciplinary action.**

5-5 Drug Free Workplace Policy:

It is the policy of *Ozark Opportunities, Inc. (OOI, the Agency)* to help provide a safe and drug-free work environment for our clients and our employees; one that is free from the effects of drug and alcohol abuse. With this goal in mind and because of the serious drug abuse problem in today's workplace, we are establishing the following policy for existing and future employees of *Ozark Opportunities, Inc.* The agency maintains the right to modify or change this policy at any time, without notice, as circumstances require.

Substance abuse includes, but is not limited to, the use of illegal drugs and the abuse or misuse of legal drugs, medications, or alcohol. In addition, the agency prohibits the off-premises abuse of alcohol and controlled substances, as well as the possession, use or sale of illegal drugs, when those activities adversely affect job performance, job safety, or the agency's reputation in the community.

OOI has a **no tolerance policy** regarding substance abuse. Employees will be subject to disciplinary action, up to and including termination, for violations of this policy; and may be subject to criminal prosecution when applicable.

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace. Employees who violate this prohibition will be terminated. As a condition of employment, the employee will:

- Abide by the terms of the Drug-Free Workplace Act Policy Statement. Notify the Chief Executive Officer in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such a conviction.
- Attend one drug-free awareness program annually as provided by *OOI*.

As a condition of grant award, *OOI* is required to:

- Notify the funding agency, in writing, within ten (10) calendar days after receiving notice from an employee or otherwise receiving actual notice of such a conviction as specified above, and;
- Taking the following action, within 30 calendar days of receiving notice with respect to any employee who is so convicted: **termination.**

Employee Screening:

Current employees will be required to take a drug and/or alcohol screening under the following conditions:

- A. **RANDOM TESTING:** Employees may be selected at random for drug and/or alcohol testing at any interval determined by the Agency.
- B. **FOR-CAUSE TESTING:** The Agency may ask an employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Drug Free Workplace Policy; continued:

employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.

- C. POST-ACCIDENT TESTING: Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.
- D. If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including discharge from employment. In such a case, the employee may be given an opportunity to explain the circumstances prior to any final employment action becoming effective.

5-6 Medical Marijuana:

The ingestion of marijuana in the workplace or working while under the influence of marijuana is not allowed.

Employees in safety sensitive positions are prohibited from being under the influence of marijuana. Employees shall at all times ensure that their off-duty uses of medications, including medical marijuana, prescribed for medical purposes, if lawfully being used under the laws of the State of Arkansas and authorized by a qualified medical professional:

- a) do not interfere with the employee's duties for *OOI*, *OOI* business, or *OOI* employees, customers, clients, vendors and other business relationships; and
- b) do not pose a threat or danger to employee, *OOI*'s other employees, or any third parties. Employees observed to be under the use, possession or impairment of such substances at the workplace or during the course of performing duties for *OOI* will be subject to drug testing, and if determined to have violated *OOI* policies will be subject to discipline, up to and including discharge.

5-7 Smoke/Tobacco Free Environment:

All *OOI* owned and leased facilities, buildings, grounds and properties are smoke/tobacco-free, regardless of whether or not notices are posted. The policy also applies to the use of any tobacco brand or corporate name, trademark, logo, symbol, motto, or messaging that is identifiable with any brand of tobacco product or company which manufactures tobacco.

Non-permitted Smoking-Related Items and Activities:

A. **All forms of tobacco**, including but not limited to:

- cigarettes
- cigars
- pipes
- hookahs
- electronic cigarettes
- all forms of smokeless tobacco

B. **Tobacco use** includes smoking, chewing, dipping or any other use of tobacco products.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Smoke/Tobacco Free Environment; continued:

- C. **Smoking** refers to inhaling, exhaling, burning or carrying of any lighted or heated tobacco product, as well as non-tobacco smoking substances and smoking instruments.
 - D. **Tobacco use in any form is prohibited** in all agency work stations, classrooms, vehicles, facilities and vehicles in use for transporting clients or students for agency purposes. This prohibition applies to employees, Board members, volunteers and guests. Employees who smoke or use smokeless tobacco may do so at break time off premises.
 - E. No tobacco product debris may be disposed of in parking lots or inside trash receptacles. Employees who violate this policy will be subject to disciplinary action.
 - F. Effective August 1, 2011 all Head Start Centers are Tobacco Free Environments: tobacco use, distribution or sale by staff or others on Head Start premises, at Head Start sponsored events (on or off premises), in Head Start owned, rented or leased vehicles or otherwise while on duty on or off Head Start premises is prohibited. Tobacco use is not allowed in personal vehicles of staff or others when transporting persons on authorized Head Start business.
- ❖ ***To better assist those wishing to quit tobacco, cessation services are available by contacting the Arkansas Tobacco Quitline at 1-800-Quit-Now (1-800-784-8669).***

5-8 Computer, Email and Internet Use Policy:

Access to the Internet: Internet is provided to staff members for the benefit of the organization and its customers. It allows employees to connect to information resources around the world. Every staff member has a responsibility to maintain and enhance the Agency's public image, and to use the Internet in a productive manner. To ensure that all employees are responsible, productive Internet users and are protecting the Agency's public image, the following guidelines have been established for using the Internet.

- A. Acceptable Uses of the Internet: Employees accessing the Internet while on duty are representing the Agency. All communications should be for professional reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner.
- B. Unacceptable Use of the Internet: The Internet should not be used for personal gain or advancement of individual views. Solicitation of non-agency business, or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the agency network or the networks of other users. It must not interfere with your productivity.
- C. Communications: Each employee is responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have your name attached. No messages will be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language is transmitted through the system. Employees who wish to express personal opinions on the Internet are encouraged to obtain their own usernames on other Internet systems.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Computer, Email and Internet Use Policy; continued:

- D. **Software:** To prevent computer viruses from being transmitted through the system there will be no unauthorized downloading of any software. All software downloads will be done by authorized personnel only, or with prior authorization from the Chief Executive Officer.
- E. **Copyright Issues:** Copyrighted materials belonging to entities other than this agency may not be transmitted by staff members on the Internet. One copy of copyrighted material may be downloaded for your own personal use in research. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action from the agency or legal action by the copyright owner.

5-9 Employee Protection (Whistleblower) Policy:

If any employee reasonably believes that some policy, practice, or activity of *Ozark Opportunities, Inc. (OOI)* is in violation of law, a **written complaint is expected to be filed** by that employee with the Chief Executive Officer or the Board Chairperson. It is the intent of *OOI* to adhere to all laws and regulations that apply to the organization and the underlying purpose of this policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations.

Ozark Opportunities, Inc. will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy, or practice of *OOI* that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment.

5-10 Notification of Employee Protections under 41 U.S.C. § 4172:

No employee may be discharged, demoted, or otherwise discriminated against for disclosing information that an employee reasonably believes is evidence of:

1. Gross mismanagement or waste of a federal contract or grant;
2. An abuse of authority relating to a federal contract or grant (defined as an arbitrary and capricious exercise of authority that is inconsistent with the mission of the federal awarding agency concerned or the successful performance of a contract or grant of such agency);
3. A substantial and specific danger to public health or safety; or
4. A violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant

An employee may disclose suspected wrongdoing described above to any of the following:

1. The Inspector General of the federal awarding agency (for example, the office of Inspector General of the U.S. Department of Health and Human Services);
2. An employee of the federal awarding agency who is responsible for contract or grant oversight or management;
3. A management official or other employee of *Ozark Opportunities, Inc.* who has the responsibility to investigate, discover, or address misconduct; or

Ozark Opportunities, Inc.

Personnel Policies & Procedures

4. An authorized official of the U.S. Department of Justice or other law enforcement agency, a Member of Congress or a representative of a committee of Congress, or the Government Accountability Office (GAO).

If an employee believes that he or she has been subjected to reprisal for disclosing wrongdoing described above, the employee may submit a complaint to the federal awarding agency's Office of Inspector General within three years of the date on which the alleged reprisal took place.

5-11 Grievance Procedures:

❖ **For employed staff of *Ozark Opportunities, Inc.***

DEFINITION:

Grievance- A concern brought forth by an employee that alleges that his/her employment terms and conditions have been unjustifiably adversely affected by an unresolved matter or a decision of a supervisor, employee within the agency, or the agency itself.

This Grievance Procedure does not alter the at-will employment relationship. Employment with OOI is voluntarily, and the employee is free to resign at will at any time, with or without cause. Similarly, OOI may terminate the employment relationship at will at any time, with or without notice or cause.

OOI strives to ensure fair and honest behavior of all employees. All employees shall conduct business in a professional manner with not only all OOI clients, but also all OOI co-workers. Employees are encouraged to offer and accept positive, constructive criticism for the advancement of the agency.

If a situation occurs where an employee believes that his/her employment terms and conditions have been unjustifiably adversely affected, the employee shall have the right at any time, within five (5) business days after the incident occurs, to contact the Chief Operating Officer to begin the grievance process.

Any grievance shall be handled in accordance to the grievance procedures obtained from the Chief Operating Officer. The Chief Operating Officer shall provide to the employee information about all stages of the grievance procedure. All documentation will be kept in the employee's file. The employee may discontinue the procedure at any time. Please see the Chief Operating Officer for more information or questions regarding the grievance process.

GRIEVANCE PROCEDURES:

The grievance procedures must be followed according to the steps set forth below. In most circumstances, the grievance review process should be concluded within thirty (30) business days from the date of receipt of the Employee Grievance Form (Step Two).

STEP ONE: Employee presents the situation verbally to his or her immediate supervisor for discussion and review. At this time, the immediate supervisor should review every aspect of the grievance and should make reasonable effort to resolve the complaint within five (5) business days. The supervisor should document the discussion for future review.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

STEP TWO: If the employee does not receive a response within **1 week** or if the employee is not satisfied with the immediate supervisor's response, the employee may complete and submit an Employee Grievance Form to the Chief Operating Officer within five (5) business days of receipt of the supervisor's response.

STEP THREE: The Chief Operating Officer and the immediate supervisor will formally review the grievance. At this time, the Chief Operating Officer will decide whether to involve the Chief Executive Officer formally (and will let the Chief Executive Officer know that a grievance has been filed). The Chief Operating Officer and the immediate supervisor shall schedule a meeting within five (5) business days, with the employee to discuss the employee's grievance. The Chief Operating Officer shall respond in writing to the employee within five (5) business days of the meeting.

STEP FOUR: If the employee is still unsatisfied with the response from the Chief Operating Officer and the immediate supervisor, and the Chief Executive Officer was not involved in STEP THREE, then the employee may, within two (2) business days of receipt of the Chief Operating Officer response, request a meeting with the Chief Executive Officer. The Chief Executive Officer will review the merits of the situation and make a determination on the matter.

- If a situation occurs when the Chief Executive Officer or Chief Operating Officer is the immediate supervisor of the employee, the steps shall remain the same, and the Chief Executive Officer or Chief Operating Officer shall be known as the "immediate supervisor."
- If a situation occurs that involves both the Chief Executive Officer and the Chief Operating Officer, STEP THREE and STEP FOUR shall involve the Board of Directors, Grievance Chairperson to accompany and oversee the Grievance procedure process.

NOTE: Termination Grievances are covered under this policy & procedure.

5-12 Disciplinary Actions:

This policy does not alter the at-will employment relationship. Employment with OOI is voluntarily, and the employee is free to resign at will at any time, with or without cause.

Similarly, OOI may terminate the employment relationship at will at any time, with or without notice or cause. OOI reserves the right to skip any and all steps in these procedures and suspend or terminate an employee for a first-time offense.

Disciplinary Actions may include the following:

A. Reprimands

1. When a Verbal Reprimand is given, a record of such should be signed by the supervisor and maintained in the appropriate department or division files.
2. Written Reprimands are addressed to the employee and must contain the reasons for which the employee is being reprimanded. A copy will be filed in the employee's personnel file.
3. Any two reprimands in any twelve-month period automatically place the employee on probation; three reprimands in any twelve-month period may result in termination.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

4. The employee's immediate supervisor initiates the reprimand with the concurring signature of the Program Director or Manager.
5. Reprimands cannot be appealed.

B. Disciplinary Probation (not to be confused with performance evaluation probation)

1. Probation is in writing, signed by the employee, with a copy given to the employee, and must contain both:
 - a. The specifics of the conduct for which the employee is being placed on probation.
 - b. The specific criteria which must be met for the employee to get off probation.
2. Probation is for a period of not more than 90 days and may not be extended. At the end of the probationary period the employee must be informed, in writing, that probation has been satisfactorily completed, or of termination.
3. Two disciplinary probations in any twelve-month period will result in termination.
4. The employee's immediate supervisor may initiate probation.
5. Probations may be appealed to the Chief Executive Officer.

C. Suspension

1. Suspension consists of a period during which the employee will not work and during which the employee may be on a non-pay status. No employee will be suspended for more than thirty days for any offense.
2. The employee will be notified in writing detailing the specific charges, length of suspension, effective date and employee's appeal rights. Any appeal is to be initiated by the employee utilizing the agency Grievance Procedures. An employee can be suspended on verbal notice if it is in the best interest of safety to himself or co-workers, or other similar conditions exist, but written notification must follow.
3. Two suspensions within a twelve-month period may result in termination.
4. An employee in non-pay suspension status shall not receive credit during the time of suspension of either sick leave or annual leave.

5-13 Anti-Harassment Policy:

OOI encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of *OOI* to promptly and thoroughly investigate such reports.

***OOI* prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.**

This policy provides an informal procedure for reporting any conduct or condition perceived to be race, color, religion, gender, sex, national origin, age or disability harassment to enable the agency to receive timely notice and to act affirmatively, if needed, to assure compliance with the law. If this informal procedure does not achieve the desired result, the affected employee should utilize the grievance hearing procedure to bring the matter before the agency's Grievance Committee.

- A. Race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information harassment (by conduct or condition) is prohibited. If you consider another person's conduct or a workplace condition to be harassment, report it immediately to any supervisor, the Chief Operating Officer or the agency Chief Executive Officer.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Anti-harassment Policy; continued:

- B. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, “sexual harassment” is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual’s body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

- C. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual’s work performance, or c) otherwise adversely affects an individual’s employment opportunities.
- D. Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer’s premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.
- E. The supervisor, Chief Operating Officer or the agency Chief Executive Officer receiving any such report shall report the matter to the appropriate personnel which, for the implementation of this procedure, shall be responsible for managing the day-to-day affairs of the agency work site in which the alleged harassment occurred or in which the alleged harasser works.
- F. Any supervisor, Chief Operating Officer or the agency Chief Executive Officer receiving any such report of harassment shall take appropriate action to remedy any race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information

Ozark Opportunities, Inc.

Personnel Policies & Procedures

harassment and shall respond to the person reporting the matter so the person originating the report can be informed of the action taken.

- G. Except to the extent needed to implement this policy and remedy the alleged harassment, the identification of the person reporting the conduct or condition shall remain confidential.

SECTION 6 – OTHER

6-1 Prohibition Against Partisan Political Activity:

Employment with *Ozark Opportunities, Inc.* may not be offered as a consideration or required for the support or defeat of any political party or candidate for public office, nor may any person, as an employee, engage in partisan political activity.

6-2 Travel Regulations:

Detailed travel-related financial policies & procedures are in the Agency Finance Manual; the following is a re-cap of the basic rules of travel:

- A. All travel will adhere to Standard Governmental Travel Regulations unless otherwise stated or changed by the Chief Executive Officer or Board of Directors of *OZI*.
- B. All per-diem rates and travel will be subject to change immediately upon receipt of change in Federal Regulations, as funding permits.
- C. Travel vouchers must be submitted by the last day of the month. Travel vouchers with a beginning date 45 days old will not be accepted for reimbursement.
- D. Incomplete travel vouchers will be returned to the driver.

6-3 Reimbursement for Use of Employee-Owned Vehicle:

When traveling on agency business, employees must use agency vehicles whenever available. However, certain circumstances may exist that create a business need for the employee to use their own vehicle for agency purposes. Such circumstances include, but are not limited to: an agency vehicle is not available, the employee lives a short distance from the target location, the travel time to access an agency vehicle is not an efficient use of resources, or the combined needs of the agency and the employee are better met using the employee's vehicle. It is the intention of *Ozark Opportunities, Inc.* to fairly reimburse all employees for such use, regardless of their usual and customary commute.

Reimbursement will be made at the per mile rate set by the Board of Directors of *Ozark Opportunities, Inc.* The following stipulations will apply:

- A. ALL travel in personal vehicles will be approved by the program director prior to beginning the trip to insure coordination of resources (such as carpooling) and insure greater efficiency. If prior authorization is not obtained, travel may be disallowed.
- B. Reimbursement will not be made for travel distances of less than one mile.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

- C. Agency travel starting from or ending at the employee's home will require prior approval from the Chief Executive Officer, Program Director, or Chief Financial Officer. Such prior approval must be noted on the local area travel reimbursement form.
- D. When circumstances cause a travel reimbursement request to be a deviation from what is usual and customary, the employee and supervisor should note the extenuating circumstance on the travel reimbursement request, and sign and date all comments.

6-4 Use of Agency Vehicles:

- A. Agency vehicles are to be parked at *OOI* locations when not in use (unless other arrangements have been made with permission by the Chief Executive Officer.) Employees living in the county where vehicles are located must pick up and deliver agency vehicles on the day of use. Employees living outside the county where vehicles are located must make specific arrangement with their program manager or Chief Executive Officer (or designee) for use of agency vehicle if pick-up and delivery of vehicle on day of use is not feasible or practical.
- B. Agency vehicles are to be used whenever available. This includes routine travel to and from the post office, banks and other vendors. Each trip must be recorded on the travel log in each vehicle.
- C. Employees and their supervisors must make every effort to travel in an efficient manner. Trips should be planned to utilize the most economical means of travel. Car-pooling is encouraged.
- D. All drivers of Agency vehicles must provide proof of valid driver's license and Arkansas Driver Report (available at local Department of Finance and Administration) and be pre-approved by the Chief Operating Officer.

6-5 Vehicle Safety:

Employees utilizing either agency or personal vehicles for agency business will adhere to the safety tips outlined in the most recent Arkansas Driver License Manual, which can be found on the Arkansas State Police website. NOTE: 2017 version of the manual can be found at: [https://static.ark.org/eeuploads/asp/ARKANSAS_DRIVER_LICENSE_manual_revision_\(Corrected\).pdf](https://static.ark.org/eeuploads/asp/ARKANSAS_DRIVER_LICENSE_manual_revision_(Corrected).pdf)

6-6 Home Visits:

Several *Ozark Opportunities, Inc.* programs require home visits by *OOI* employees; their safety during this work process is of high priority to the agency.

Staff are instructed to follow these guidelines when conducting a home visit:

- A. Check with others who have visited the home for potential safety issues prior to home visit.
- B. Staff may request that family members keep animals chained during home visits. If animals are not adequately restrained or family refuses to do so, the home visit may be ended at the employee's discretion.
- C. Where there is suspicion of weapons, illicit drugs, or alcohol present, and/or are threatening signs posted on or near the property, the home visit is not to be made.
- D. Take whatever immediate steps are reasonably necessary for personal safety. If you believe your safety is threatened, remove yourself immediately from the situation.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

- E. Inform your supervisor or program manager immediately of any home visit ended early for guidance regarding reporting incident to authorities. Carry your cell phone with you if you have one, and make sure it is set to track your location via GPS.

6-7 Document Retention and Destruction Policy & Schedule of Retention:

Ozark Opportunities, Inc. will follow this schedule of retention on designated files.

- All files containing client information (DOB, SSN, Income Verifications, Health Information) will be kept in a locked storage file or locked room with limited access. Electronic versions of such files will be password protected.
- Paper, floppy disk, CD, and DVD documents will be destroyed by cross-cut, professional shredding services as needed.

NOTE: See OOI Schedule of Retention of Records- Attachment A

6-8 Public Information Policy:

General information about the Agency, or program specifics such as location of sites, funded slots, child/staff ratio, ages served, income guidelines, hours of operation, the application and selection process, name of outreach staff or Center Director/Supervisor of the local Child Development Center and the name and business telephone number of the Chief Executive Officer & Child Development Director may be relayed to any requestor by any and all agency staff.

Confidential information such as names, addresses, or telephone numbers of clients, children and families enrolled, sign in or out information, medical or developmental history or services, screening lists, and personal information about staff are not relayed to the general public.

- **Such inquiries should be directed to the Chief Operating Officer.**

The Chief Executive Officer is the official spokesperson for the agency, and is the only voice of authority in matters concerning organizational structure and strategic direction.

In the event the Chief Executive Officer position is vacant, the Chairperson of the Board of Directors will assume the responsibility of chief spokesperson for the agency.

6-9 Violence Prevention:

When a situation involving violence on OOI property occurs, the following steps should be followed unless others have been instituted that are more descriptive:

- A. The staff persons most accessible to the phone will call 911 and/or the Sheriff's Office.
- B. Close all doors to classroom/offices and pull blinds to minimize accessibility to other areas. In open classrooms/offices, try to avert or keep threatening situations close to the nearest outside door.
- C. If situation is outside, go quickly into the building, lock door, pull blinds, and take a head count.
- D. If a classroom, keep all children in the area that has been designated as the safest area.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

Violence Prevention Policy; continued:

- E. Try to keep a portable or cell phone with you at all times.
- F. Avoid physical contact unless absolutely necessary.
- G. Use a quiet, calm voice. Speak slowly and avoid yelling.
- H. After a situation has been resolved, a meeting will be initiated to discuss the situation with staff, parents, and children. REMEMBER: This is a basic plan. Various situations will call for staff on site to make the best decision based on survival instincts. KEEP CALM AND THINK!

6-10 Adverse Weather Conditions and Emergency Closing Policy:

It is the policy of *Ozark Opportunities, Inc.* to remain open during most periods of inclement weather; however, where extraordinary circumstances warrant, such as other natural disasters, fire, electricity and water outages and widespread infectious disease outbreaks, the company reserves the right to close a location.

In the event of a declared National, State, or local emergency, the CEO and agency leadership will make a good faith effort to follow recommendations from the Center of Disease Control (CDC), Federal Emergency Management Agency (FEMA), Arkansas Department of Health (ADH) and other official sources. Paid time off during unscheduled closures is determined by funding source guidance/policy, state and federal law, and agency resources.

In the event of an extraordinary circumstance that is not widespread, but is a personal emergency of an employee (fire, tornado, flood, death in family, etc.) the CEO may waive the medical documentation required for sick leave use in excess of 3 days.

A. For Child Development (Pre-K AND Infant/Toddler Classroom) Locations:

For purposes of this policy, locations are identified as follows: All Pre-K and Infant/Toddler Early Childhood Classrooms operated by *Ozark Opportunities, Inc.*

1. **Adverse Weather:** Classrooms operated by *Ozark Opportunities, Inc.* will be closed when the school district in that location is closed. Thus, classroom staff are encouraged to listen to radio broadcasts during periods of adverse weather to find out if their location is closed on a given day.

When the decision by the school district is to close a location early, all employees who have reported to work at that location, and are present at the time of the announced closure, will receive normal pay for the day. Classroom and nutrition staff will be paid for classroom days canceled due to adverse weather upon completion of assigned professional development activity.

2. **Extraordinary Circumstances:** When school districts close due to extraordinary circumstances the decision to remain open or closed at each individual Pre-K and Infant/Toddler Early Childhood Classroom operated by *Ozark Opportunities, Inc.* is made

Ozark Opportunities, Inc.

Personnel Policies & Procedures

by the Chief Executive Officer. Staff may be assigned alternative work duties, locations or professional development activities.

B. For Administration & Community Services Locations

For purposes of this policy, locations are identified as follows:

- Harrison Administrative Office & Boone County Community Services Center
- Baxter County Community Services Center
- Marion County Community Services Center
- Searcy County Community Services Center
- Van Buren County Community Services Center & Healthy Families America worksite

1. **Adverse Weather: Ozark Opportunities, Inc. makes a decision by 8:30 a.m. during periods of such** inclement weather and communicates this to local media. Thus, employees are encouraged to listen to radio broadcasts during periods of adverse weather to find out if their location is closed on a given day.

Regardless of whether the location open or closed, it is each employee's decision as to whether you will show up for work during such weather. It is appropriate to use your own judgment to assess the risk of reporting to work.

If an employee elects not to work on a given day due to adverse weather, a phone call to your manager or supervisor advising as to your status for the day is required; **otherwise the absence may be considered unexcused.**

- Location Closed: If the location is announced to be closed on a given day, all staff will receive their regular pay for the day of closure.
- Location Open: If the location remains open on an adverse weather day, (all) employees who report to work (by 9 a.m. and remain until closing) will receive their normal pay for the day.

When the decision by the Chief Executive Officer is to close a location early, all employees who have reported to work at that location by 9:00 a.m., and are present at the time of the announced closure, will receive normal pay for the day. If an employee elects to leave work earlier, the employee must use any accrued annual leave for the remainder of the day.

2. **Extraordinary Circumstances:** When OOI Administration or Community Services locations experience extraordinary circumstances the decision to remain open or closed at each location is made by the Chief Executive Officer. Staff may be assigned alternative work duties, locations or professional development activities.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

6-11 Arkansas Community Services Block Grant Policy and Procedures **Manual Section VII - Sub Grantee Requirements:**

Agency Personnel Policies and Procedures:

Category 7 of the CSBG Organizational Standards require each eligible entity to have a comprehensive personnel policy for their agency that has been reviewed by an attorney and approved by the governing board within the past 5 years. The entity will be solely responsible for the development of their own personnel policy; however, each entity's policy will be required to address the following tenets:

1. Job Descriptions
 - OOI Job Descriptions are in Section 7 of this manual
2. Job Postings and Advertisements
 - Vacancies are posted in-house and advertised on agency website, Indeed.com, and arjoblink.arkansas.gov. Most vacancies are advertised in local newspaper classified section.
3. Records of Job Offers
 - Job offers are via "letter of hire" and filed in personnel file
4. Applications and Resumes
 - Applications and resumes are filed by position and considered active for 180 days of signature date. Records are kept in locking file cabinet controlled by Chief Operating Officer. Records are destroyed per policy 6-7 of this manual
5. Interview Notes
 - Interview notes are filed with application. Interview notes of employees are stored in locking file cabinet controlled by Chief Operating Officer, separate file from Personnel File.
6. Test and test results (If applicable)
 - Not Applicable.
7. Written Employment Policies and Procedures
 - OOI Personnel Policies and Procedures, Agency Finance Manual
8. Personnel Files
 - Policy 2-13 of this manual

All Federal sub-grantees are required to post an Equal Employment Opportunity (EEO) notice in a conspicuous area on the premises where it is visible to all employees.

- All OOI worksites have required EEO notice on staff bulletin board

In addition to the aforementioned Personnel Policy requirements, all entities must include other federally mandated items as outlined as follows:

- ❖ Organizational Chart
 - Included in Section 7 of this manual with job descriptions
- ❖ Agency rules governing vacations, sick leave, annual salary increases (if applicable), and other conditions of employment
 - vacations – Policy 3-4 of this manual
 - sick leave – Policy 3-5 of this manual
 - annual salary increases – not applicable
 - other conditions of employment– Policy 2-17 of this manual

Ozark Opportunities, Inc.

Personnel Policies & Procedures

- ❖ Description of any Benefit Plans employees are eligible to receive. Must address agency and employee contributions and/or other requirements.
 - Section 4 – Benefits of this manual
 - Employees are issued an agency and employee contribution schedule at annual open enrollment
- ❖ I-9 Documentation for employees hired after 1988
 - Section V – Hiring Procedure of Agency Finance Manual
 - I-9 documentation of employees are stored in locking file cabinet controlled by Chief Operating Officer, separate file from Personnel File.
- ❖ A Whistle-Blower Policy reflective of the Sarbanes-Oxley Act.
 - Policy 5-9 of this manual
- ❖ Availability of Agency’s Policies and Procedures manual to all employees in addition to Board Members
 - OOI Personnel Policies and Procedures, Agency Finance Manual are issued to new staff on first day of hire, and reviewed during the orientation process. Board members provided with access to both manuals upon election to the board. Both policies are also distributed to staff and board members via e-mail and are also available for review and download at www.ozarkopp.org (the agency website.)
- ❖ Time and attendance policies/Signatory employee responsible for time and attendance
 - Policy VII “**Payroll**” of Agency Finance Manual
- ❖ Grievance Procedures addressing non-discrimination assurances for staff members (CFR 45 Part 2540.230)
 - Policy 5-11 of this manual
- ❖ A No Smoking Policy in accordance with Public Law 103-277 Part C
 - Policy 5-7 of this manual
- ❖ Delineation of employee wage scales
 - Policy 2-8 & 2-9 of this manual. Salary Scale is approved by Board of Directors and Policy Council and is available from Chief Operating Officer or Chief Financial Officer upon request
- ❖ Travel policies to include approval requirements as well as allowances and reimbursement process (see subsequent section addressing Travel and Reimbursement Procedures)
 - Policy 6-2 & 6-3 of this manual. Policy VIII “**Travel**” of Agency Finance Manual
- ❖ Leave procedures; Section 3 of this manual.

Ozark Opportunities, Inc.

Personnel Policies & Procedures

6-12 Attendance Incentive – Classroom Staff:

Ozark Opportunities, Inc. values classroom employees with perfect attendance, and recognizes these employees semiannually for perfect attendance on December 15 and at the end of the school year.

To receive an attendance award, the employee must have been a full-time classroom employee during the entire award period and have used no sick leave, taken no time off without pay, had no unscheduled late arrivals or early departures. An absence that is designated as Family and Medical Leave does not disqualify an employee from this award.

1. **GOLD (Perfect) Attendance Award:**

The perfect-attendance award is \$250 cash for each award period (August 1 – December 15 & January 1 – end of school year)

2. **Silver Attendance Award:**

Employees with seven (7) consecutive pay periods within the award period (August 1 – December 15 & January 1 – end of school year) will receive a \$150.00 cash award.

3. **Bronze Attendance Award:**

Employees with five (5) consecutive pay periods within the award period (August 1 – December 15 & January 1 – end of school year) will receive a \$75.00 cash award.

In the event of a declared National, State, or local health emergency, this policy is suspended until re-instated by the Board of Directors.

7. Job Descriptions (separate attachment)