



## TABLE OF CONTENTS

<b>Section I – General</b>	<b>3</b>
<b>Section II – Classification of Employees</b>	<b>4</b>
<b>Section III – Hiring of Employees</b>	<b>5</b>
<b>Section IV – Compensation</b>	<b>11</b>
<b>Section V – Work Schedule</b>	<b>17</b>
<b>Section VI – Required Training, Career Development, and Meetings</b>	<b>19</b>
<b>Section VII – Employee Conduct</b>	<b>21</b>
<b>Section VIII – Maintenance of a Drug-Free Workplace</b>	<b>27</b>
<b>Section IX – Head Start Discipline Policy</b>	<b>30</b>
<b>Section IXA – Employee Discipline Policy</b>	<b>32</b>
<b>Section X – Performance Evaluation</b>	<b>34</b>
<b>Section XI – Termination of Employment</b>	<b>36</b>
<b>Section XII – Grievance Procedures</b>	<b>40</b>
<b>Section XIII – Maintenance of a Smoke-Free Environment</b>	<b>42</b>
<b>Section XIV – Adoption, Amendment, and Repeal</b>	<b>43</b>

# **HIGHLAND RIM ECONOMIC CORPORATION**

## **PERSONNEL POLICIES**

### **SECTION I – GENERAL**

- A. Purpose:** Highland Rim Economic Corporation (HREC) is the primary Community Action Agency serving residents of Dickson, Houston, Humphreys, and Stewart Counties and a supporting Agency for residents of Montgomery County. Because HREC operates with taxpayer and donated funds, it is essential that personnel resources be managed efficiently and that employees conduct themselves in a professional manner, free of inappropriate behavior or behavior that might give the appearance of impropriety. These Personnel Policies are established to provide definitive guidance in the classification, hiring, compensation, conduct, training, evaluation, and termination of employees.
  
- B. Interpretation:** In the event a question is presented which cannot be addressed either directly or indirectly within the four corners of these Policies, the Executive Director or Head Start Director (for Head Start staff issues) shall have the authority to answer that question based upon their interpretation of these Policies as well as their knowledge and experience. This interpretation may be challenged by the use of established grievance procedures (see Section XII).
  
- C. Non-Abrogation Statement:** Nothing contained in these Policies is meant nor should be construed as abrogating Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, the Elementary and Secondary Education Act, the Americans with Disabilities Act, or the Individuals with Disabilities Act.

## **SECTION II – CLASSIFICATION OF EMPLOYEES**

- A. Regular Employee:** A regular employee is one who serves in a full-time job capacity and has successfully completed a 1040 hour probationary period.
- B. Probationary Employee:** A probationary employee is one who serves in a full-time job capacity but has not yet completed the required 1040 hours of successful work performance.
- C. Full-Time Employee:** A regular or probationary employee who ordinarily works a minimum of forty (40) hours per calendar week.
- D. Part-Time Employee:** An employee who ordinarily works less than forty (40) hours per calendar week.
- E. Temporary Employee:** An employee who in a given calendar year works less than six (6) calendar months or who is employed to work full-time for a fixed period which does not exceed six (6) months at a time.
- F. Note:** Employees who voluntarily leave the Agency, remain unemployed with the Agency for one (1) year, and then return to full-time employment shall be considered as new employees with probationary status.
- G.** *A full time employee who goes to part-time status and then within one year goes back to full-time status will retain their seniority but will be subject to a probationary period in their new job assignment (amended 6-16-2011).*

### **SECTION III – HIRING OF EMPLOYEES**

**A. HREC Central Staff: Hiring of employees assigned to the HREC Central Staff (including Neighborhood Service Center Supervisors) shall be in accordance with the following procedures:**

- 1. Executive Director: The Executive Director shall be hired by the HREC Board of Directors in accordance with the following procedures:**
  - a. When a vacancy in the Executive Director position occurs or is projected to occur, the Personnel Committee of the HREC Board of Directors will advertise the vacancy within the Agency to determine if there are applicants for the position.**
  - b. The Personnel Committee will interview all intra-agency applicants and review their personnel files to determine job qualifications and past work performance.**
  - c. All applicants deemed by the Personnel Committee as fully qualified will be presented to the full membership of the Board for their consideration.**
  - d. The Board of Directors may select one of the intra-agency applicants for the position or, at its discretion, may direct the Personnel Committee to advertise the position outside the Agency.**
  - e. In the latter case, the Personnel Committee will advertise the position and secure sufficient applications to insure that a qualified applicant is available.**
  - f. The Personnel Committee will review the applications and establish an order of priority.**
  - g. Reference checks will be made on at least the top three candidates and personal interviews will be conducted if necessary.**
  - h. The top three (3) candidates will be presented to the full membership of the Board for their consideration or the Board may request that all applicants be presented for their consideration.**



**B. Head Start: Hiring of employees assigned to Head Start positions (including Teachers, Teacher Assistants, and Cook/Bus Drivers) shall be in accordance with the following procedures:**

- 1. Head Start Director: The Head Start Director will be hired by the Board of Directors with the approval of the Head Start Policy Council in accordance with the following procedures:**
  - a. When a vacancy in the Head Start Director position occurs or is projected, the Personnel Committees of the Head Start Policy Council and the Board of Directors will advertise the position both inside and outside the Agency to obtain sufficient applications to insure that a fully qualified applicant is available.**
  - b. The Personnel Committees will review the application of each candidate and establish an order of priority.**
  - c. Reference checks will be made if necessary on at least the top six (6) candidates. Personal interviews will be conducted.**
  - d. After consideration of the candidates by the Personnel Committees, the most qualified will be selected to present to the Policy Council and the Board of Directors or the Executive Committee of each.**
  - e. The individual selected as Head Start Director will be notified immediately and those not selected will be notified in writing by the Executive Director (amended 9-16-2010).**
- 2. Other Head Start Positions: All other Head Start positions will be filled by the Head Start Director in accordance with the following procedures:**
  - a. Temporary Employees: Temporary employees required because of emergency/unforeseen circumstances may be hired by the Head Start Director without advertising. However, for such hirings to remain in effect, the Head Start Policy Council must give their approval at the next regular or called meeting.**
  - b. Part-Time and Full-Time Employees: Part-time and full-time employees will be hired by the Head Start Director in accordance with the following procedures:**
    - 1) Vacant positions will be advertised within the Agency for at least five (5) working days to give current**

employees (to include part-time and temporary employees) the opportunity to apply for transfer and/or advancement. The Head Start Director will effect such transfers/promotions only upon approval by the Head Start Policy Council at the next regular or called meeting.

- 2) In the case of transfer and/or promotion of a current employee into the vacancy, the above procedure will be repeated until there are no acceptable internal applicants for the remaining vacancy.
- 3) Following-in-Agency advertising, vacant positions will be posted at Agency facilities to alert parents, forwarded to Department of Employment Security Offices for application intake, and advertised in at least one (1) edition of an area newspaper having circulation within the county where the vacancy exists.
- 4) Each candidate will complete an application and provide any information that tends to verify their qualifications for the position.
- 5) An applicant file will be created for each candidate and will contain the application and other pertinent information such as letters of recommendation, resumes, degrees, training certificates, etc.
- 6) A Head Start Screening Committee composed of the Head Start Director, a member of the Head Start Policy Council Personnel Committee, and staff members who will supervise or work directly with the selected applicant will screen all applications and select the most qualified for interviewing.
- 7) Prior to conducting interviews, the Head Start Director (or designated staff) will check the references of applicants and document the results in writing (amended 11-5-2009).
- 8) Interviews will be conducted by the Head Start Director with other members of the Screening Committee invited to attend. Results will be documented in writing and placed in the applicant's file.

- 9) **The Head Start Policy Council Personnel Committee will review applicant files and submit a slate of recommended candidates to the Head Start Director for final selection.**
- 10) **The selection of the Head Start Director will be presented to the full Policy Council for their approval at the next regular or called meeting.**
- 11) **If the Policy Council does not approve of the selectee, the Head Start Director will select another candidate from the slate already provided by the Personnel Committee.**
- 12) **This process will continue until the candidate selected by the Head Start Director is approved by the Policy Council.**
- 13) **The hiring of potential Head Start employees is contingent upon their obtaining and passing the following:**
  - (a) **A medical examination at their own expense.**
  - (b) **A pre-employment drug test. Drug testing will be conducted by Workforce Essentials and if funding is available may be paid from grant funds.**
  - (c) **A criminal history background check will be conducted.**
  - (d) **A driving records check will be made for each individual who may be required to drive an Agency vehicle (amended 11-5-2009).**

**C. New Positions: The HREC Executive Director is responsible for recommending to the Governing Board when there is a need to hire additional employees. He shall provide adequate justification, job descriptions, and suggested salary for the position. With the approval of the Board, hiring will be in accordance with the above procedures.**

**D. Non-Discrimination Policy: HREC shall not discriminate in its hiring procedures against any applicant because of race, creed, color, national origin, sex, age, or disability.**

**E. Nepotism: The following rules shall be observed with respect to persons employed by Highland Rim Economic Corporation:**

- 1. No person shall be employed by HREC who has an immediate family member currently employed by HREC.**
- 2. No person shall hold a position while any member of their immediate family serves on a HREC Board, Council, or Committee which either by rule or practice nominates, recommends, or screens candidates for the position for which they were hired.**
- 3. For the purposes of these policies, a member of the immediate family shall include any of the following persons:**

<b>Husband</b>	<b>Wife</b>
<b>Father</b>	<b>Father-In-Law</b>
<b>Mother</b>	<b>Mother-In-Law</b>
<b>Sister</b>	<b>Sister-In-Law</b>
<b>Brother</b>	<b>Brother-In-Law</b>
<b>Son</b>	<b>Son-In-Law</b>
<b>Daughter</b>	<b>Daughter-In-Law</b>

**F. Grievances: Any person who feels that they have been treated unfairly or discriminated against during consideration for hiring may file a grievance in accordance with the procedures outlined in Section XII of these Policies.**

**G. Direct Deposit: No person shall be hired who does not have a valid checking or savings account since direct deposit is utilized for the payroll function.**

**H. Rehire Policy: No person shall be rehired who has been terminated or who voluntarily left employment with Highland Rim Economic Corporation. The only exceptions to this policy will be when an individual moved from the service area or resigned due to lengthy illness of an immediate family member and is noted via letter of resignation maintained in their old personnel file (amended 9-16-2010).**

## **SECTION IV – COMPENSATION**

**A. Salaries and Wages:** In order to insure the recruitment and retention of skilled personnel, salaries shall be reasonably related to the scope of responsibility of the position, work performance, and seniority.

- 1. Salary and wage schedules will be reviewed annually by the Executive Director for comparability with similar positions in public and/or private agencies.**
- 2. The Executive Director shall recommend all salary levels and adjustments to the Governing Board for their approval. The Head Start Director shall recommend all Head Start salary levels and adjustments to the Policy Council for their approval.**
- 3. No employee shall be paid at a rate lower than federal minimum wage.**
- 4. No employee shall be paid at a rate exceeding 95% of the Executive Director's salary.**
- 5. A copy of current salary scales shall be maintained by the Executive Director, Director of Finance, and Head Start Director (for Head Start positions only).**
- 6. Employees shall be paid on the 16<sup>th</sup> day of the month for earnings accumulated through the 15<sup>th</sup> and on the 1<sup>st</sup> day of the following month for earnings accumulated through the last day of the preceding month. When either of these dates fall on a weekend or holiday, payday will be on the next regular workday or, at the discretion of the Executive Director, on the last preceding workday. All Head Start staff working less than twelve (12) months will be held back one (1) pay period upon their return to work for the new program year (Amended 12-15-05). Staff hired on an hourly basis for a specified period of time will be held back one (1) pay period (Amended 11-5-09).**
- 7. HREC is required by law to withhold Federal Income Tax and Social Security payments from all employee wages.**
- 8. No employee shall be paid in excess of the employee compensation limit established by federal regulations for Level II of the Executive Schedule (Amended 9-16-2010).**

**B. Reimbursable Expenses:** HREC employees will be reimbursed for legitimate expenses incurred during required work activities. These include travel, meals, and lodging while participating in out of town meetings, conferences, and training required by the Agency and approved in advance. In addition,

use of privately owned vehicles in conducting Agency business will be reimbursed at the rate specified in the current State of Tennessee Comprehensive Travel Regulations.

**C. Employee Benefits:** HREC employees are granted certain recreational, financial, medical, and insurance benefits designed to improve their personal/family health and security.

**1. Leave:** Leave is designed to provide a respite from job related stress, to allow for personal attention to family crises, to provide sufficient time to recover from illness, and to permit personal/professional growth.

**a. Annual Leave:** Annual leave is provided to allow employees to take sufficient time away from the work environment to relieve stress and permit attention to business and social activities.

1) Annual leave is granted with the approval of the Executive Director/Head Start Director.

2) Full-time employees accrue annual leave based on years of service in accordance with the following scale:

<u>Years of Service</u>	<u>Hours Earned Per Month</u>
1-5	8
5-10	12
10-20	14
20+	16 (amended 6-26-08)

3) Probationary regular employees earn annual leave from the date of employment but may not use it until after working 1040 hours and successfully completing their probationary period with satisfactory job performance. If the probationary period is extended, an employee will not be allowed to use the annual leave until the end of the extension. If they are terminated during this period they have no rights to the accumulated annual leave (amended 9-16-2010).

4) Part-time employees who complete the probationary period and then revert to regular employee status are entitled to annual leave calculated from the date of initial employment.

5) Full-time employees are limited to a 96 (for 5 day work week) or 120 (amended 6-26-08) (for a 4 day work

week) (amended 9-17-09) hour carry over balance of accrued annual leave from one contract period to the next. Should an employee be unable to use enough leave to be at the 96 or (amended 9-17-09) 120 hour level at June 30, the balance over the 96 or (amended 9-17-09) 120 hours may be transferred to sick leave (amended 6-26-08).

- 6) Upon termination, an employee may receive cash in lieu of time off for accrued annual leave subject to the availability of funds. Accrued leave must be taken when funds have not been budgeted for this purpose.
  - 7) Annual leave may not be taken in advance of accrual.
  - 8) The Head Start teaching staff is required to utilize at least ten (10) days of their annual leave during the Christmas school break and the school spring break. Staff accumulating more than ten (10) days per school year must follow standard operating procedures to request additional annual leave.
- b. Sick leave: Sick leave is provided to allow employees sufficient time to recover from illness or to tend an illness within the immediate family.
- 1) Eight (8) hours of sick leave will be earned for each month worked on an unlimited accrual basis.
  - 2) Sick leave may be used only for the following purposes:
    - a) Sickness or disability of the employee.
    - b) Doctor or dentist appointments.
    - c) Restrictions on the employee because of quarantine.
    - d) Serious illness or death in the immediate family after bereavement leave has expired. For the purposes of sick leave, immediate family includes parents, siblings, spouse, children, father/mother-in-law, grandparents, grandchildren, or other relatives by blood or marriage if they are living with the employee.
  - 3) Approval authority for sick leave will be the same as for annual leave.

- 4) All full-time employees may use sick leave by submitting a leave request form with hours and justification stated. However, in the case of sudden illness, sick leave may be approved by telephone and the leave form submitted upon return to work.
  - 5) A doctor's certificate will be required for sick leave exceeding four (4) days (amended 6-26-08) or whenever abuse is suspected.
  - 6) Sick leave may not be advanced prior to accrual and shall have no cash redemption value upon employee termination.
- c. **Conversion of Leave:** Upon notification that an employee who is on annual leave has become ill, the annual leave shall be terminated and the employee placed on sick leave status.
- d. **Bereavement Leave:** Bereavement leave of up to three (3) days may be used by employees with a death in the immediate family. Immediate family is as defined in paragraph b.2).d). above.
- e. **Maternity Leave:** Regular employees shall be granted maternity leave without pay in accordance with the following procedures:
- 1) An employee desiring maternity leave must notify her immediate supervisor as soon as possible.
  - 2) The employee must provide a medical certificate showing expected delivery date whereupon the employee will be allowed to work until advised to stop by a physician.
  - 3) The employee shall be granted a minimum of twelve (12) weeks of maternity leave. However, this period may be extended up to one (1) year when recommended or prescribed by competent medical authority.
  - 4) Employees must reclaim their position within ten (10) working days after termination of maternity leave or the position will be considered as vacant and filled in accordance with Section III of these Policies.
- f. **Civil Leave:** Employees on jury duty in a State or Federal Court shall be granted civil leave and be paid the difference between their regular salary and the compensation received for jury duty service. Payment for employees serving on jury duty is contingent on the availability of funds.

- g. Military Leave:** Military leave may be provided with full pay for up to fifteen (15) working days for employees who are members of the Tennessee National Guard or a United States Military Reserve component.
- h. Educational Leave:** Educational leave may be granted for training or education that will clearly enhance the employee's job performance.
  - 1) Educational leave may not exceed seven hours per week.**
  - 2) The Executive Director will evaluate all educational leave requests to determine if requests are in the best interest of the Agency.**
  - 3) Written approval from the Tennessee Department of Human Services must be obtained prior to the granting of educational leave.**
- i. Leave Without Pay:** Employees may request leave without pay in accordance with the following procedures:
  - 1) Leave without pay may be requested for a period of up to six (6) months.**
  - 2) Requests for leave without pay must be approved by the Executive Director and/or Head Start Director and will be judged on merit and the individual circumstances of the employee.**

**Should an employee/employees request a leave of absence to pursue educational objectives, the following criteria will be utilized in determining if and for whom the leave of absence will be approved:**

- **Seniority;**
  - **Hours required to complete degree;**
  - **Performance evaluation;**
  - **Benefit to program;**
  - **Agency ability to staff position.**
- 3) All annual leave must be exhausted before leave without pay will be approved if requested for non-health reasons. If leave without pay is health related, all annual and sick leave must be used before leave without pay is approved.**

- 4) After the initial leave without pay has terminated, the employee may request additional leave of up to six (6) months and approval will be contingent upon a reevaluation of the situation.

j. **FMLA:** *HREC provides unpaid family and medical leave during a designated 12-month period to eligible employees, in accordance with the federal Family and Medical Leave Act (FMLA). If an employee is not eligible for FMLA leave benefits, uses up their FMLA leave, or wishes to take leave for a purpose that does not qualify for FMLA leave, the employee should consult the other leave policies to determine if other leave might be available.*

*HREC uses a 12-month period from the date FMLA leave begins to determine the 12-month period which the 12 weeks of FMLA leave are available.*

*To be eligible for FMLA leave, an employee must have worked at least 12 months for HREC, been employed for at least 1,250 hours during the 12 months immediately preceding the commencement of leave, and must be employed at a worksite where there are at least 50 employees within 75 miles of the worksite.*

*Under the FMLA, eligible employees may take leave as indicated.*

*Up to 12 weeks in a designated 12-month period for any of the following:*

- *Birth of a child and to care for the newborn child;*
- *Placement with the employee of a child for adoption or foster care;*
- *A serious health condition which causes the employee to be unable to perform the essential functions of his or her job; or*
- *To care for the serious health condition of an employee's family member (i.e., spouse, parent, or child).*
  
- *For a qualifying exigency because a family member is on, or was called to, active military duty.*

*Up to 26 weeks of unpaid leave during a designated 12-month period to care for the employee's spouse, son, daughter,*

*parent, or next of kin who is a covered servicemember and incurred a serious injury or illness in the line of military duty.*

*Procedure to request FMLA leave time: Failure to comply with the following procedures/rules may result in the delay or denial of leave:*

- 1. The employee must submit a letter to the Director of Finance indicating the time expected to be off duty, who will sign and forward it to the appropriate individuals for review.*
- 2. The employee must have his or her treating doctor complete the Certificate of Physician or Practitioner form and return it directly to the Director of Finance within 15 days of the request for certification.*

*The Director of Finance will review the letter and Certification of Physician or Practitioner form and notify the employee and his or her supervisor of approval or denial of leave.*

*Designation of leave: There may be times when employees are absent under circumstances that would qualify as FMLA leave, and the employee has not specifically applied for FMLA leave. HREC has the right to designate such absences as FMLA leave. If an absence is designated as such, the Director of Finance will notify the employee of the designation.*

*When to request leave: Where leave is foreseeable, the employee should make a request for leave at least 30 days in advance. Foreseeable leave should be scheduled so that it does not unduly disrupt HREC's operations.*

*Where advance written notice of the need for leave is not possible (i.e., a medical emergency), advance notice (in person or by telephone) is required. When advanced notice is possible, the notice must be provided as soon as reasonably practicable, with written documentation to follow.*

*IMPORTANT: If an employee wishes an absence to be covered by FMLA, he or she must generally request such leave no later than two days after returning to work following the absence. The employee will generally not be allowed to request that the absence be designated as FMLA leave at a later date.*

*If an employee is out on an unexpected/emergency medical leave of absence, his or her emergency contact must notify the*

*Director of Finance as soon as possible so the proper paperwork can be prepared.*

*Medical certification and examinations: HREC requires that employees provide a medical certification from their health care provider on a timely basis in order to qualify for FMLA leave. The Certification of Physician or Practitioner form is available from the Director of Finance. HREC reserves the right to require a second or even third opinion, at HREC's expense, or may require recertification of a serious health condition when appropriate. The Director of Finance has certification forms available. HREC may waive the requirement of medical certification at its discretion.*

*Pay during leave: Generally, family and medical leave absences are unpaid. If the leave is designated as unpaid FMLA leave, the employee will report hours away from work on a time sheet.*

*Employees may be eligible to receive compensation under an employee benefit program or other entitlement. This may include vacation, short-term disability, personal time off, workers' compensation, sick leave, and so on. If an employee is using the paid benefit as well as his or her entitlement to FMLA leave, then the kinds of leave used will be recorded as necessary on the time sheet. FMLA leave will run concurrently with annual leave and/or sick leave.*

*A time sheet will need to be submitted each payroll period for the employee out on leave.*

*Reporting while on leave: HREC requires the employee to report periodically to the Director of Finance on his or her status and intent to return to work and this information will then be provided to the immediate supervisor of the employee.*

*Returning to work: An employee will be reinstated to the same job or an equivalent position upon completion of his or her leave. If the employee has exhausted all 12 weeks of leave and is still unable to return to work, the employee is no longer provided any job restoration rights under FMLA. However, each situation will be reviewed on a case by case basis to determine whether the employee may be eligible for rights and protections under other HREC policies.*

*Fitness-for-duty: The employee will need to provide the Director of Finance with a Fitness-for-duty Report before returning to work if he or she has taken medical leave of more than five consecutive days as a result of his or her own serious health condition. This must be signed by a health care provider. The employee is expected to return to work when released by a health care provider.*

*Actions for termination: Termination of employment may take place when:*

- *An employee, while on approved family and medical leave, accepts other gainful employment; or*
- *An employee fails to return from an FMLA leave of absence at the specified time agreed upon by the employee and management.*

*Workers' compensation: A work-related injury is covered under workers' compensation, and not under the company's medical leave of absence program. However, if the employee is eligible for FMLA leave, the employee will automatically use FMLA entitlement while receiving workers' compensation benefits. The Director of Finance will advise the employee if his or her leave will be designated as FMLA leave time (amended 6-16-2011).*

**2. Employee Benefit Plan: Highland Rim Economic Corporation provides the following mandatory and optional benefits:**

**a. Mandatory benefits include the following:**

- 1) F.I.C.A.**
- 2) State Unemployment Insurance**
- 3) Worker's Compensation**

**b. Optional benefits include the following:**

- 1) Individual/Family Dental Insurance**
- 2) Individual/Family Medical Insurance: This benefit is offered with the following stipulations:**
  - a) Inclusion of health insurance benefits is subject to Board approval.**

- b) **If an employee is on leave without pay status, he/she must pay their own health insurance premium if they wish to maintain coverage.**
  - c) **Head Start employees who are in lay off status shall receive health insurance coverage subject to funding availability.**
  - d) **An employee who leaves the Agency is eligible to maintain coverage at their own expense as provided under existing COBRA regulations.**
  - e) **Eligibility for health insurance requires that an employee work no less than 30 hours per week.**
- 3) **Retirement Plan: A payroll deduction will be made available for employees wishing to contribute to a retirement plan. Employer contributions as an employee benefit will be subject to budgetary restrictions and Governing Board approval.**

## **SECTION V – WORK SCHEDULE**

- A. Standard Work Day:** The HREC standard work day shall be as follows:
- 1. HREC Central Office and Head Start Central Office:** The standard work day shall be either eight (8) hours, from 8 AM to 4:30 PM or (amended 11-5-2009) ten (10) hours, from 7 AM to 5:30 PM (amended 6-26-08) with one-half hour for lunch with all employees on the same work schedule (amended 11-5-2009). However, at no time will the processing of client services be terminated simply by the end of the work day. If a client arrives prior to the end of the work day, he/she will receive full and complete service until their requirements have been met.
  - 2. Head Start Center Staff:** The standard work day for the Head Start Center Staff shall be from 7:30 AM to 3:30 PM (amended 9-17-09) Monday through Friday (amended 9-17-09) unless advised otherwise by Management (amended 9-18-08).
- B. Standard Work Week:** The standard work week shall be forty (40) hours with the work week beginning on Sunday and extending through Saturday.
- C. Holidays:** It is the policy of the Agency to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

The following holidays will be observed:

**New Year's Day  
Martin Luther King's Birthday  
President's Day  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving (2 Days)  
Christmas (3 Days)**

To receive holiday pay, an eligible employee must be at work for ten hours (amended 6-26-08) or eight hours if on a five day schedule (amended 9-17-09), or on pay status, on the work day immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent on one or both of these days because of an illness or injury (paid sick leave), the Agency reserves the right to verify the reason by requiring a doctor's certificate for the absence before approving holiday pay. If a holiday falls on a Friday, Highland Rim employees will be granted off on

**the Thursday prior to the holiday (amended 6-26-08). If a holiday falls on a Monday, Highland Rim employees will be granted off on the Tuesday following the holiday if employees are usually off on Mondays. All other employees will observe the holiday (amended 9-17-09).**

- D. Flex Time: The Executive Director or Head Start Director (for Head Start employees) may approve flex time off for non-exempt employees who have participated in work or work related activities after normal work hours.**
- E. Hazardous Weather: During period of hazardous road conditions, the Executive Director will determine if the situation warrants normal operations, limited operations, or suspended operations. Employees will be notified through a pyramid telephone system with the exception of Head Start classroom personnel who will mirror local public school operations.**

**SECTION VI – REQUIRED TRAINING, CAREER DEVELOPMENT, AND MEETINGS**

- A. Training:** All new HREC employees shall undergo an initial orientation/training program designed to familiarize them with the Agency and their responsibilities. At a minimum, the following subjects will be addressed.

**Personnel Policies  
Job Performance Training  
In-House Records and Forms  
Reporting Child Abuse and Neglect (Head Start)  
Plans and Programs  
Organization and Chain of Command  
Introduction to Key Staff**

- B. Career Development:** All HREC employees are encouraged to continue both their academic and professional education.

- 1. Every effort will be made to assist and accommodate educational pursuit so long as it does not adversely impact on program effectiveness or client services. Educational leave may be granted to an employee on case by case basis with pay not to exceed 156 hours in the agency fiscal year July -June) if the specific class or classes are not available after regular working hours. (Amended 3-16-06)**
- 2. Child Development Associate (CDA) Training: All Head Start teachers will be required to enroll in the CDA training program.**
  - a. Teachers must obtain the CDA credential within two years or face termination.**
  - b. Course slots will be assigned by the Head Start Director**
  - c. Costs of coursework will be paid by the Agency. Omit all of 2, 2a, 2b, 2c. (Amended 12-15-05)**
- 3. Other (Omit Other.) (Amended 12-15-05) Head Start employees desiring additional training should forward their requests through their immediate supervisor to the Head Start Director for consideration. Where feasible, costs of additional training will be paid or partially supported with Head Start funds.**

- C. Meetings:** In order to be kept abreast of current plans, programs, and activities, all HREC employees are required to attend specific meetings and

are encouraged to attend others. The following meetings are scheduled on a continuing basis with attendance as indicated:

- 1. Board of Directors:** The HREC Board of Directors meets quarterly (March, June, September, December) on the third Thursday of the month. The Executive Director, Director of Finance, and specifically tasked staff members will attend. All other staff are invited to attend.
- 2. Head Start Policy Council:** The Head Start Policy Council meets monthly (amended 6-26-08) on the fourth Tuesday of each month (amended 6-26-08). The Head Start Director and specifically requested staff members will attend. The Executive Director is invited to attend.
- 3. HREC Staff Meetings:** All employees except Head Start classroom personnel are required to attend staff meetings at the central office held bi-monthly (January, March, May, July, September, and November) (amended 6-26-08) as determined by the Executive Director.
- 4. Neighborhood Service Center Supervisors:** HREC Neighborhood Service Center Supervisors will meet directly after the HREC staff bi-monthly meeting (amended 6-26-08).
- 5. Parent Center Committee Meetings:** Parent Center Committees meet monthly at a date/time announced to discuss the education format of the classroom, provide parent training, plan special events, and vote on the use of Parent Activity funds. At least one member of the classroom staff will attend as observer/advisor.
- 6. Other Meetings:** Directors, staff, and program managers may periodically schedule meetings to disseminate information, plan activities, or obtain assistance from selected employees. Although not scheduled on a continuing basis, these meetings are important to Agency operations and attendance is expected.

## **SECTION VII – EMPLOYEE CONDUCT**

- A. Appearance:** All HREC employees are expected to maintain a standard of dress and grooming that reflect good taste and common sense. Employees are to dress in a professional manner (dresses, dress slacks, jeans, walking shorts). Jean shorts or shorts of any kind other than walking shorts are inappropriate attire in an office except under unusual circumstances such as the distribution of commodities, the moving of supplies/furniture, classroom work, staff outings, etc. (amended 9-18-2010).
- B. Attitude:** It is essential that all employees present a professional, concerned, and impartial attitude with every individual seeking services. Even when the service cannot be provided due to funding limitations or failure to meet eligibility guidelines, it is important that the client fully understands why the service cannot be provided and leave feeling that they have been treated fairly. A callous, impatient, or indifferent attitude will not be tolerated and will constitute grounds for disciplinary action.
- C. Unexcused Absence/Lateness:** HREC employees are expected to report to work on time and ready to perform their duties. An unexcused absence shall occur when an employee fails to notify their immediate supervisor of an absence either prior to or within sixty (60) minutes of the employee's scheduled starting time and/or approval is not granted by the supervisor. Unexcused absence/habitual lateness shall call for disciplinary action or dismissal.
- D. Highland Rim Economic Corporation** has established a code of conduct for employees engaged in the award and administration of contracts which require that officers, employees, or agents of Highland Rim Economic Corporation shall not solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contractors. If it is determined that a violation has occurred, corrective action will be taken. The corrective action may include a reprimand, demotion, discharge, or other appropriate action.
- E. Highland Rim Economic Corporation** has a strict policy against sexual harassment. Sexual harassment by any employee will not be tolerated.

Sexual harassment is unwanted sexual conduct, or conduct based upon sex, by an employee's supervisor(s) or fellow employees or others at the work place that adversely affects an employee's job or job performance. Examples of conduct that may constitute sexual harassment are: sexual advances, requests for sexual favors, propositions, physical touching, sexually provocative language, sexual jokes, and display of sexually-oriented pictures or photographs.

**Any employee who believes that he or she has been subjected to sexual harassment should immediately report this to the Executive Director or Board Chairperson of Highland Rim Economic Corporation. Highland Rim Economic Corporation will handle that matter with as much confidentiality as possible. There will be no retaliation against an employee who makes a claim of sexual harassment or who is a witness to the harassment.**

**Highland Rim Economic Corporation will conduct an immediate investigation in an attempt to determine all the facts concerning the alleged harassment. In doing the investigation, Highland Rim Economic Corporation will try to be fair to all parties involved.**

**If Highland Rim Economic Corporation determines that sexual harassment has occurred, corrective action will be taken. This corrective action may include a reprimand, demotion, discharge, or other appropriate action. Highland Rim Economic Corporation will attempt to make the corrective action reflect the severity of the conduct.**

**If it is determined that no harassment has occurred or that there is not sufficient evidence that harassment occurred, this will be communicated to the employee who made the complaint, along with the reasons for this determination.**

- F. Confidentiality Policies and Procedures: Highland Rim Economic Corporation personnel are responsible for maintaining the confidentiality of and protecting the privacy of personally identifiable information about children and families.**

**Personally identifiable information is defined as that information about a child or family which would make it possible to identify the family or child with reasonable certainty. This includes any information that has on it the name of any family member, address, telephone number, medicaid number, social security number, race, disability, or any other data that can readily identify the child or family.**

**Staff are advised that compliance with these policies and procedures is necessary for satisfactory job performance and for the establishment and maintenance of credibility and trust in our community and with our families.**

**Violation of any of these procedures is a very serious matter, and could result in irreparable harm to children, families, and the programs we operate. Further, such violation will result in disciplinary action, including possible termination of employment.**

- G. Misconduct and Dishonesty: Like all organizations, Highland Rim Economic Corporation, is faced with the risks that come from wrongdoing, misconduct,**

**dishonesty, and fraud. As with all business exposures, we must be prepared to manage these risks and their potential impact in a professional manner.**

**The impact of misconduct and dishonesty may include but not be limited to:**

- **The actual financial loss incurred;**
- **Damage to the reputation of our organization and our employees;**
- **Negative publicity;**
- **The cost of investigation;**
- **Loss of employees;**
- **Loss of clients;**
- **Damaged relationships with our contractors and suppliers;**
- **Litigation;**
- **Damaged employee morale.**

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

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

**Definition of Misconduct and Dishonesty: For purposes of this policy, misconduct and dishonesty includes but is not limited to:**

- **Acts which violate HREC's Code of Conduct;**
- **Theft or other misappropriation of assets, including assets of HREC, our clients, suppliers, or others with whom we have a business relationship;**
- **Misstatements and other irregularities in HREC's records, including the intentional misstatement of the results of operations;**
- **Wrongdoing;**
- **Forgery or other alteration of documents;**
- **Fraud and other unlawful acts;**
- **Any similar acts**

**HREC specifically prohibits these and any other illegal activities in the actions of its employees, supervisors, program directors, executive director, and others responsible for carrying out HREC's activities.**

**H. Whistleblower Protection Policy Against Retaliation – Reporting and Responsibilities:** A whistleblower as defined by this policy is an employee of HREC who reports any activity that he/she reasonably and in good faith considers to be illegal or dishonest to one or more of the parties specified in this Policy. It is the responsibility of every employee to immediately report suspected misconduct or dishonesty to their immediate supervisor or the Director of Finance. The employee must exercise sound judgment to avoid baseless allegations. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities. However, an employee who intentionally files a false report of wrongdoing will be subject to disciplinary action up to and including termination.

Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden. HREC will not retaliate against a whistleblower. This includes, but is not limited to, protection retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Director of Finance immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. Managers, while appropriately concerned about “getting to the bottom” of such issues, should not in any circumstances perform any investigative or other follow-up steps on their own. Concerned but uninformed managers represent one of the greatest threats to proper incident handling. All relevant matters, including suspected but unproved matters, should be referred immediately to appropriate management officials who are charged with follow-up responsibilities. The accused may be suspended with pay.

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

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

Second, you must put into place and maintain monitoring, review, and control procedures which will prevent acts of wrongdoing.

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

**Authority to carry out these three additional responsibilities is often delegated to subordinates. However, accountability for their effectiveness cannot be delegated and will remain with supervisors and managers. Assistance in effectively carrying out these responsibilities is available through the Director of Finance, the Executive Director, and through other sources.**

**The Administrative Department has the primary responsibility for all investigations involving HREC.**

**Properly designated members of the investigative team will have:**

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

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

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

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

- 1. Employees and others must immediately report all factual details as indicated above.**
- 2. The Administrative Department has the responsibility for follow-up and, if appropriate, investigation of all reported incidents.**
- 3. All records related to the reported incident will be retained wherever they reside.**
- 4. Do not communicate with the suspected individuals about the matter under investigation.**

5. In appropriate circumstances and at the appropriate time, the Director of Finance will notify the Executive Director of the program in which the employee works.
6. The Director of Finance may also obtain the advice of legal counsel at any time throughout the course of an investigation or other follow-up activity on any matter related to the report, investigation steps, proposed disciplinary action, or any anticipated litigation.
7. Neither the existence nor the results of investigations or other follow-up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
8. All inquiries from an attorney or any other contacts from outside HREC, including those from law enforcement agencies or from the employee under investigation should be referred to the Director of Finance or the Executive Director.

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

**All questions or other clarifications of this policy and its related responsibilities should be addressed to the Director of Finance, who shall be responsible for the administration, revision, interpretation, and application of the policy. (Amended 9-18-08)**

## **SECTION VIII – MAINTENANCE OF A DRUG-FREE WORKPLACE**

- A. Policy: It is the policy of Highland Rim Economic Corporation to maintain a workplace that is free from the effects of drug and alcohol abuse.**
- 1. Employees are prohibited from the use, sale, dispensing, distribution, possession, or manufacture of illegal drugs and narcotics or alcoholic beverages on Highland Rim premises or work sites. Employees are also prohibited from the possession, use or sale of illegal drugs when such activities adversely affect job performance, job safety, or Highland Rim’s reputation in the community. In addition, employees are prohibited from the off-premises use of alcohol when such activities adversely affect job performance and/or job safety.**
  - 2. Highland Rim Economic Corporation will not hire, unless state or local law provides otherwise, alcoholics or drug abusers whose current use of such substances prevents them from performing their jobs or who would constitute a direct threat to the property or safety of others. An applicant who is being considered for employment must successfully pass drug testing as a condition of employment. The cost of the drug testing will be the responsibility of the applicant and must be paid at the time of testing to Workforce Essentials unless grant funds are available.**
  - 3. Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Such violations include, but are not limited to, possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of such substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on Highland Rim premises and work sites. Employees, their possessions, and Highland Rim issued equipment and containers under their control are subject to search and surveillance at all times while on Highland Rim premises or while conducting Highland Rim business.**
  - 4. Employees may be required to take a test at any time to determine the presence of drugs, narcotics, or alcohol, unless such tests are prohibited by law. Testing positive for illegal drugs or alcohol is a violation of the policy.**
  - 5. Employees who are ticketed, arrested, etc. concerning a drug violation should immediately notify the Executive Director of the occurrence and should within five days submit written notification of the occurrence as any such activity could adversely affect the reputation of Highland Rim. As an absence from the workplace can also affect**

agency operations, the employee should notify the Executive Director of court dates in writing as soon as the dates are available.

6. **Employees subject to the Drug-Free Workplace Act who are convicted of any criminal drug violation occurring in the workplace must report such conviction in writing to the Executive Director within five days, and the Executive Director is then to take appropriate action as required by law.**
7. **Supervisors should report immediately to the Executive Director any action by an employee who demonstrates an unusual behavior pattern. The Executive Director will determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises. Highland Rim should make arrangements for safe transport.**
8. **Any employees who use legal drugs or narcotics during work and have any reason to expect such use may affect their ability to perform their work, must report this fact to the Executive Director. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and properly.**
9. **Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek counseling help at the employee's expense. Required counseling should be kept confidential and should not have any influence on performance evaluations. Job performance alone, not the fact that an employee seeks counseling, is to be the basis of all performance appraisals.**
10. **Any employee who is abusing drugs or alcohol may be granted a leave of absence to undertake rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the Executive Director that the employee is capable of performing his job. Failure to cooperate with an agreed-upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other Highland Rim policies.**
11. **Highland Rim will, to the extent feasible, provide continuing awareness programs for the work force about the harmful effects of drug and alcohol abuse.**

- 12. The possession of firearms or illegal weapons on the person of an employee during working hours, or on Highland Rim property, or in vehicles owned or leased by Highland Rim, or in vehicles utilized by an employee in the scope of their employment during working hours will be considered cause for immediate dismissal.**
- B. Employer Notification: Highland Rim Economic Corporation will notify the Department of Health and Human Services, Tennessee Housing Development Agency, etc. within ten (10) days after receiving notice that an employee has been convicted of a drug offense. Within thirty (30) days, Highland Rim will take appropriate action as specified above.**
- C. Applicability: All Highland Rim Economic Corporation employees are required to abide by this policy as a condition of employment or continued employment.**

**SECTION IX – HEAD START DISCIPLINE POLICY (amended 6-24-2010)**

- A. General:** This policy forbids the use of corporal punishment and total/extended isolation as disciplinary measures in the Head Start Program. Physical punishment and total isolation are not consistent with Head Start Performance Standards/Child Care Licensing Standards which establish goals of increased social competence, development of patterns and expectations of success for the child, and the enhancement of dignity and self-worth within the child. Child safety is defined as methods to ensure children are not alone one on one with staff. Such measures safeguard children while protecting staff from false accusations of misconduct (amended 6-24-2010).
- 1. Corporal Punishment:** Corporal punishment is defined as the use of physical force as a disciplinary measure. This includes, but is not limited to, spanking, slapping, pulling of hair, etc.
  - 2. Isolation:** Isolation refers to separating the child from normal association with classroom activities as a disciplinary measure. This includes, but is not limited to, confining the child in a small area, retaining the child in the classroom when other children go to play, or restricting the child from lunch with his/her classmates.
  - 3. Child Safety:** Two staff members must be present with a child at all times, even during bathroom breaks (6-24-2010).
- B. Prohibitions:** The use of corporal punishment and total isolation of the child shall not be tolerated. Isolation in which the child is left totally unattended is prohibited.
- 1.** If it is necessary to isolate a child from a group, adult supervision will be maintained and the isolation period will be minimal.
  - 2.** Performance Standards/Child Care Licensing Standards prohibit the use of meals as punishment. Therefore, isolation at meal times is forbidden.
  - 3.** Conduct of preschool children that disrupts normal classroom activities on a frequent basis may be indicative of physical or emotional problems which the Head Start program must take steps to address.
- C. Two staff persons must be together at all times, particularly during bathroom breaks. If a classroom teacher needs relief they must provide the remaining staff the support of a second person. One teacher or any other staff person must not be alone with a child at anytime (amended 6-24-2010).**

**D. Staff Responsibility: The use of corporal punishment or improper isolation of a child is grounds for dismissal.**

- 1. Each staff member will read this policy annually during pre-service training and sign a statement that the policy has been read and understood.**
- 2. This statement will be maintained in the personnel file of Head Start/Child Care staff.**
- 3. Staff must report to the Department of Children's Services any instances of child abuse, neglect, corporal punishment, isolation, or child safety violations. They are required to report it if they violate the policy or if they witness the policy being violated (amended 6-24-2010).**
- 4. After reporting to the proper state agency, they are to report the incident to DHHS and to the Head Start Director by telephone and followed up in writing within 24 hours of the incident (amended 6-24-2010).**
- 5. The staff member violating these policies will be suspended without pay pending the investigation. The staff member may, if they have annual leave, utilize their leave during this time (amended 6-24-2010).**
- 6. Failure of teaching staff to adhere to this policy will result in counseling, written reprimand, suspension, and/or termination of employment (amended 6-24-2010).**

## **SECTION IXA – EMPLOYEE DISCIPLINE POLICY (ADDED 3-17-2011)**

Highland Rim Economic Corporation will adhere to the following progressive discipline process for its employees:

1. **Informal Discussions:** Supervisors are encouraged to resolve discipline matters informally with their employees. In cases of minor misconduct or performance issues, Supervisors should verbally discuss the problem(s) with the employee and develop solutions. *Informal Discussions* may be utilized for instances of substandard performance, poor attendance, and other types of minor offenses or misconduct that occur for the first time. As the first step in the progressive discipline policy, an *Informal Discussion* will alert the employee that a problem exists or that one has been identified which must be addressed. The Supervisor will be responsible for keeping notes on the *Informal Discussion*, and the notes will be maintained by the Supervisor.
2. **Verbal Warning:** A *Verbal Warning* is more serious than an *Informal Discussion*. An employee will be given a *Verbal Warning* when a problem is identified, is repeated behavior from the *Informal Discussion*, and/or problem is unacceptable behavior. *Verbal Warnings* will be documented and a copy maintained by the Supervisor, and a copy placed in the employee's personnel file.
3. **Written Warning:** A *Written Warning* may be given by an employee's Supervisor for substandard performance, poor attendance, misconduct, and other types of more serious offenses that occur after the first *Informal Discussion* and *Verbal Warning*. A *Written Warning* may be given instead of an *Informal Discussion* or *Verbal Warning* for first time gross misconduct or any major offense. *Written Warnings* are issued when a problem continues or when the nature and severity of the problem warrants more stringent action. Before a *Written Warning* is issued, previous verbal or written warnings, and supervisory counseling session notes should be thoroughly reviewed.

A written letter of warning will contain the details and history of the problem including any prior counseling, discipline or training; the rules or standards violated; the improvement required; and the time table for improvement (a separate Program Improvement Plan may be utilized). It will warn that further disciplinary consequences (up to and including termination) may occur if the problem is not corrected. A copy of the *Written Warning* will be maintained by the Supervisor and a copy placed in the employee's personnel file.

4. **Administrative Leave Without Pay:** This may be imposed in cases in which the operation of Highland Rim Economic Corporation warrants such action. *Administrative Leave Without Pay* most often is used when it is believed that normal operations or safety would be affected or when Highland Rim Economic Corporation personnel need time to gather information for determining the specific corrective action which needs to be taken. The Highland Rim Executive

Director and the Director of the agency program involved should consult before *Administrative Leave Without Pay* is imposed and both should concur with the decision. *Administrative Leave Without Pay* will be documented in the employee's personnel file and the Supervisor will also maintain a copy for their records. No benefits will be paid during *Administrative Leave Without Pay*.

5. **Suspension Without Pay:** Continued substandard performance, poor attendance, insubordination, misconduct, and other serious offenses or behavior problems may result in *Suspension Without Pay* for a period to be determined by the employee's Supervisor. Suspension may occur after one written warning for minor or major offenses or as the first step if the infraction is serious enough. All suspension notices will be given verbally and in writing by the Supervisor, will be approved by the Highland Rim Economic Corporation Executive Director and the Director of the agency program involved, and a copy will be maintained by the Supervisor and a copy placed in the employee's personnel file. No benefits will be paid during *Suspension Without Pay*.
  
6. **Termination:** Continued substandard performance, poor performance, insubordination, misconduct, and other serious offenses or behavior problems that continue after other disciplinary actions have been taken may result in *Termination*. *Termination* also may occur without notice. The recommendation for discharge must be approved by the Highland Rim Economic Corporation Executive Director and in the case of the Head Start Program must be approved by the Head Start Director, the Personnel Committee of the Policy Council, and the Policy Council or the Executive Committee thereof (see Section XI – Termination of Employment for further information).

## **SECTION X – PERFORMANCE EVALUATION**

- A. Probationary Performance Evaluation: Each new HREC employee shall undergo a probationary period of 1040 hours.**
- 1. The probationary period will allow supervisors to observe/evaluate employee work performance and determine if the employee can fulfill the requirements of the position.**
  - 2. During the probationary period, employee performance will be evaluated orally by the supervisor each thirty (30) days with heavy emphasis on suggested improvement areas.**
  - 3. Each new employee will be evaluated in writing thirty (30) days prior to the end of the probationary period and a final recommendation as to continued employment will be made.**
  - 4. Employment may be terminated at any time during the probationary period if the quality of the employee's work is unsatisfactory and shows little or no potential for improvement.**
  - 5. The Executive Director/Head Start Director will determine if the new employee has successfully completed the probationary period.**
  - 6. Probationary employees have the same right as regular employees to file a grievance.**
- B. Regular Employee Evaluation: All HREC employees shall be evaluated in writing annually or as deemed necessary by the immediate supervisor.**
- 1. Evaluations are accomplished for the following reasons:**
    - a. To determine if the employee's work performance is satisfactory.**
    - b. To advise the employee of areas where improvement is necessary.**
    - c. To give recognition for above standard performance.**
    - d. To establish a basis for making appraisals for promotion, for reassignments, and for terminating unsatisfactory employees.**
  - 2. Each evaluation will be accomplished using HREC Form 101 and 102 or other performance evaluation forms available.**

- 3. Once the evaluation has been completed, the supervisor will discuss the ratings with the employee and suggest any needed improvement areas.**
- 4. Supervisors and employees will sign the evaluation form to acknowledge that it has been debriefed.**
- 5. The Executive Director and Head Start Director (for Head Start evaluations) will review the evaluation whereupon the form will be placed in the employee's personnel file.**
- 6. Unsatisfactory Evaluations: When an employee receives an overall unsatisfactory evaluation, the following actions will be taken:**
  - a. The employee will be given very specific guidance as to the deficiencies and the corrective actions required.**
  - b. The employee will be re-evaluated every thirty (30) days to determine if job performance has improved.**
  - c. If the employee's work performance does not meet standards within a reasonable amount of time, the supervisor will recommend termination in accordance with Section XI.A.2.**

## **SECTION XI – TERMINATION OF EMPLOYMENT**

**A. Reasons for Termination: HREC employees may be terminated from employment for the following:**

- 1. Failure to perform satisfactorily during the probationary period.**
- 2. Continued substandard performance as documented during annual/follow up evaluations.**
- 3. Failure of a Head Start teacher to obtain the required credential within the time allowed. (Amended 12-15-05)**
- 4. Gross misconduct to include:**
  - a. Reckless endangerment of personnel.**
  - b. Careless, negligent, or improper use of Agency equipment/property or damage to same.**
  - c. Theft.**
  - d. Habitual lateness or unexcused absence.**
  - e. Committing a criminal or immoral act.**
  - f. Possession of firearms or lethal weapons while on the job.**
  - g. Reporting to work while under the influence of alcohol or illegal drugs or partaking of such while on the job and/or reporting to work while under the influence of prescription drugs/over the counter medicines or partaking of such while on the job if said drugs alter the behavior of said employee in an adverse way. The first time use of a new medication where behavior is altered in an adverse way does not constitute grounds for dismissal as this section is intended to deal with abuse..**
  - h. Betrayal of confidential information from Agency records.**
  - i. Use of corporal punishment, improper isolation, or release of a Head Start child to an unauthorized individual. (Amended 9-17-09)**
  - j. Any other act that would be reasonably considered as gross misconduct.**

5. **Failure to authorize release of social security number to allow for computer based random number generator which is matched with employees' social security number for random drug and alcohol testing.**
  6. **The above is not all inclusive and shall in no way limit HREC from terminating an employee. Your employment relationship with HREC is voluntary, or an employment at will, for no definite period. It is terminable at any time with or without cause.**
  7. **A probationary employee who is being terminated for unsatisfactory performance cannot file a grievance. Approval by the Policy Council to terminate a probationary Head Start employee is not required as the Board of Directors and the Policy Council delegate the authority to terminate to the Executive Director or his/her designee (amended 9-16-2010).**
- B. Termination Procedures: HREC employees shall be terminated from employment in accordance with the following procedures:**
1. **Substandard Performance: When an employee's job performance does not warrant continued employment:**
    - a. **The employee's supervisor will recommend in writing to the Executive Director and/or Head Start Director that the employee be terminated.**
    - b. **If the Executive Director/Head Start Director concur, they shall provide written notice to the employee. This notice shall include:**
      - 1) **The reason for termination.**
      - 2) **The effective date.**
      - 3) **The employee's right to a grievance hearing.**
      - 4) **The employee's right to be represented at all steps of the proceedings by counsel retained at the employee's expense.**
      - 5) **The right to present witnesses in their own behalf.**
      - 6) **The right to examine and copy any document which may be used by the Agency to support the termination.**

- c. For employees other than Head Start employees, termination shall be effective five (5) days from the date of the written notice or immediately if deemed appropriate by the Executive Director.
  - d. Termination of Head Start employees must be approved by the Head Start Policy Council in regular or called session prior to the effective date of termination.
2. **Gross Misconduct:** In situations of gross misconduct, the following termination procedures shall apply:
- a. The Executive Director/Head Start Director shall notify the employee in writing of their immediate dismissal. Violation of SECTION XI, A, 4, i requires immediate dismissal of Head Start personnel with notification provided to the Policy Council Chair and is not subject to grievance procedures as employee would be in violation of federal/state mandate. (Amended 9-17-09)
  - b. The notice shall contain the reason for dismissal and the employee's right to a grievance hearing except as noted above.
  - c. For Head Start personnel:
    - 1) A copy of the termination notice shall be provided to the Head Start Policy Council Personnel Committee.
    - 2) Policy Council vote to approve/disapprove the termination shall occur at a regular or called meeting or at a called meeting of the Policy Council Executive Committee.

- C. **Reduction in Force:** When it becomes necessary for HREC to reduce the number of employees, either due to a reduction in funding or to reorganization/reclassification of positions, the following rules shall apply:
- 1. The Executive Director shall evaluate and determine which positions will be eliminated. This will be determined by weighing seniority and job performance with each being of equal importance.
  - 2. In determining seniority, an employee shall receive credit for all time served whether continuous or in segments not separated by as much as one year. If a break in service of a full year has occurred, seniority begins at the point of rehiring.

- 3. An employee whose position has been abolished may step down into a like position provided he/she is qualified to perform the work and the position is occupied by an employee of lesser seniority.**
- 4. All employees terminated due to a reduction in force shall be placed on a retention roster as available for employment for a period of one (1) year and shall be given every consideration for reemployment in a position for which they are qualified.**
- 5. If an employee refuses to accept a position of similar characteristics and salary (90% of what the employee previously received), their name shall be removed from the retention roster.**

## **SECTION XII – GRIEVANCE PROCEDURES**

- A. Purpose:** These grievance procedures are established to allow employees who feel they have been treated unfairly or discriminated against to have their case reviewed up the organization chain of command. Grievances must be handled expeditiously and must follow precise steps.
- 1. Step Number 1:** Every effort should be made to settle grievances at the lowest level possible. Any employee or group of employees having a grievance, complaint, dispute, or controversy shall:
    - a. Within five (5) working days discuss the problem with the appropriate program supervisor, presenting all the facts relating to the problem.**
    - b. Determine if the problem can be resolved to both the employee and supervisor's satisfaction.**
    - c. Failing to resolve the problem through open discussion, submit the grievance in writing and on the proper form to the appropriate supervisor within three (3) working days.**
  - 2. Step Number 2:** Problems which were not resolved through frank and open discussion will be addressed at the director level using the following procedures:
    - a. The immediate supervisor must submit the employee's written grievance to the Executive Director/Head Start Director within five (5) working days from the date the grievance was received.**
    - b. The Executive Director/Head Start Director will meet with the grievant within five (5) working days from their receipt of the written grievance.**
    - c. If this meeting does not produce a settlement, the Executive Director/Head Start Director and the grievant will sign the grievance form for further action.**
    - c. For Head Start employees, the Head Start Director will forward the grievance to the Executive Director within three (3) days from the date of the meeting. The Executive Director will meet with the Head Start grievant within five (5) working days from receipt of the grievance. If no settlement is reached, the Executive Director and the grievant will sign the form and it will be forwarded for further action.**

- 3. Step Number 3: Grievances which could not be settled at the director level will be referred to the appropriate Grievance Committee of the HREC Board of Directors and/or Head Start Policy Council as follows:**
  - a. The Executive Director will forward unresolved grievances to the Grievance Committee of the HREC Board of Directors or the Grievance Committee of the Head Start Policy Council as appropriate within five (5) working days from the meeting with the grievant.**
  - b. The grievant, the Executive Director, and the Head Start Director (for Head Start grievances only) must meet with the respective Committee within ten (10) working days after receipt of the grievance. The employee may be represented by legal counsel at the employee's expense.**
  - c. If this meeting fails to resolve the grievance, the matter will be forwarded by the Grievance Committee to the respective Board of Directors/Head Start Policy Council with the Committee's recommended disposition of the matter.**
  - d. The grievance will be voted upon at the next regular or called meeting of the Board of Directors or Head Start Policy Council as appropriate.**
  - e. For Head Start employees, if the decision of the Policy Council does not satisfy the grievant, the grievance will be forwarded to the HREC Board of Directors (or Executive Committee thereof) for their decision.**
  - f. The HREC Board of Directors (or Executive Committee thereof) will make the final decision as to the disposition of the grievance and notify the grievant in writing within ten (10) working days.**
  - g. This will constitute the final action of the grievance procedure.**
- B. Time Requirements: Grievances not presented to the Agency in keeping with the time limits prescribed or not carried to the next step within the time limits specified shall be deemed to have been abandoned and may not be raised except by mutual consent of the involved parties.**
- C. Grievance Records: A full copy of all employee grievance proceedings shall be retained by the Agency.**

### **SECTION XIII – MAINTENANCE OF A SMOKE-FREE ENVIRONMENT**

- A. Purpose:** Highland Rim Economic Corporation is committed to the establishment and maintenance of a smoke-free workplace for its employees and clients due to the adverse effects of tobacco smoke on the health of children and adults.
- 1. Prohibited Acts:** Smoking is prohibited in all Highland Rim Economic Corporation buildings, whether rented or owned, outdoor play areas, and agency owned vehicles. Highland Rim Economic Corporation personnel will maintain the smoke free policy when in the presence of clients at any location at any time. As information becomes available concerning the dangers of smoking, said information will be shared with staff either on a one on one basis or in staff meetings.
  - 2. Violations:** Violators of the above are subject to disciplinary action and/or dismissal.
- B. Applicability:** All Highland Rim Economic Corporation employees are required to abide by this policy as a condition of employment or continued employment.