

NORTHWEST MICHIGAN COMMUNITY ACTION AGENCY, INC.

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## PERSONNEL POLICIES

### General - I

#### I-A. INTRODUCTION

The purpose of these Personnel Policies is to establish personnel policies and procedures pertaining to the orderly operation of Northwest Michigan Community Action Agency (“NMCAA” or the “Agency”). By their nature, these Personnel Policies provide only the foundation for guidance of the personnel function. They are necessarily somewhat general statements because they cannot possibly speak to every possible condition or situation that may arise. These policies are not an employment contract, nor are they expected or intended to, as written, encompass sufficient details to provide answers to every specific question or issue that arises.

Each employee will be given an Offer Letter of Employment detailing the terms and condition of employment in the specific position offered. The Offer Letter of Employment must be accepted, and the terms agreed to before the hiring of a new employee can be completed. Where conditions outlined in the Agency Personnel Policies and the Offer Letter of Employment differ, the Offer Letter of Employment will take precedence.

Employment with the Agency is at-will, meaning employment is for no definite duration and may be terminated by the employee or NMCAA at any time with or without cause, with or without notice. Completion of the Agency Training Period shall not change an employee’s status as an employee-at-will or in any way restrict NMCAA’s right to terminate such an employee. No one, except for the Executive Director of Northwest Michigan Community Action Agency, Inc. in a writing signed by the Executive Director and specifically directed to you, has any authority to enter into any written agreement for employment for any specific period of time, or to make any agreement contrary to the foregoing.

#### I-B. POLICY REVIEW AND INTERPRETATION

To the fullest extent permitted by law, NMCAA, via its Board of Directors, and its Executive Director within the limits of the Executive Director’s authority as described in I-C below and as expanded or limited by the Board of Directors, reserves the right to review, interpret, apply, amend, change, and/or rescind any or all of these Personnel Policies as necessary, in its sole discretion, to reflect current personnel practices and thinking in order to ensure consistency with the Agency’s needs and requirements and compliance with applicable law.

#### I-C. PERSONNEL PHILOSOPHY

It is the position of Northwest Michigan Community Action Agency that staff are employed to provide day-to-day managerial/program expertise, client service, research

capability, and operational continuity to carry out the policy and program directions promulgated by the Board of Directors.

The Agency is appreciative of the substantial employee contribution to its wellbeing and, in turn, seeks to make employment with the Agency satisfying, both personally and professionally. The Agency is committed to a work environment in which relationships are characterized by dignity, courtesy, professionalism, accountability, and equitable treatment.

The Board of Directors of Northwest Michigan Community Action Agency shall employ a chief executive of the Agency known as the Executive Director. The Executive Director carries operational responsibilities for the Agency and is accountable to the Board of Directors, through the Chairperson of the Board, for the management of the Agency.

The Executive Director is responsible for the hiring and release of all employees of the organization. Recruiting, screening, and selection of organizational positions is the responsibility of the Executive Director. The Executive Director may delegate, to Program Directors or other designated staff, the recruiting and screening of applicants, but reserves the right of final approval.

Programs that require policy or advisory council action and/or approval as a part of the grant will make recommendations to the Executive Director concerning the hiring and release of employees. These employees are, in turn, responsible and accountable to the Executive Director.

#### I-D. EMPLOYMENT EXPECTATION

The Personnel Policies of NMCAA are based on the belief that the Agency's success is primarily dependent upon the employees. Employees can expect NMCAA to:

- Live and promote the mission, vision, and beliefs through all the Agency does.
- Recognize employees as an important part of the NMCAA team.
- Review employees' performance annually and as necessary.
- Provide a safe, efficient, and pleasant workplace.
- Encourage employees to expand their knowledge and value to the Agency through trainings, educational, and professional development opportunities.
- Establish and maintain a truly "open door" communications environment.
- Encourage high quality service to clients.

#### I-E. RECOGNITION OF HEAD START POLICY

Northwest Michigan Community Action Agency recognizes current Head Start Policy(ies) referring to the Head Start Policy Council's required participation in Head Start/Early Head Start Human Resources Management (see Head Start Procedures Manual). Child & Family Development employees will follow State Licensing and Federal Head Start requirements.

## Employee Classification and Status - II

### II-A. EMPLOYEE CLASSIFICATION

Every position of employment will be classified as exempt or non-exempt and indicated on the job description for each position.

#### Exempt -

Exempt employees are employees who, because of their positional duties and responsibilities and level of decision making authority, are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).

Exempt Employees' work schedule may not coincide with the agency's normal business hours of Monday through Friday from 7:30 A.M. to 4:30 P.M. Exempt employees are expected to schedule their working hours so as to accomplish all assigned tasks at the appropriate time and to, the greatest degree possible, coincide with the normal agency business hours. Exempt employees are generally paid on a salary basis and are expected to work the number of hours required to meet the requirements for their particular positions each week, which may be more or less than forty (40) hours depending on business needs. Because the compensation of exempt employees is based upon total responsibility and they are exempt from overtime, they will not receive overtime compensation for hours worked in excess of 40 hours each workweek, if any.

#### Non-Exempt -

Non-exempt employees are employees who, because of the type of duties performed and the usual level of decision making authority, are subject to all Fair Labor Standards Act (FLSA) provisions including minimum hourly wages and the payment of overtime.

Unless otherwise specified, the work schedule of non-exempt employees will coincide with the normal business hours of their location and will consist of assigned hours per week.

Non-exempt employees are paid by the hour and are entitled to time and one-half of their regular pay (hourly) rate for all hours worked in excess of 40 hours in a given week.

Every effort will be made to keep overtime for non-exempt employees to a minimum. When overtime is necessary, it must be requested in advance by employee's supervisor and approved by the Executive Director.

Any questions regarding Employee Classifications should be directed to the Human Resources Director.

II-C. EMPLOYEE STATUS

(1) Full-time/Part-time/Temporary  
Full-time employee

An individual employed to regularly work 30 or more hours per week.

Part-time employee

An individual employed to regularly work less than 30 hours per week.

Temporary employee

An individual who is employed on a project-related basis (usually during peak workloads) for twenty-five (25) weeks or fewer in a calendar year for a job scheduled twenty-five (25) weeks or fewer. A temporary employee may work a full-time or part-time schedule and, like all employees, is in an at-will employment relationship during the temporary assignment.

(2) Full-year/Partial-year

Full-year

An individual employed to work in a year-round position.

Partial year

An individual employed to work in a position that is needed less than twelve months per year.

(3) Substitute

Substitute

An individual who assumes various duties on-call.

## Standards of Selection - III

### III-A. GENERAL

Northwest Michigan Community Action Agency will employ only those individuals who can perform duties with competence and integrity. While the attainment of a high level of education and prior experience may be essential to job performance in certain positions, every consideration will be given to providing employment for low-income (target area residents) who have been denied the benefit of a formal education and who are willing to perform new functions and demonstrate the potential to be hired for all positions. The Agency recruiting procedures must ensure adequate opportunity for the hiring and advancement of such individuals in the Agency programs. Educational qualifications, unless required to perform the duties of the particular position or required by a specific State or local law or regulation, or grant/contract, shall not be made a condition of employment or advancement if an individual is otherwise qualified to perform the duties of the position.

### III-B. AFFIRMATIVE ACTION

To best serve our community, NMCAA recruits a workforce that reflects the diversity of our job market.

- (1) When recruiting for open positions, it is the responsibility of all management staff to ensure that advertisements and recruitment efforts take place in media and markets that offer equal opportunities.
- (2) The Agency HR Director reviews hiring records to ensure a diverse workforce reflective of the NMCAA job market is being maintained.
- (3) The Agency Affirmative Action Officer (Community Services Director) will be responsible for monitoring and maintaining the affirmative action records.

### III-C. EQUAL EMPLOYMENT OPPORTUNITY (EEO)

NMCAA is committed to the principle of equal employment opportunity for all employees and to providing employees with a work environment free of discrimination and harassment. All employment decisions at NMCAA are based on business needs, job requirements and individual qualifications, without regard to race, color, religion, national origin, sex (including pregnancy), age, disability, sexual orientation, gender identity and/or expression, marital, civil union or domestic partnership status, past or present military service, genetic information, family or parental status, political affiliation, height, weight, or any other status protected by applicable law. NMCAA will not tolerate discrimination or harassment based on any of these characteristics.

Employment will not be offered as consideration or reward for a political party or candidate for office.

This policy applies to all terms and conditions of employment including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation and training.

Any employee who has concerns regarding any type of discrimination should contact the HR Director or Executive Director. In the event a complaint is made, NMCAA will promptly undertake a thorough and objective investigation. To the extent feasible, complaints will be handled confidentially.

Employees can raise concerns and make reports in good faith without fear of reprisal or retaliation. The Agency prohibits any form of retaliation against an employee for filing a complaint based on a good faith reasonable belief that a violation of this policy has occurred, for assisting in a related investigation, or opposing any practice in violation of this policy. Anyone found to have engaged in unlawful discrimination or retaliation will be subject to discipline, up to and including termination of employment. Additionally, appropriate action will be taken to deter any future discrimination and/or retaliation.

### III-D DISABILITY ACCOMODATION

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of NMCAA to comply with all applicable federal and state laws concerning the employment of persons with disabilities and to act in accordance with applicable regulations. Furthermore, it is agency policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

An employee requiring a reasonable accommodation must notify the HR Director as soon as the need for accommodation becomes known. Under state law, an employee must notify the employer in writing of the need for an accommodation within 182 days of when the employee knew or reasonably should have known that an accommodation was needed. NMCAA will engage in the interactive process with the employee in good faith in order to determine what, if any, reasonable accommodation would allow the employee to perform the essential functions of his/her job. Documentation from a medical provider may be necessary to verify a disability that is not obvious, understand any restrictions, or to assist in developing a reasonable accommodation. NMCAA will reasonably accommodate the disabilities of qualified applicants or employees, unless a direct threat to the safety of the employee or others would result or it would cause an undue hardship.

This policy is neither exhaustive nor exclusive. NMCAA is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with all applicable federal and state laws.

### III-E. SELECTION AND SCREENING OF PERSONNEL

#### (1) Executive Director

Screening and selection of applicants for the position of Executive Director will be conducted by a committee appointed by the Board of Directors, upon the recommendation of the Board Chairperson. The committee shall determine the criteria to be used in the selection process. After initial screening of applicants, the committee shall refer to the Board up to three final applicants along with any recommendations. The Board will then select the individual to be hired as Executive Director. Interview expenses may be paid, only for the position of Executive Director, upon Board approval.

#### (2) Staff

Recruiting, screening, and selection of all other staff positions is the responsibility of the Executive Director. The Executive Director may delegate, to Program Directors or other designated staff, the recruiting and screening of applicants, but reserves the right of final approval.

#### (3) Background Screening At Time of Hire

NMCAA's product is service to people in need. As such, NMCAA is held to a duty to use reasonable care in hiring safe and competent employees. To this end, to the extent it is applicable, the policy and procedure of the Fair Credit Reporting Act as amended September 30, 1997 will be followed. All background checks will be conducted in conformity with applicable laws.

Once a contingent job offer is extended, the prospective employee will be required, if accepting the job offer, to sign a statement acknowledging the disclosure of the background check requirement and another statement authorizing the background check (see Appendix A-6) and/or driving record check through the Michigan State Police when the checks are job-related and consistent with business necessity.

Unless otherwise required by law, a previous conviction does not automatically disqualify an applicant from consideration for employment, transfer, or promotion with NMCAA. Any hiring or placement decision shall be based on consideration of several factors, including, but not limited to, the nature of the offense for which the individual was convicted and its relationship to the position, the age of the individual at the time of the crime, the amount of time that has elapsed since the conviction, the number of convictions (if more than

one), and whether the hiring, transferring, or promoting of the individual would pose an unreasonable risk to NMCAA.

If information obtained in a background check would lead NMCAA to make an adverse decision regarding an applicant's/employee's fitness for employment or placement, a copy of the report will be provided to the applicant/employee prior to any such adverse decision being made, along with the name and address of the reporting agency, if any, that produced the report. The applicant/employee will have the opportunity to dispute the report's accuracy and/or provide any additional or clarifying information.

Employees who have falsified information or omitted material information on their employment applications will be subject to discipline, up to and including termination of employment. Applicants who have provided false information or omitted material information may be eliminated from further consideration for employment.

Early Childhood Program employees will follow State Licensing and Office of Head Start background requirements.

#### (4) Background Screening At Other Times

The background screening process outlined in Appendix A-6 may be repeated at various employment points with NMCAA. Including but not limited to the following situations:

- Finalists in any position with responsibility for handling funds, whether those funds are in the form of cash, check, or wire transfer.
- Individuals that are being considered for promotion to a supervisory position.
- To comply with Head Start/Early Head Start Fingerprinting requirements.

#### III-F. HIRING OF BOARD MEMBER IN STAFF POSITION

No individual who serves as a member of the Board of Directors, or is a member of a Board committee, may be employed as a staff member during his/her term of office.

#### III-G. STAFF PERSON IN BOARD POSITION

Should a former employee of Northwest Michigan Community Action Agency be nominated to fill a vacancy on the Board of Directors, in order to assure no conflict of interest and a completely unbiased aspect, a minimum of two years must have elapsed between termination of employment and consideration of a seat on the Board of Directors.

### III-H. NEPOTISM

- (1) No person shall hold a job while he/she or a member of his or her immediate family serves on the NMCAA Board or committee.
- (2) No person shall hold a job over which a member of his or her immediate family exercises supervisory authority or authority to control the terms and conditions of employment.
- (3) No person shall hold a job while either he/she or a member of his or her immediate family serves on a board or committee, which, either by rule or by practice, regularly nominates, recommends, or screens candidates for the program by which he/she is employed. A member of an immediate family shall include any of the following persons:

Husband	Wife
Fiancé	Significant Other
Father	Father-in-Law
Mother	Mother-in-Law
Brother	Brother-in-Law
Sister	Sister-in-Law
Son	Son-in-Law
Daughter	Daughter-in-Law
Grandparent	Grandparent-in-Law
Grandchild	Grandchild-in-Law
Step relatives	

For purposes of this policy, “Significant Other” shall mean someone with whom the individual is in a dating, romantic, or sexual relationship

- (4) Unless otherwise approved by the Executive Director, no person shall hold any NMCAA position while any member of his or her immediate family is employed by this Agency in an exempt position with supervisory authority.

NMCAA must abide by the appropriate federal, state and local laws concerning nepotism. If a hiring, transfer or a promotion is being considered that creates a conflict with this policy, supervisor(s) must meet with the Human Resources Director to resolve the conflict prior to the completion the employment change.

Applicants and employees must notify the Human Resources Director (or the Executive Director if the HR Director is the position at issue) if they have an immediate family member relationship with an employee or NMCAA Board or committee member that would create a conflict under this policy. Further, any employee in a supervisory position is required to inform the Human Resources Director (or Executive Director if the HR Director is the position at issue) if he/she has an immediate family member relationship with any employee, including but not limited to a Significant Other relationship.

NMCAA reserves the right to determine what actions will be taken, including alternative placement of an employee when possible, release of one or both employees, or other remediation determined on a case by case basis. Failure to notify the HR Director or Executive Director, as appropriate, of the relationship will subject the employee to disciplinary action, up to and including termination of employment.

## Conditions Governing Employment - IV

### IV-A. OFFER LETTER OF EMPLOYMENT

Each applicant selected for a position with the Agency will be given an Offer Letter of Employment stating the job which he/she has been offered and the entitlements to be received. The Offer Letter of Employment must be accepted, and the terms agreed to before the hiring of a new employee can be completed.

### IV-B. PROVISION OF A DRUG FREE ENVIRONMENT

Northwest Michigan Community Action Agency, Inc. values its employees and recognizes their need for a safe and healthy work environment. Furthermore, employees abusing drugs and alcohol are less productive and are often a risk to the safety and productivity of our agency. The establishment of a Drug-Free Workplace Policy is consistent with NMCAA's desire to promote a safe and accident-free workplace. NMCAA will maintain a drug-free workplace and a drug-free awareness program to inform employees of:

- 1 the dangers of drug abuse in the workplace;
- 2 Department of Health and Community Action (or other funding sources) policy of maintaining a drug-free workplace;
- 3 Available drug counseling, rehabilitation, and employee assistance program; and
- 4 The penalties imposed for drug abuse violations occurring in the work place.

In an effort to provide a drug-free workplace and environment, employees shall not engage in the **unlawful** manufacture, distribution, dispensation, possession or use of, or be under the influence of alcohol or any controlled substance at all times and places that the employee is working and/or representing the Agency and/or whenever the employee is on Agency property or in an Agency vehicle. Possession of related drug paraphernalia is also prohibited. Violation of this policy will result in disciplinary action, up to and including termination of employment.

The term *controlled substance* refers to all controlled substances that are not legally obtained as further delineated in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), controlled substances that are not being used for their intended purposes or in their prescribed quantity, and lawful prescription and non-prescription controlled substances that may impair working ability and/or create a safety hazard in the workplace. The use of controlled substances prescribed by a licensed medical physician is permitted and will not be considered a violation of this policy so long as such use is for its intended purposes and in its prescribed quantity and does not impair the employee's working ability and/or create a safety hazard in the workplace. Any employee who is taking a legal controlled substance must notify the HR Director (or the Director of Operations if the employee is the HR Director) of any potential for impairment that would render the employee unable to perform the

essential functions of his/her job or pose a potential direct threat to the safety of the employee or others.

Employees who possess a medical marijuana registry card may not possess or use marijuana in the workplace, may not perform work for NMCAA while under the influence of marijuana, and must otherwise comply with this policy in all respects.

NMCAA adheres to the United States Department of Transportation (“DOT”) and Federal Motor Carrier Safety Act (“FMCSA”) 49CFR Part 40 law regarding commercial driver’s licenses (bus drivers). Employees who are also subject to the Agency’s DOT/FMCSA Drug and Alcohol Testing Program must comply with that program and policy. In the event of any inconsistency, the Agency’s DOT/FMCSA Drug and Alcohol Testing Program shall govern. For a complete copy of NMCAA’s DOT/FMCSA Drug and Alcohol Testing Program Policy, see the Director of Operations.

Pre-employment testing for illegal drugs (marijuana, cocaine, opiates – opium and codeine derivatives, amphetamines and methamphetamines, and phencyclidine - PCP) will be administered for all bus drivers through qualified local providers. To enforce this policy, NMCAA retains the right to conduct the following tests for drugs (marijuana, cocaine, opiates – opium and codeine derivatives, amphetamines and methamphetamines, an phencyclidine - PCP) and alcohol in accordance with the Substance Abuse and Mental Health Administration (SAMHSA) testing guidelines:

- **Pre-employment:** NMCAA may require all applicants for a position to pass a drug test pursuant to a conditional offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.
- **Reasonable suspicion:** Employees are subject to drug and alcohol testing when the NMCAA has a reasonable suspicion (based on articulable observations) that an employee has violated this policy. The HR Director must be consulted before sending an employee for reasonable suspicion testing.
- **Post-accident:** Employees are subject to drug and alcohol testing when they cause or contribute to an accident that: (i) damages an Agency vehicle, machinery, equipment or property, (ii) results in an injury to themselves or others, and/or (iii) otherwise constitutes a safety violation, provided there is a reasonable possibility that drug or alcohol use by the employee could have been a contributing factor to the accident, injury, or violation.
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee’s work history/record, to the extent permitted by law and/or contract, NMCAA may in its sole discretion offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include

follow-up drug or alcohol testing at certain times and frequencies or on a random basis (a "Last Chance Agreement"). If the employee violates the Last Chance Agreement, he/she will be subject to immediate discharge from employment.

Refusal to cooperate with or submit to any drug or alcohol test or investigation, or tampering with a test sample, at the Agency's sole discretion, may result in disciplinary action, up to and including termination of employment, or in the case of an applicant, revocation of a conditional offer of employment.

Any employee who tests positive on a drug or alcohol test will be offered the opportunity of a second test on the original sample. If a current employee tests positive on a drug or alcohol test, including a test for the presence of marijuana, NMCAA shall take any and all additional disciplinary actions it deems necessary and appropriate, up to and including termination of employment.

Information and records relating to test results and legitimate medical explanations provided to the medical review officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from regular personnel files.

NMCAA reserves the right to inspect all portions of its premises for controlled substances, alcohol or other items prohibited under this policy. Thus, employees should have no expectation of privacy with respect to items brought onto Agency property and/or stored in Agency facilities. To the extent permitted by law, all employees, contractors and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other prohibited items. Only employees or designees authorized by the Company are permitted to conduct searches under this policy. Employees who possess prohibited items or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

As a condition of employment, the employee will abide by this statement and the following conditions:

- NMCAA must be notified of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction; Michigan Department of Health and Human Services (or other funding source if required) will be notified within ten days after receiving notice from an employee or otherwise receiving actual notice of such conviction.
- Within thirty days of receiving notice of conviction with respect to any employee who is convicted, the Agency shall take appropriate personnel action up to and including termination; or, upon recommendation of supervisor, and approval of the Executive Director, the employee may be required to participate, satisfactorily, in a drug abuse assistance or rehabilitation program approved for

such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

To protect the safety of all employees and others, any employee who the Agency reasonably suspects has violated this policy may not be allowed to complete his/her shift. Safe transportation will be arranged for the employee.

Northwest Michigan Community Action Agency shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this Section B.

#### IV-C. PHYSICAL EXAMINATION

Pursuant to Child Development/Head Start regulations, a pre-employment physical examination and TB test are a condition of employment for all Head Start funded positions. The cost of this limited physical exam and TB test are to be borne by the Agency. The examination and TB test are to be completed prior to starting work and repeated as required by Office of Head Start and Child Care Licensing regulations.

To the extent permitted by applicable law, NMCAA reserves the right to request a fit for duty exam for any employee, at any time during employment, if in the judgment of the supervisor and the Executive Director it appears warranted and to be in the best interest of the Agency.

#### IV-E. POLITICAL ACTIVITY

NMCAA does not discriminate on the basis of political affiliation. Further, because NMCAA is a 501(c)(3) non-profit organization, it is prohibited from engaging in political activity. Accordingly, employees are prohibited from engaging in partisan political activities during work hours.

Employment with NMCAA cannot be offered as a consideration or reward for the support or defeat of any political party or candidate for public office, nor may any persons, as an employee:

1. use his or her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office; or
2. directly or indirectly use a position for purpose of political coercion; or
3. be a candidate for elective office in a partisan election.

Employees must abide by the appropriate local, State, and Federal laws concerning political activities. Employees who do not comply with this policy shall be subject to disciplinary action up to and including termination.

#### IV-F. TRAINING PERIOD/OBSERVATION (PROBATION)

NMCAA utilizes "Training" and "Observation" as its probationary periods. All new employees will serve a Training Period of ninety (90) days. Employees transferred or

promoted to new positions within the organization serve similar training periods in the new positions. The Training period is defined as the time of continuing review and instruction and may be accompanied by individualized written Coaching Tool documents, to give the employee the opportunity to decide whether the position suits him or her, while also giving NMCAA the opportunity to decide whether the employee meets the expectations of the position. The supervisor shall conduct a 90-day Review with the employee, to be signed by both supervisor and employee.

New Child/Family Development personnel will serve a minimum Training Period of one year. During this period, there will be at least one evaluation between 90 to 120 days from the date of hire, and at the end of the one-year training period.

A program director, with employee performance concerns, following consultation with HR Director, may place an employee on ninety (90) day Observation for the purpose of evaluating and documenting the individual's improvements in performance. Performance improvement expectations will be detailed in a NMCAA Work plan signed by the employee and supervisor. Should the employee remain employed through the duration of the Observation period, a recommendation will be made to the Executive Director whether to retain or terminate the employee.

When, in the judgment of supervisory staff, the employee is not satisfactorily completing or meeting the Training/Observation Period Performance Expectations, and with approval of the Executive Director, NMCAA may at any time exercise its right of dismissal as an At-Will employer.

Participation in or completion of the Training/Observation Period in no way alters the at-will nature of employment with NCMAA, nor does it ensure employment for any specific period of time.

#### IV-G. EMPLOYEE EVALUATION

Employee performance will be evaluated, orally or in writing, on an ongoing basis by the direct supervisor. This process shall provide regular opportunities to recognize employee contributions and strengths, and foster employee development as needed. Further, it is the Agency's intent that this ongoing process will promote transparency and employee engagement.

Any written documentation regarding employee performance will be filed in the employee's personnel file.

In addition to the ongoing evaluation discussed above, employees will be formally evaluated using the current Agency evaluation form as needed, but at least once a year (leaves of absence, breaks in services or other circumstances may, with Executive Director's approval, affect the timing of evaluations). The employee and supervisor must sign the form, and the evaluation is to be reviewed by program designated management before it is placed in the individual's file.

#### IV-H. WORK SCHEDULE

##### Days and Hours

The regular business hours of Northwest Michigan Community Action Agency are Monday through Friday from 7:30 A.M. to 4:30 P.M.

There will be a one-hour unpaid period for lunch for non-exempt employees, normally from 12:00 noon to 1:00 P.M. The performance or work by non-exempt employees during a lunch break is not allowed unless approved in advance by a supervisor. Time worked during lunch breaks will be paid in accordance with applicable law. Supervisors may make provisions for rest periods, depending upon work demands, for paid 15-minute rest breaks in the morning and afternoon.

The Executive Director, in his/her sole discretion, may approve flex hours provided the employee's regularly scheduled number of hours are maintained. Flex hours can be granted, denied, modified, and revoked in the Executive Director's sole discretion considering business need, scheduling issues, position, and work performance.

At times, employees may be required to perform work outside of normal business hours. Non-exempt employees will be paid for all hours worked over forty (40) in a work week in accordance with the Overtime policy.

#### IV-I. TRAVEL TIME

Travel Time will be compensated when it is deemed to be compensable work time under applicable law. Travel to and from home is not considered work time.

Non-exempt (hourly) employees scheduled to attend a meeting, training class, workshop, or seminar at the direction or request of NMCAA will be paid for the hours of the meeting or seminar and the travel time to and from the work site (Please see the Overtime policy as well).

NMCAA retains the option to determine the mode of transportation for which it will pay travel time for any given trip. An employee will not be paid for travel time exceeding the time required for selected mode of transportation.

Exempt employees that attend a meeting or class will not receive specific compensation for travel time as such training and travel time is considered part of their job and included in their salary.

Employees who have questions regarding whether travel time is compensable time should contact the HR Director.

#### IV-J REIMBURSEMENTS

It is the policy of Northwest Michigan Community Action Agency that all expenses incurred, incidental to the performance of an individual's job or duties, shall be paid in accordance with the current Agency reimbursement policy. This includes travel, automobile mileage, lodging, food, and other similar expenses. An employee is not expected to conduct business, on behalf of the Agency, at his/her expense. All business-related expenses must follow the NMCAA Procurement Policy (see Controller for the NMCAA Financial Policies and Procedures) and have prior supervisor's approval before expenses are incurred to be eligible for reimbursement.

Mileage will be reimbursed at the prevailing Board-approved rate (which encompasses expenses for general maintenance, insurance premiums and deductibles, gas, oil, etc.) for travel other than to and from the employee's residence and regular work site subject to and including:

1. If an employee travels from his or her residence to a different meeting site (or returns), further than the regular work site, only the additional mileage will be reimbursed. If the mileage is less, no reimbursement will be made.
2. Travel from the regular worksite to a different site of official business and subsequent return to the regular work site is reimbursable for the mileage in both directions.

To limit unnecessary mileage reimbursement, NMCAA reserves the right to require carpooling when practicable, and deny mileage reimbursement to those who have subsequently chosen not to carpool.

#### IV-K VEHICLE USE

Employees who are required to operate Agency vehicles or their own vehicles as a normal part of their assigned duties shall have their driving records reviewed upon hire. Thereafter, the driving records of such employees may be reviewed annually.

NMCAA requires employees to provide, each year, proof of a current driver's license and current insurance before driving any vehicle on Agency business. While driving on NMCAA business, all employees are required to maintain a valid driver's license. Employees who drive on NMCAA business are required to immediately notify the HR Director if their license has become restricted, suspended, revoked, or invalid in any way and/or if their insurance coverage lapses or changes in any way.

An employee who is involved in an accident while traveling on business must promptly report the incident to the HR Director.

Unless prior authorization has been obtained, vehicles owned by NMCAA, leased, or rented while traveling on business for NMCAA may not be used for personal use.

Further, unless under specific written conditions authorized by the Executive Director, employees are not permitted to transport clients in non-NMCAA owned vehicles.

Employees driving or riding in any vehicle on NMCAA time are expected to observe area traffic laws, wear seatbelts, and refrain from using cellular telephones. Employees are responsible for the vehicle, and for payment of any traffic violation tickets NMCAA does not reimburse employees for tickets, fines, bail bonds, etc., incurred by the employee.

Employees who have been repeatedly cited for moving traffic violations or who have been convicted of a serious traffic offense, or shown disregard for basic rules of the road may be subject to disciplinary action up to and including termination, or may be prevented from operating Agency vehicles until they can demonstrate an improvement in their driving record.

Any drivers covered by DOT regulations must also comply with all such requirements while driving. To the extent that DOT regulations are inconsistent with this policy, the DOT regulations shall govern for such covered drivers.

#### IV-L PUNCTUALITY AND ATTENDANCE

The Agency's successful operations depends largely upon the regular attendance of each of our employees. Employees need to be reliable and punctual when reporting for scheduled work and returning from scheduled breaks. Unauthorized and unscheduled absenteeism and tardiness are disruptive and place a burden on supervisors, co-workers, and our clients.

- (1) The efficient, effective operation of the Agency requires punctuality and regular attendance of all employees. Excessive or habitual unexcused tardiness or absenteeism may result in disciplinary action, up to and including termination of employment to the extent permitted by law. Excessiveness and habitualness are determined in the sole discretion of the Agency considering several factors, including but not limited to business need, the employee's position, employee work history, and employee performance.
- (2) Unauthorized absences from directed work assignment will constitute grounds for termination of employment.

Requests for planned absences must be made in accordance with the Agency's applicable leave policies, and if approved, will be considered excused.

If employees are going to be late or absent due to an unplanned reason, employees must notify their supervisor as soon as possible, but no later than one (1) hour before the start of the scheduled shift if possible. Employees must provide the general reason for the unplanned absence and the date and/or time they will be returning to work, if possible.

Appropriate documentation may be required to substantiate an unplanned absence if applicable paid time off has been exhausted and/or the unplanned absence lasts longer than three (3) consecutive days. Further, appropriate documentation may be required to substantiate any situation preventing timely compliance with the notice requirements under this policy. Employees will have at least three (3) days to provide requested documentation.

An unplanned absence will be considered unexcused if:

1. The employee fails to provide the required notice, unless the circumstances prevented timely compliance;
2. The employee fails to provide the required appropriate documentation; and/or
3. The employee fails to provide a satisfactory reason for the absence, in the Agency's sole discretion unless otherwise required by law.

An unexcused no-call no-show for three (3) consecutive workdays will be deemed a voluntary resignation.

#### IV-M. RETIREMENT

NMCAA values employees whose efforts have contributed to our success and encourages their participation and expertise for as long as they and NMCAA share a mutual interest. Should an employee reach a decision to retire while employed by NMCAA, it is requested that the employee will provide three months (ninety (90) day) notice of such intent, when feasible. NMCAA will assist the employee, when possible, in making a smooth transition to retirement. This policy in no way alters the at-will nature of employment with NMCAA and does not guarantee employment for any specific period of time.

#### IV-N. DRESS STANDARDS

Generally accepted standards of dress and good grooming are expected.

Employees are expected to present a professional, businesslike image to clients, visitors, customers, and the public at all times and maintain safety standards while at work by being appropriately attired. Acceptable personal appearance as well as proper maintenance of individual work areas, is an ongoing requirement of employment with NMCAA. While dress guidelines may be different for individual content areas depending on the type of work being performed, employees are still expected to present a neat appearance and are not permitted to wear ripped, frayed, disheveled, tight, revealing, or otherwise inappropriate clothing. NMCAA management reserves the right to regulate specific dress when it interferes with job performance, safety, or the provision of our services.

Employees who are improperly dressed under this policy may be counseled and/or sent home to change clothes. Continued disregard of this policy may result in disciplinary action, up to and including termination of employment.

#### IV-O. CHILDREN IN THE WORKPLACE

To the greatest degree possible employees are expected to manage their work environment for the most efficient and productive atmosphere. It is understood that there may be times that due to unforeseen and rare circumstances an employee may feel the need to bring his or her child to work. It is expected that in such situations the employee will inform his or her supervisor and discuss the plan for the day.

Employees are only permitted to bring their children to work with prior written approval from their supervisor. Approval may be granted, denied, modified, or revoked in the sole discretion of the Agency considering several factors, including but not limited to the employee's position, safety concerns, legal requirements, business need, work performance, and any prior history with the child at work.

Employees bringing children to work under this policy are solely responsible for ensuring their compliance with applicable policies and safety rules and regulations. Unless otherwise required by law, the Agency assumes no liability for the action of children in the workplace.

#### IV-P. HARASSMENT AND DISCRIMINATION

Northwest Michigan Community Action Agency, Inc. is committed to maintaining a work environment in which all individuals are treated with respect and dignity. The Agency fully supports and complies with applicable laws to protect and safeguard the rights and opportunities of all people to seek, obtain, and hold employment without exposure to unlawful discriminatory practices, including harassment or discrimination of any kind. Therefore, the Agency prohibits and will not tolerate any form of unlawful harassment or discrimination in the workplace which is based upon a person's race, color, religion, national origin, sex (including pregnancy), age, disability, sexual orientation, gender identity and/or expression, marital, civil union or domestic partnership status, past or present military service, genetic information, family or parental status, political affiliation, height, weight, or any other status protected by applicable law .

This policy applies to all employees while on duty whether on or off Agency property, while off duty and on Agency property, and applies while off duty and off Agency property if the conduct has the effect of interfering with an employee's work performance.

##### (1) Definitions of Harassment

**Harassment Based on Protected Classification:** Harassment on the basis of any protected characteristic is strictly prohibited at NMCAA. Under this policy, harassment is defined as any unwanted verbal, written or physical conduct that has the purpose or effect of unreasonably interfering with an employee's job

performance or creating an intimidating, hostile, or offensive working environment. Prohibited harassment includes conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, sex (including pregnancy), age, disability, sexual orientation, gender identity and/or expression, marital, civil union or domestic partnership status, past or present military service, genetic information, family or parental status, political affiliation, height, weight, or any other status protected by applicable law, or such characteristics of his/her relatives, friends or associates.

Harassing conduct includes, but is not limited to, epithets, slurs, or negative stereotyping; display of images that are threatening, intimidating, hostile or offensive; unwelcome touches or threats of physical harm; denigrating jokes; and the use of degrading words, nicknames, and stories, whether communicated verbally, in writing, or electronically via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means. Such conduct will result in disciplinary action up to and including discharge.

**Sexual Harassment:** Employee conduct or communications that result in the harassment of other employees on the basis of sex is illegal and such conduct is prohibited at NMCAA. For the purposes of this policy, sexual harassment is defined as unwanted verbal, non-verbal, or physical sexual conduct or communications that are intended to or do in fact substantially interfere with an employee's employment or create an intimidating, hostile, or offensive work environment. Unwelcome sexual conduct or communications constitute sexual harassment when:

- a. Submission to such conduct is made either an express or implied term or condition of an employee's employment;
- b. Submission to or rejections of such conduct is used as the basis for employment decisions affecting the employee; or
- c. Such conduct has the purpose or effect of substantially interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may involve individuals of the same or different gender. Sexual harassment may take different forms, including a range of subtle and overt behaviors. Depending on the circumstances, these behaviors may include, but are not limited to:

- |              |  |
|--------------|--|
| * Verbal     | Sexual innuendoes; suggestive, insulting, or obscene comments; jokes of a sexual nature; sexual propositions or advances; requests or demands for sexual favors; threats; verbal abuse of a sexual nature; and commentary about an individual's body, sexual prowess or sexual deficiencies. |
| * Non-verbal | Displaying sexually suggestive, obscene, or graphic objects or pictures; graphic commentaries; suggestive or insulting sounds; leering; whistling; and obscene gestures.   |

\* Physical Unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.

Appropriate disciplinary action will be taken against any employee who violates this policy.

BASED ON THE SERIOUSNESS OF THE OFFENSE, DISCIPLINARY ACTION MAY INCLUDE REPRIMAND, SUSPENSION, OR TERMINATION.

## (2) Harassment by Non-Employees

NMCAA will take all reasonable steps to prevent or eliminate harassment of any type by non-employees including, but not limited to, customers, vendors, suppliers, and salespersons, who are likely to have workplace contact with our employees. Notwithstanding the foregoing, NMCAA assumes no liability for the actions of non-employees.

## (3) Retaliation

Employees can raise concerns and make reports in good faith under this policy without a fear of reprisal or retaliation. NMCAA prohibits any form of retaliation against an employee for filing a complaint based on a good faith reasonable belief that a violation of this policy has occurred, for assisting in a complaint investigation, or for opposing any practice in violation of this policy. Any employee found to have engaged in prohibited retaliation will be subject to discipline, up to and including termination.

NMCAA recognizes that false accusations of harassment or discrimination can have serious effects on innocent individuals. An employee who makes a false complaint under this policy in bad faith will be subject to disciplinary action, up to and including termination of employment.

## (4) Reporting Procedures and Investigation

1. Any employee who believes he or she has witnessed or been subjected to unlawful harassment, or retaliation, or becomes aware of any unlawful harassment or retaliation should report the alleged conduct immediately to the HR Director or Executive Director. This person will provide the employee with a complaint form (or see Appendix A-1 for the Report of Harassment/Discrimination form). All complaining employees are encouraged to complete and return the Report of Harassment/Discrimination/Retaliation form; however, the completed form is not a requirement.
2. If a complaint involves either the HR Director or Executive Director, the complaint should be filed with the other person.
3. All complaints of unlawful harassment and/or retaliation will be promptly and thoroughly investigated. Complaints will be handled confidentially, to the extent

feasible. The purpose of this provision is to protect the confidentiality of the employee who files a complaint, to encourage the reporting of any incidents of harassment or retaliation, and to protect the reputation of any employee wrongfully charged.

4. Investigation of a complaint may include individual interviews with the parties involved and any named or apparent witnesses, or others who may have relevant knowledge. Employees shall be guaranteed an impartial and fair review and investigation. Confidentiality will be maintained throughout the investigatory process to the extent practicable and consistent with adequate investigation and appropriate corrective action. The Agency will report its findings to the person(s) making the complaint and to the person(s) accused.
5. Anyone found to have unlawfully harassed, discriminated, or retaliated in violation of this policy will be subject to appropriate disciplinary action designed to stop the harassment, discrimination, or retaliation immediately, up to and including termination of employment. Additionally, appropriate action to deter and prevent any future recurrence will be taken.

#### (5) Management Responsibility

Each manager and supervisor are responsible for maintaining a workplace free of harassment and retaliation. This is accomplished by promoting a professional environment and by dealing with harassment, discrimination, and retaliation, as with all other forms of employee misconduct. It must be remembered that supervisors are the first line of defense against harassment and retaliation. By setting the right example, a supervisor may discourage his or her employees from acting inappropriately.

In addition, supervisors will often be the first to spot objectionable conduct or the first to receive a complaint about conduct which he or she did not observe. As such, managers and supervisors must deal expeditiously and fairly with allegations of harassment or retaliation whether or not there has been a written or formal complaint. They must:

- A. Take all complaints or concerns of alleged or possible harassment, discrimination, or retaliation seriously no matter how minor or who is involved.
- B. Immediately report all complaints and/or possible harassment of which they become aware to the HR Director or the Executive Director so that a prompt investigation can occur, and any remedial action can be taken.
- C. Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Managers and supervisors who knowingly allow or tolerate prohibited harassment, discrimination, or retaliation, including the failure to immediately report such misconduct to the HR Director or the Executive Director, are in violation of this policy and subject to discipline.

#### IV-Q. NMCAA PROPERTY

NMCAA property should only be used for business purposes and must be returned upon separation of employment. Employees must not use NMCAA identification, stationery, supplies, and equipment for personal or political matters.

Any damage or loss of NMCAA property and/or the property of other employees, vendors, suppliers, and/or clients shall be reported to the employee's supervisor within 24 hours.

All agency owned equipment (computer, cell phone, tablet, etc.) will be returned to the agency upon separation. See appendix A-7, Information Technology Policies and Procedures.

#### IV-R. SAFETY AND REPORTING OF OCCUPATIONAL ACCIDENTS AND ILLNESS

##### (1) Safe Working Conditions

NMCAA strives to provide safe working conditions for all employees. If you have a safety or health concern, please bring it to the attention of the Department Director, HR Director, or Executive Director. NMCAA will investigate all such concerns and will not knowingly require anyone to work in a manner that the Agency determines to be unsafe.

Safety is every employee's responsibility, and all employees are expected to do everything reasonable and necessary to keep NMCAA a safe place to work. Failure to follow Agency safety and health guidelines or engaging in conduct that places the employee, customer/client, public, or Agency property at risk can lead to employee disciplinary action and/or termination.

##### (2) Accidents and Injuries

All accidents, regardless of severity, shall be reported to the supervisor immediately.

The appropriate level of medical treatment should be obtained immediately – first aid, physician, or in emergency situations, the nearest hospital or medical facility.

Whenever an accident occurs, the person(s) involved must complete a Supervisor's Accident/Illness Investigation Report, signed by that person(s) and any witnesses to the accident. Accident reports are to be completed immediately and filed with the Human Resources Office within 24 hours. If a fatality occurs, NMCAA must notify MIOSHA within 8 hours. If an amputation, loss of eye, or inpatient hospitalization occurs, NMCAA must notify MIOSHA within 24 hours. Further, if the injury or illness is recordable, it must be added to the Illness/Injury Log.

Additionally, employees are required to report if they pose a direct threat to the safety of others, including if they have contracted a highly contagious illness. Such employees must also complete the Supervisor's Accident/Illness Investigation Report and forward it to the Human Resources Office within 24 hours. See Appendix A-2 for Communicable Disease Policy.

ALL EMPLOYEES MUST ADHERE TO THE POLICY REGARDING THE REPORTING OF ACCIDENTS. FAILURE TO DO SO CAN JEOPARDIZE ENTITLEMENT TO WORKERS' COMPENSATION BENEFITS, IF ANY.

#### IV-S. CONFLICTS OF INTEREST

(1) Conflicts of Interest

NMCAA conducts business ethically and avoids conflicts of interest including potential and actual conflicts and the appearance of such conflicts. All persons involved in the Agency operations have an equal obligation to avoid conflicts of interest. NMCAA expects that employees will perform their duties conscientiously, honestly, and in accordance with the mission, and best interest of the Agency. Employees must not use their position, or the knowledge gained as a result of their position for private or personal advantage. Regardless of the circumstances, if employees' sense that a course of action they have pursued, are presently pursuing, or are contemplating pursuing may involve them in a conflict of interest with the Agency, they should immediately communicate all the facts to their superior.

1. Employees are expected to report conflict of interest to their supervisor immediately upon discovery or suspicion of the conflict. Examples of the conflicts of interest are listed below (but are not limited only to these items):
  - a. An employee has outside employment that competes with the activities or services offered by the Agency.
  - b. An employee has an outside business interest that competes with the activities of the Agency.
  - c. An employee has an outside business that is a purchaser or supplier of goods or services to the Agency.
  - d. An employee has an outside business involvement or employment that interferes with the ability to devote necessary attention to the responsibilities at the Agency (moonlighting).
  - e. An employee has a relative or a person with a significant relationship employed by or has a business interest in companies that compete with, sell to, or buy from the Agency.
  - f. An employee receives purchase inducements (gifts, premiums, money, goods, or services) from vendors that benefit the employee personally (directly or indirectly) or are unauthorized or questionable in nature.

2. Personal gifts, entertainment, and favors from people with whom the agency has a business relationship are prohibited. Minor gifts of more than nominal value (~~\$10.00~~ ~~25.00~~ ) should be tactfully declined or returned to avoid any appearance or suggestion of improper influence. Similarly, employees shall not accept any other preferential treatment under these circumstances because their position with NMCAA might be inclined to, or be perceived to, place them under obligation.
3. NMCAA expects employees to conduct business in accordance with relevant policies, procedures, and laws and to refrain from illegal, dishonest, or unethical conduct.
4. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

(2) Employee Participation in Agency Services

Employees are not prohibited from participation in programs or service operated by the Agency. Employees who do participate in an NMCAA program or service will not be given priority or preferential treatment over other applicants and must meet all economic and other program eligibility requirements. When an Employee does participate in an NMCAA program or service, the provider of the service must notify the Department Director through appropriate supervisory channels, so that any special arrangements necessary to avoid a conflict of interest can be made. All employees participating in services where fees are required shall pay those required fees personally.

(3) Outside Activities, Employment, and Directorships

All employees share in a serious responsibility for maintaining and promoting NMCAA's good public relations, especially at the community level. Their readiness to help with religious, charitable, educational, and civic activities brings credit to the Agency and is encouraged. Employees must, however, avoid acquiring any business interest or participating in any other activity outside NMCAA that would, or would appear to:

- Create an excessive demand upon their time and attention, thus depriving the Agency of their best efforts on the job, or interfere with performance of Agency duties
- Create a conflict of interest – an obligation, interest, or distraction – that may interfere with the independent exercise of judgment in NMCAA's best interest.
- Be a part of present employment/duties
- Be performed during regular or assigned Agency working hours

When an employee provides consultation or training to organizations on his or her own time, and the service is rendered entirely outside of the employee's working hours, the service is considered secondary employment. In this

situation, the use of NMCAA office equipment and supplies and the utilization of NMCAA personnel in the preparation of such services is prohibited.

An employee will not be allowed to work for another employer while on sick or FMLA leave of absence or while absent from NMCAA because of illness.

It is each employee's responsibility to notify the HR Director in writing if engaged in outside employment. The HR Director will determine if there ~~that is in any way may be in~~ conflict with the above statements. Any violation is subject to disciplinary action under Section V-A.

(4) Relationships With Clients/Customers and Funders/Suppliers

Employees should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with NMCAA, or that provides goods or services, or both to NMCAA, if such investment or interest could influence or create the impression of influencing their decision in the performance of their duties on behalf of NMCAA.

(5) Kickbacks and Secret Commissions

Regarding NMCAA business activities, employees may not receive any payment or compensation of any kind, except as authorized under NMCAA's pay and job expense policies. In particular, NMCAA strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule will result in immediate termination and prosecution.

(6) Organization Funds and Other Assets

Employees who have access to NMCAA funds in any form must follow the prescribed procedures set forth for recording, handling, and protecting money as detailed in the Agency's Financial Procedures. NMCAA imposes strict standards to prevent fraud and dishonesty. If employees become aware of any evidence of fraud or dishonesty, they should immediately advise their superior, their Department Director, HR Director, or the Executive Director, to promptly investigate further.

When an employee's position requires spending NMCAA funds or incurring any reimbursable personal expenses, that individual must use good judgment on NMCAA's behalf to ensure that good value is received for every expenditure. (See Controller for the NMCAA Financial Policies and Procedures)

NMCAA funds and all other Agency assets are for NMCAA purposes only and not for personal benefit.

#### IV-T. ORGANIZATIONAL RECORDS AND COMMUNICATIONS

Accurate and reliable records of many kinds are necessary to meet NMCAA's legal and financial obligations and to manage the affairs of the Agency. NMCAA's books, records, client/customer files must reflect in an accurate and timely manner all business/service transactions. The employees responsible for accounting and/or

record keeping must fully disclose and record all assets, liabilities, and programmatically required data, and must exercise diligence in enforcing these and all grant/contractual requirements.

Employees must not make or engage in any false record or communication of any kind, whether internal or external, including but not limited to:

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

(1) Employment Records

NMCAA maintains employment personnel files for all employees. All personnel records are confidential. Employees may review their personnel file as permitted by applicable law by making an appointment with Human Resources.

It is the employee's responsibility to promptly notify NMCAA if there is any change in the following:

- Home address or phone number
- Marital status
- Legal name changes
- Beneficiary changes
- Changes in dependents
- Changes to emergency contact information

(2) Social Security Number Privacy  
See IV-X

(3) Employment Reference Requests

All third-party requests for NMCAA references or information on current or former employees should be referred to Human Resources. Unless specifically authorized to do so by the HR Director or the Executive Director, employees should not provide any such references or information on behalf of NMCAA.

(4) Release of Personnel Information

Detailed personnel information will not be released to anyone outside of NMCAA without prior written consent by the employee. Exceptions will only be made as required by law as in the case of subpoenas or other court orders.

IV-U. DEALING WITH OUTSIDE PEOPLE AND ORGANIZATIONS

Unless expressly authorized to speak on behalf of NMCAA by the Executive Director, employees must take care to separate their personal roles from their NMCAA positions when communicating on matters not involving NMCAA business.

Employees are reminded that when speaking on your own behalf, be sure to qualify your opinion with a statement like “This is my personal opinion and may not be shared by NMCAA.”

When communicating publicly or with outside parties on matters relating to NMCAA business, employees must take care to represent the agency and its activities in a positive fashion. If a matter of sensitivity or controversy arises that has the potential of reflecting poorly on NMCAA, employees must immediately contact their supervisor and the Executive Director for messaging coordination. (See Social Media Policy, Appendix A-8)

#### IV-V. PROMPT COMMUNICATIONS

In all matters relevant to customers, suppliers, funders, government authorities, the public and others at NMCAA, all employees must make every effort to achieve complete, accurate, and timely communications – responding promptly and courteously to all proper requests for information, and to all complaints.

#### IV-W. CONFIDENTIAL BUSINESS AND CLIENT / CUSTOMER INFORMATION

Confidentiality is a primary ethical requirement of NMCAA employees. During the course of their employment with NMCAA, employees may become aware of NMCAA’s Confidential Business Information and/or the confidential information of the Agency’s clients/customers. For purposes of this policy, “Confidential Business Information” means the trade secrets and similarly protected proprietary and confidential information about NMCAA’s business that is generally unavailable to the public including, but not limited to, techniques, processes, and developments; service information and developments; marketing plans and strategies; financial records; client/customer lists and preferences; and supplier information.

Unless expressly authorized by the Executive Director in writing and/or unless authorized to do so in furtherance of the performance of your duties with NMCAA, employees are prohibited from, directly or indirectly, disclosing NMCAA’s Confidential Business Information and the confidential information of NMCAA’s clients/customers to anyone outside of NMCAA, removing any Confidential Business Information or the confidential information of NMCAA’s clients/customers from NMCAA’s premises, and misusing any Confidential Business Information or the confidential information of NMCAA’s clients/customers. Further, within NMCAA, discussion of Confidential Business Information and the confidential information of NMCAA’s clients/customers should be limited to only those with the legitimate “need to know.” This prohibition applies to all NMCAA employees during their employment and any time after the termination of their employment with NMCAA.

Additionally, to the extent required by law and/or applicable contract, all client/customer interactions should be treated as confidential, and employees are responsible for being informed of and abiding by any applicable contractual or departmental confidentiality requirements beyond the NMCAA requirements stated in this policy. If you are uncertain about whether information is confidential, check with your supervisor before discussing it with anyone.

When handling financial, personal, service related, and/or eligibility information about clients/customers, or others with whom NMCAA has dealings, the following principles shall be observed:

- Collect, use, and retain only the personal information necessary for NMCAA's business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement such information.
- Retain information only for as long as necessary or as required by law. Protect the physical security of this information.
- Limit internal access to personal information to those with a legitimate business reason for seeking that information. Use only personal information for the purposes for which it was originally obtained.
- Obtain written consent of the person concerned before externally disclosing any personal information unless legal process or contractual obligation provides otherwise.
- Departing employees must surrender all NMCAA property in their possession, including but not limited to any NMCAA Confidential Business Information and confidential information of NMCAA's clients/customers in any form, manner or media on which it is maintained such as external drives, flash drives, CD-ROMs, and other storage media, notebooks, reports, documents and any other form.

Any employee who fails to abide by this policy will be subject to disciplinary action, up to and including termination of employment.

#### IV-X. SOCIAL SECURITY NUMBER PRIVACY

As required by state law, it is the policy of NMCAA to protect the confidentiality of Social Security numbers obtained in the ordinary course of Agency business from employees, vendors, customers, or others. No employee shall knowingly obtain, store, transfer, use, disclose, or dispose of a Social Security number that the Agency obtains or possesses, except in accordance with this policy and applicable law.

##### (1) Obtaining Social Security Numbers

Social Security numbers should be collected only where permitted by federal and state law for legitimate reasons consistent with this policy. Legitimate reasons for collecting a Social Security numbers include, but are not limited to the following circumstances:

- Employment applicants may be required to provide a Social Security number for purposes of a pre-employment background check.
- Copies of Social Security cards may be obtained for purposes of verifying employee eligibility for employment.

- Social Security numbers may be obtained from employees for tax reporting purposes, for new hire reporting, or for purposes of enrollment in any Company employee benefit plans.
- Social Security numbers may be obtained from creditors or vendors for tax reporting purposes.

#### (2) Public Display

No more than four sequential digits of a Social Security number shall be placed on identification cards, badges, timecards, employee rosters, bulletin boards, permits, licenses, or any other materials or documents designed for public display. Documents, materials, or computer screens that display more than four sequential digits of a Social Security number shall be kept out of public view at all times. No more than four sequential digits of a Social Security number of any individual shall be used as an Agency file or account number for any individual.

#### (3) Computer Transmission and Storage

No more than four sequential digits of a Social Security number shall be used or transmitted on the internet or on a computer system or network unless the connection is secure, or the transmission is encrypted, or unless transmitted with the consent of the individual, which consent shall be documented. All documents containing Social Security numbers shall be stored in a physically secure manner. Social Security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access.

#### (4) Mailed Documents

Agency documents containing more than four sequential digits of a Social Security number shall only be sent in cases where state or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a Social Security number appear in the document. Documents containing more than four sequential digits of a Social Security number that are sent through the mail, shall not reveal the number through the envelope window or otherwise be visible from outside the envelope or package

#### (5) Access to Social Security Numbers

Only personnel who have legitimate business reasons will have access to records containing Social Security numbers. Those having access to records containing Social Security numbers shall determine which other personnel have a legitimate reason in the Agency's ordinary course of business to have access to such Social Security numbers. Personnel using records containing Social Security numbers must take appropriate steps to secure such records when not in immediate use.

#### (6) Disposal

Documents containing Social Security numbers will be retained in accordance with the requirements of state and federal laws. At such time as documents containing Social Security numbers may be disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the Social Security numbers, such as shredding.

#### (7) Unauthorized Use or Disclosure of Social Security Numbers

NMCAA shall take reasonable measures to enforce this policy and to correct and prevent the reoccurrence of any known violations. Any employee, who knowingly obtains, uses, or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this policy shall be subject to discipline, up to and including termination. Additionally, certain violations of this policy may carry criminal and/or civil sanctions. NMCAA will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains, uses, or discloses Social Security numbers through the Agency for unlawful purposes.

#### IV-Y. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The Health Insurance Portability and Accountability Act and related legislation (collectively, "HIPAA") establishes several standards relating to employee and individual protected health information. HIPAA is complex and has many components, some of which include:

- Privacy – provides rules in regard to how an individual's health information may be used and disclosed.
- Transaction and Code Sets – requires the use of standard transaction formats and code sets when an individual's financial health information is transmitted electronically.
- Security – requires specific security measures to be in place to protect an individual's health information that is sent or stored electronically.

NMCAA provides all new employees with a HIPAA overview. Some employees, depending on their job duties, may require additional training. Please check with your supervisor to determine if you require additional training.

NMCAA's HIPAA compliance policies and procedures, as well as additional procedures regarding the release of client/customer information are located in each department . If employees have questions regarding these procedures and policies, they should contact NMCAA's Privacy Officers (Department Directors).

Violations of HIPAA and/or NMCAA's privacy policies and procedures are extremely serious and may result in disciplinary action up to and including termination of employment.

#### IV-Z. POLICY ON SUSPECTED MISCONDUCT AND DISHONESTY AND WHISTLEBLOWER PROTECTION

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

The impact of misconduct and dishonesty may include:

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

Our goal is to establish and maintain a business environment of fairness, ethics, and honesty for our employees, our customers, our funders, our contractors, our partners, 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.

NMCAA is committed to the deterrence, detection and correction of misconduct and dishonesty. The discovery, reporting and documentation of such acts provides a sound foundation for the protection of innocent parties, as do 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 include, but are not limited to:

- Acts which violate NMCAA's Personnel Policies
- Theft or other misappropriation of assets including assets of NMCAA, our clients/customers, funders, suppliers, or others with whom we have a relationship
- Misstatements and other irregularities in NMCAA records, including intentional misstatement of the result of operations
- Wrongdoing
- Forgery or other unauthorized alteration of documents

- Fraud and other unlawful acts
- Any similar acts

NMCAA specifically prohibits these and any other illegal activities in the actions of its employees, managers, executives, and others responsible for carrying out Agency activities.

## **Reporting**

It is the responsibility of every employee, supervisor, manager, director, and executive to immediately report **suspected** misconduct or dishonesty to their supervisor or Department Director, and/or HR Director. Supervisors, when made aware of such potential acts by subordinates, must immediately report such acts to their supervisor or Department Director, and/or HR Director. Any employee or other reporting individual (Whistleblower) will be protected.

Whistleblower protections are provided in two important areas – confidentiality and against retaliation. Insofar as practicable, the confidentiality of the Whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. NMCAA will not retaliate against a Whistleblower who makes a good faith report under this policy. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and/or threats of physical harm. Any Whistleblower who believes he/she is being retaliated against must contact the Human Resources Director immediately. The right of the 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 those with follow up responsibility (HR Director, and/or Executive Director).

Suspected violations, including those situations where the reporting individual wishes to remain anonymous, can be made by telephone directly to NMCAA’s HR Director or Executive Director.

Employees are able to come forward with information regarding suspected misconduct and/or participate in investigations. If the complaint and/or investigation information is

reported falsely, then the employee(s) will not be protected from retaliation and may receive disciplinary action up to and including termination.

Child & Family Development staff must follow the Licensing Rules for Child Centers. This includes reporting to LARA within 3 business days after any arraignment or conviction of 1 or more of the crimes listed in section 5r of the act, MCL 722.115r, and any subsequent conviction.

### **Additional Responsibilities of Supervisors**

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

1. You must become aware of what can go wrong in your area of responsibility.
2. You must put into place and maintain monitoring, review, and control procedures which will prevent acts of wrongdoing.
3. You must put into place and maintain monitoring, review and control procedures that will detect acts of wrongdoing promptly should prevention efforts fail.

Authority to carry out these three additional responsibilities may be 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 NMCAA's HR Director, Controller, and Executive Director.

### **Responsibility and Authority for Follow Up and Investigation**

Complaints made under this policy will be promptly and thoroughly investigated. Unless the HR Director is the subject of the complaint, the HR Director or his/her designee generally has the primary responsibility for all investigations involving NMCAA. Assistance may be requested of the Controller, including access to Controller's periodic examinations and evaluations of internal controls, as well as other employees of NMCAA when appropriate.

Properly designated members of the investigative team will have:

- Free and unrestricted access to all NMCAA 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 the investigative or related follow up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and NMCAA procedures. Confidentiality will be maintained throughout the investigatory process to the extent practicable and consistent with adequate investigation and appropriate corrective action.

### **Questions or Clarifications Related to This Policy**

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

## Disciplinary Procedures – V

### V-A. DISCIPLINARY ACTION

The policies in this Handbook have been established and deemed necessary to ensure the orderly and efficient operation of the Agency. When employees violate the policies in the Personnel Policies, they are subject to disciplinary action in accordance with this policy. Although NMCAA has established a progressive discipline system, nothing in this statement impacts or alters NMCAA's ability to terminate at will. Progressive discipline may not be followed in all cases, in the sole discretion of NMCAA.

Depending on the circumstances involved, discipline issued may include, but is not limited to a written reprimand, or termination.

Disciplinary action or steps described in this policy may be repeated or skipped, and in some circumstances immediate termination may result, depending on, but not necessarily limited to:

- the nature and seriousness of the offense;
- the employee's past conduct;
- the employee's disciplinary and work records;
- any mitigating or aggravating circumstances.

Employees are subject to disciplinary action, up to and including termination without prior warning or attempts at corrective discipline to include, but not limited to the following reasons:

1. dishonesty – activities such as theft, dishonesty, improper use of NMCAA discounts, improper use of NMCAA benefits, embezzlement or misappropriation/removal of funds or property belonging to NMCAA.
2. insubordination.
3. inefficiency – failure to perform assigned duties satisfactorily.
4. disregard of health, fire or safety rules or safety practices that have been established by NMCAA or by any government agency.
5. unauthorized absenteeism or tardiness.
6. sleeping on the job.
7. threatening or intimidating any employee or client.
8. violation of the Drug-Free Workplace policy.
9. abusing any client.
10. criminal conduct.
11. breach of client confidentiality.

12. the making of maliciously false or libelous statements concerning an employee of the Agency.
13. falsification of documents or records including, but not limited to, employment applications, time sheets, expense reports, or Agency documents.
14. violation of the Financial Policies and Procedures.
15. job abandonment which includes absence from scheduled shift without authorization or leaving NMCAA property during a shift without authorization.
16. discrimination, harassment, or retaliation in violation of NMCAA's applicable policies.
17. violation of any other personnel policies and/or approved administrative procedures.
18. any other action or conduct NMCAA determines to be detrimental to the safety of the employee or others or detrimental to business, in NMCAA's sole discretion to the extent permitted by law.

Disciplinary action for infractions may be accomplished by, but is not limited to any of the following:

i. Written Reprimand

When, in the opinion of the supervisor, the offense is sufficiently serious, the supervisor (with approval of the Program Director) will contact the HR Director to develop a written reprimand to the employee. The written reprimand shall state the nature, place, and time of the offense and the parties involved. The reprimand will also state what the employee shall expect if further offenses should occur. The reprimand will be presented to the employee who will be required to sign acknowledgement of receipt of the communication with option to comment or to decline comment. The employee may also offer information or materials in rebuttal. A copy of the written reprimand will be placed in the employee's file.

Letters of Reprimand will be signed by the Program Director, and the Executive Director will review all Letters of Reprimand prior to issue.

ii. Dismissal

Any employee being dismissed will be informed of such dismissal in writing. It is expected at all times, what is best for the Agency will be paramount in reference to personnel actions involving Agency personnel. The authority to order discharge is reserved exclusively to the Executive Director.

Employment with the Agency is at-will, meaning employment is for no definite duration and may be terminated at any time with or without cause, with or without notice.

NOTHING IN THIS PROVISION ALTERS AN EMPLOYEE'S AT-WILL EMPLOYMENT STATUS.

V-B. CONFLICT RESOLUTION

NMCAA provides means for all employees involved in the Agency to bring problems and complaints concerning their employment to their immediate supervisor, Department Director or the Human Resources Director.

Employees will be given an opportunity to present their complaints and to appeal decisions by management through a formal complaint and grievance procedure. All complaints or incidents will be documented and placed in a file separate from the employee's personnel file. This policy in no way alters the policy of employment At-Will.

Procedure:

1. Immediate Supervisor: All grievances should be presented to an immediate supervisor. The individual and the supervisor should attempt to address the problem through discussion or after consulting with appropriate management, when necessary. The supervisor will document the discussion. If the problem involves an employee's immediate supervisor or if the immediate supervisor cannot resolve the issue, the employee should proceed to the Department Director.
2. Department Director: If previous efforts fail to bring satisfactory resolution, the individual may petition the Department Director. The Department Director advises the employee, assists in putting the problem in writing and visits with the employee's supervisor(s), if necessary. If the problem is not resolved, the employee should proceed to the Human Resources Director.
3. Human Resources Manager: If previous efforts fail to bring a satisfactory resolution, the individual may petition the Human Resources Director. The Human Resources Manager advises the employee, and visits with the employee's supervisor(s), if necessary. If the problem is not resolved, the employee should proceed to the Executive Director.
4. Executive Director: The problem must be presented to the Executive Director in writing. The Executive Director will review and consider the problem. The Executive Director will inform the individual of the decision and forward a copy of the written response to the Department Director and the Human Resources Director for filing. The Executive Director has full authority to make any adjustment deemed appropriate to resolve the problem, in his/her sole discretion.

This policy in no way alters the at-will nature of employment with NMCAA. This policy does not require NMCAA to proceed through any certain step or procedure prior to issuing, implementing, or taking any employment or disciplinary action.

#### V-C. ADMINISTRATIVE LEAVE

There may be times when an employee must be relieved of his or her duties while a disciplinary or other investigation is being conducted. A supervisor and Department Director with HR Director and/or Executive Director approval may place an employee on Administrative Leave With Pay, or without Pay for a period not to exceed one (1) week when:

- due to the serious and/or urgent nature of the situation it is necessary to immediately remove the employee from the worksite for efficiency and/or safety of operations; and/or

- it is in the best interest of NMCAA to remove an employee from the worksite during the investigation of an alleged violation of law or NMCAA policy.

Any extension of the Administrative Leave status beyond one (1) week, with or without pay, must include a detailed action plan and be prior approved in writing by the Executive Director.

## Employee Benefits - VI

### VI-A. GENERAL

- (1) The entitlements listed below pertain to benefits that full-time employees generally may receive. Specific entitlements for each employee will be included in the Offer Letter of Employment.
- (2) NMCAA will abide by applicable regulations related to employee health insurance. Full time employees will be enrolled in an agency health care plan unless they complete a waiver and provide verification of other insurance coverage. Verification will be required on an ongoing basis but not less than annually and employees are responsible for notifying the Human Resources department of any changes to their coverage.
- (3) All benefits offered by NMCAA are subject to the terms, conditions, restrictions and other eligibility requirements set forth in the plan documents, which are the final word in terms of eligibility and coverage. Employees receive access to these documents early in their employment. If you have any questions or concerns or would like to request copies of certain plan documents, contact the Human Resources department.
- (4) Should a discrepancy exist between the overview or summary descriptions provided in this handbook (or statements of interpretation by NMCAA staff), and the express or implied terms of the actual plan(s), document(s) or policy, the actual plan, plan documents and policy always control and govern over the more general description found in this handbook (or any other applicable plan or policy summary or staff comment) which is only informational in nature.
- (5) Under all circumstances, in the absolute exercise of its sole and exclusive discretion, NMCAA reserves the unilateral right to change, modify, amend or discontinue, in whole or in part, any (and all) fringe benefit(s) as it deems advisable or appropriate for any or no reason whatsoever.

### VI-B. HEALTH & OPTIONAL EARNINGS BENEFITS

NMCAA will abide by applicable regulations related to employee health insurance benefits. Eligible employees will receive a benefit compensation package established by the Board of Directors. This compensation package will be used for health care coverage.

#### 1. HEALTH CARE COVERAGE

NMCAA currently offers eligible employees' enrollment in the NMCAA health care plan. Eligible employees can enroll in the health insurance plan subject to the terms and conditions of the plan documents.

Individual – The Agency will pay a maximum Board established contribution toward individual coverage for all regular employees working a minimum of 30 hours per week, starting with the first enrollment date after hire. The differential in premium will be the responsibility of the employee and can be paid in the form of payroll deduction. In compliance with Federal regulations, this coverage will extend to qualified dependents.

Family Coverage – Eligible Employees have the option of choosing family health care coverage. The Agency will contribute the Board established annual contribution with the employee paying the differential through payroll deduction.

## 2. OPTIONAL EARNINGS

Employees who would otherwise be eligible for the NMCAA health plan and who have other qualified health coverage providing minimum essential coverage for themselves and their tax family will receive, as optional earnings, a Board established contribution. Taxes will be withheld on these earnings as they are included as income on the individual's paycheck. Employees receiving optional earnings are required to provide proof of current qualified health insurance on a yearly basis.

### VI-D. RETIREMENT PROGRAM

The Agency offers a Tax Deferred Annuity (403B) program to all employees upon hire. The employee may elect to have a percentage of their compensation withheld, before taxes, and invested into their chosen account(s). Employees who receive Optional Earnings have the opportunity of investing all or a percentage of that income in the program.

### VI-E. WORKERS' COMPENSATION

Workers' Compensation is provided for each employee in accordance with the State law, through such insurance carried by this Agency at no cost to the employee. Workers' compensation generally provides cash benefits and medical care for qualified employees who are injured or become disabled because of an accident, injury or sickness related to their job.

To be eligible for workers' compensation benefits, the qualified employee must immediately report an injury to his/her supervisor. Neither NMCAA nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during voluntary participation in any off-duty recreational, social, or athletic activity sponsored by NMCAA.

Further, all workers' compensation benefits will be awarded in accordance with applicable law and the terms of the insurance policy.

#### VI-F. LIFE INSURANCE

Life insurance, as a group policy, is paid for by the Agency for all regular employees working a minimum of 30 hours per week. The policy goes into effect 90 days after hire.

#### VI-G. SOCIAL SECURITY (FICA)

The Agency participates in the Social Security Program, and the employer and employee pay, as required by law, a payroll tax as established by the Social Security Administration.

#### VI-H. EMPLOYEE LOAN FUND

The Employee Loan Fund is an emergency loan fund established to assist employees in time of financial need. See Appendix A-5.

#### VI-I. FLEXIBLE SPENDING ACCOUNT

Northwest Michigan Community Action Agency, Inc. offers a Flexible Spending Account program as part of the employee benefits package for those who meet the qualifications. Monies deposited in this account reimburse employees for eligible medical expenses not covered by health insurance, eye care, dental care, and dependent care.

This plan qualifies under Section 125 of the Internal Revenue Code (IRC). Under IRC Section 125, employees can take advantage of the tax-free benefits offered. Any money you contribute to pay for your benefit is not subject to Federal Income, Social Security, or Unemployment taxation.

To qualify as a participant under this Plan, you must meet the following requirements:

- have reached the age of 18
- have completed three (3) months of service with NMCAA
- work a minimum of ten (10) hours per week

Entry date is the date the employee may actually join the plan; the date employee meets all of the above eligibility requirements.

The Plan is interpreted by the Plan Administrator who also oversees payment of benefits and keeps the records for the Plan. The Plan Administrator is the HR Director.

#### VI-J. EMPLOYEE ASSISTANCE PROGRAM

Northwest Michigan Community Action Agency offers a consultation, assessment, and referral service known as the Employee Assistance Program.

EAP is designed to help employees and their families with personal problems before they affect job performance.

EAP provides confidential, professional counseling and assistance.

EAP does not provide treatment. It directs employees (or their family members) to skilled persons able to give support and assistance with personal problems.

The decision to use EAP is voluntary and exercised on the employee's own time. Employees can refer themselves; family members can refer themselves, or a supervisor may encourage an employee to contact EAP staff.

Initial contact with the Employee Assistance Program will be paid by NMCAA. Any cost of professional treatment not covered by the employee's health care plan will be the employee's responsibility.

Confidentiality of information is maintained for all persons involved with the EAP.

#### VI-L. CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), employees entitled to receive health care benefits and/or their qualified beneficiaries may elect to continue coverage for a limited time when one of the "qualifying events" occur:

1. death of a covered employee;
2. reduction in hours if it causes loss of coverage;
3. termination of employment for reasons other than gross misconduct;
4. layoff;
5. divorce or legal separation;
6. employee becomes eligible for Medicare; or
7. dependent child loses dependent status under the group health insurance plan.

See Appendix A-4, Consolidated Omnibus Budget Reconciliation Act

## Authorized Absence – VII

As of March 29, 2019, the Michigan Paid Medical Leave Act (PMLA) provides for employer paid time off. This time can include paid vacation days and personal days. The vacation and sick/personal time off accruals that NMCAA provides its employees is inclusive of any paid medical leave required under the PMLA. Accordingly, in addition to the uses noted in the policies below, employees may use vacation and sick/personal time for any of the reasons permitted under the PMLA, including:

- time related to your or your family member's illness, injury, or health condition and any related diagnosis, care or treatment;
- time to attend preventative medical, dental, and vision appointments for you or your family member;
- time to seek care, counseling, victim services, legal services, or relocate or participate in civil or criminal proceedings related to domestic violence or sexual assault against you or your family member;
- time to cover absences related to closure of the workplace or your child's school due to a public health emergency;
- and time to cover absences related to your or your family member's exposure to a communicable disease.

### VII-A. VACATION

Vacation hours are based on the Agency's fiscal year October 1 to September 30. Full-time and part-time employees will accrue vacation hours each pay period based on the number of hours paid in that pay period, subject to the totals noted below. The number of hours included in the "working day" vacation accrual totals below are based on the particular employee's regular work schedule. All vacation hours must be used by September 30 as there is no carryover of unused accrued vacation hours. After September 30 each year, unused accrued vacation hours are forfeited.

With supervisor approval, an employee may borrow from future accruals; however, if a person leaves NMCAA's employment having used more vacation time than has been credited, the extra time will be deducted from the final paycheck, provided such deduction is permitted by law.

- (1) Executive Director and Classification Levels D and L may accrue twenty (20) working days of vacation in an Agency fiscal year.
- (2) Classification Levels M, C, S may accrue fifteen (15) working days of vacation in an Agency fiscal year.
- (3) Non-exempt Agency Staff Classifications, and Early Childhood Services Staff will receive ten (10) working days of vacation in an Agency fiscal year. Those employees who have been employed by NMCAA for 5 consecutive years will receive one additional working day of vacation in their sixth year of employment, and one additional day of vacation per year thereafter up to a maximum of 15 working days of vacation in an Agency fiscal year.

- (4) Child/Family Development school-year classroom personnel vacation time is determined by the Program Calendar, established annually.
- (5) Vacation time will accrue each pay period based on the number of hours paid in that pay period.
- (6) Vacation time will be taken in such a manner as mutually agreed upon between the individual and his/her supervisor. Vacation time may be taken in at least 1 hour increments. Vacation will be scheduled throughout the year, whenever feasible, so as to preclude the possibility of a large number of staff being absent during the last month of the accrual year.
- (7) Vacation must be approved in advance, by the individual's supervisor.
- (8) The use of vacation will be noted by the employee on their time sheet.
- (9) Employees on lay off status, may not request or use available vacation hours during the time they are laid off.

Upon termination of employment, for any reason, unused accrued vacation hours will be paid out at the employee's regular straight time rate.

#### VII-C. SICK/PERSONAL TIME

Full-time and part-time employees will accrue sick/personal hours each pay period based on the number of hours paid in that pay period. Time is prorated and accrued on a full-time employee basis of 10 days per year and may be accumulated and carried-over from year to year, up to a maximum of 240 hours.

With supervisor approval, an employee may borrow from future accruals; however, if a person leaves NMCAA's employment having used more sick/personal time than has been credited, the extra time will be deducted from the final paycheck, provided such deduction is permitted by law.

Sick/personal leave is intended for the purpose of covering absences from the job due to illness or personal obligations, including but not limited to eligible PMLA reasons, and when available, must be used for such absences. Unpaid absences from work when no sick/personal time is available will be monitored (See Section IV-L (1), (2)). Employees who are absent from work three days or more due to illness may be required to have a doctor's certification. Employees will have at least three (3) days to provide the requested documentation.

When using sick/personal time due to illness or unforeseen personal matters, employees are required to notify their supervisor of their absence as soon as is reasonably possible, but not less than 60 minutes prior to the start of the use of leave if possible.

Other uses of personal time, when possible, must be approved in advance by employee's supervisor.

The use of sick/personal time will be noted by the employee on their time sheet and must be used in one (1) hour increments.

Employees on lay off status, may not request or use available sick/personal hours during the time they are laid off.

Upon termination of employment, for any reason, unused accrued sick/personal hours will not be paid out.

#### VII-D HOLIDAYS

Holiday pay is given to full-time non-exempt employees for Agency observed holidays when the employees would have otherwise been at work. An employee is not eligible for paid holiday(s) when on unpaid leave of absence or when he/she would not have been scheduled to work. Northwest Michigan Community Action Agency will observe the following holidays:

New Year's Day; Martin Luther King's Birthday; Presidents' Day; Good Friday Afternoon; Memorial Day; Juneteenth; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving; Day before Christmas; Christmas Day; Day before New Year's.

When Independence Day falls on Tuesday or Thursday, the preceding Monday or following Friday will also be observed holidays.

There may be times when an Agency program operates on a scheduled holiday. In such instances, the Department Director will designate a day off, during that pay period, for those individuals so affected.

If the holiday falls on a Saturday or Sunday, it shall be at the discretion of the Executive Director as to whether the Friday preceding, or the Monday following shall be designated as the employees' holiday.

Employees will be paid for holiday pay at their regular straight hours/rate of pay. Holidays will not be counted as hours worked for overtime computation purposes.

#### VII-E. BEREAVEMENT LEAVE

Bereavement leave, with Supervisor approval, may be granted in the event of a death in the immediate family (spouse/partner, son, daughter, grandchild, mother, father, brother, sister, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, as well as the grandparents and great grandparents of the employee or spouse and step-relatives). The employee may be granted leave, with pay, not to

exceed three working days when traveling within the State or five days when traveling out of state, for the sole purpose of arrangement of a funeral or memorial service, attendance of a funeral or memorial service, resolving matters of inheritance or estate/probate disposition, and/or fulfillment of family obligations.

#### VII-F. FAMILY MEDICAL LEAVE

Employees who have worked at least twelve months with NMCAA, have worked at least 1,250 hours during the preceding twelve months, and work at a worksite with 50 or more employees within a 75-mile radius may request an unpaid leave of absence for up to twelve weeks for certain family and medical situations. All employees on FMLA leave will be required to concurrently use accrued sick/personal and/or vacation hours until such time as those accrued benefit hours are exhausted.

See Appendix A –3 Family Medical Leave Act

#### VII-G. MILITARY DUTY

A leave of absence for military service in the U.S. Armed Forces will be granted pursuant to existing applicable federal and state laws. Employees required to be absent for such service may elect to use any accrued vacation and/or sick/personal hours during this period but are not required to do so. Employees requesting leaves of absence for military training or duty must notify the Human Resources Director prior to the leave, unless precluded by military necessity.

Employees who return after an extended leave for military service are eligible for reinstatement in accordance with applicable law.

#### VII-H JURY AND WITNESS DUTY

NMCAA will grant employees time off for mandatory jury duty, for court appearances when the employee is subpoenaed to attend court or is requested by the prosecuting attorney to attend court as a victim, or to attend court as a victim representative during the testimony of a victim. A “victim representative” means a) a guardian or custodian of a child of a deceased victim if the child is less than 18 years of age, (b) a parent, guardian, or custodian of a victim of an assaultive crime if the victim of the assaultive crime is less than 18 years of age, or (c) a person who has been designated to act in place of a victim of an assaultive crime during the duration of the victim's physical or emotional disability.

To the extent permitted by applicable law, a copy of the subpoena, prosecutorial request, or other documentation substantiating status as a victim or victim representative should be supplied to the employee's supervisor when requesting time off, if possible, and an official court document should be provided after the leave to substantiate the dates and time served, if possible.

All employees who are summoned and report for jury duty and/or who are serving qualified witness or victim representative duty shall be paid by NMCAA for the time spent performing such duty, provided that the employee would have otherwise been regularly scheduled to work on the days of such jury or witness/victim representative service.

Leave for qualified witness/victim representative duty will be paid at the employee's regular straight-time hourly rate for time the employee would have otherwise worked on that day. The amount paid for jury service shall be equal to the difference between the amount of wages that the employee would otherwise have earned by working during straight-time hours for NMCAA on that day and the daily jury duty fee paid by the court (not to include travel allowances or reimbursement of expenses).

In order to receive payment for jury and/or qualified witness/victim representative service, the employee must give the NMCAA advance notice that he/she has been summoned for jury or witness/victim representative duty and must give their supervisor (to be forwarded to the HR Director) satisfactory evidence that he/she actually reported for or performed such duty on the days for which such payment is claimed, and, for jury duty, the amount of pay and/or fees provided to the employee for such service.

Employees are expected to report back to work when not required to be at the courthouse, as long as the number of hours worked, when added to the number of hours the person spends on jury or witness/victim representative duty that day does not exceed the number of hours the employee would otherwise have been scheduled to work that day.

#### VII- I. LEAVE WITHOUT PAY

Exempt and non-exempt employees may be granted leave without pay ("LWOP") for up to three months for special circumstances/personal reasons not provided for in the Agency's other leave policies, in NMCAA's sole discretion, considering business need, scheduling issues, the employee's position and job performance, departmental requirements, and other related factors. The Executive Director approves/denies all LWOP requests. In the case of the Executive Director, the Board Chairperson approves/denies the request.

Leave requested as a reasonable accommodation for a disability is handled separately through the Disability Accommodation policy.

LWOP may not be used until all accrued vacation and/or sick/personal time is exhausted. During LWOP, employees will not accrue vacation and/or sick/personal time or receive compensation for holidays occurring during the absence. Benefits will continue during LWOP only to the extent required by law and permitted by applicable plan documents.

Unless otherwise required by law, an employee on LWOP must return to work on the scheduled return date or be considered to have voluntarily resigned from his or her employment. Additionally, because operations sometimes require that vacant positions be filled, except where required by law, a leave of absence does not guarantee that the job will be available when the employee returns from LWOP. NMCAA will make an effort to place you in your previous position or a comparable job which you are qualified to perform. If no such position is available, you may be eligible for rehire in the future as a new employee if: (i) you apply for an available position for which you are qualified, (ii) you are the best candidate for the position, and (iii) your prior work history warrants your rehire.

## VII-J. PAID PARENTAL LEAVE POLICY

### **Purpose/Objective**

Northwest Michigan Community Action Agency provides Family and Medical Leave Act (FMLA) leave in accordance with applicable law and agency policy. The purpose of this policy is to provide up to six (6) weeks of pay during FMLA leave when the FMLA leave is taken for a reason specifically related to the birth of and/or bonding with an employee's son or daughter and/or the placement of a son or daughter with an employee in connection with adoption or foster care (Paid Parental Leave). Accordingly, Paid Parental Leave runs concurrently with FMLA leave.

### **Eligibility**

Employees are eligible for Paid Parental Leave if they are a full- or part-time, regular employee who is eligible for FMLA leave under the agency's FMLA policy, including the following criteria:

- Have been employed with the company for at least 12 months; and
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.

Temporary employees and Substitutes are not eligible for Paid Parental Leave. In addition, eligible employees must be taking FMLA leave for one of the following reasons to be eligible for Paid Parental Leave:

- For the birth or care of a newborn son or daughter; or
- For the placement with the employee of a son or daughter for adoption or foster care.

For the purposes of this policy, a "son or daughter" includes a child who is under the age of 18, or 18 or older and incapable of self-care because of a mental or physical disability, as defined by the FMLA.

### **Amount, Time Frame and Duration of Paid Parental Leave**

Paid Parental Leave runs concurrently with FMLA leave; thus such leave will be counted towards the employee's FMLA allotment. In no case will the total amount of FMLA leave in the FMLA's rolling 12-month exceed the 12-week FMLA allotment. To the extent that sufficient FMLA leave is not available, the amount of Paid Parental Leave will be limited accordingly.

Eligible employees will receive up to a maximum of six (6) weeks of Paid Parental Leave per birth, adoption or placement of a son or daughter. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the six (6) week total amount of Paid Parental Leave granted for that event. In addition, in no case will an employee receive more than of six (6) weeks of Paid Parental Leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.

Each week of Paid Parental Leave is compensated at 60 percent of the employee's regular, straight-time weekly pay. Paid Parental Leave will be paid on a biweekly basis on regularly scheduled pay dates. The use of available sick/personal and/or vacation time may be used to supplement this leave.

Approved Paid Parental Leave may be taken at any time during the twelve (12) month period immediately following the birth, adoption or placement of a son or daughter with the employee. Paid Parental Leave may not be used or extended beyond this twelve month (12) month time frame. Any unused Paid Parental Leave will be forfeited at the end of the twelve (12) month time frame.

Employees must take Paid Parental Leave in one continuous period of leave, to the extent possible.

Upon termination of the individual's employment at the company, he or she will not be paid for any unused Paid Parental Leave for which he or she was eligible.

### **Coordination with Other Policies**

After Paid Parental Leave is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' accrued sick/personal and vacation time. Upon exhaustion of accrued sick/personal and vacation time, any remaining FMLA leave will be unpaid leave.

As Paid Parental Leave is concurrent with FMLA leave, the benefits and other applicable provisions of the FMLA policy apply to the leave, including continuation of benefits and reinstatement. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

### **Requests for Paid Parental Leave**

The employee will provide his or her supervisor and the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request.

### **VII-K. VOTING LEAVE**

All employees will be authorized an appropriate amount of time off, with pay, to vote in local, State, and National elections.

## Additional Considerations - VIII

### VIII-A. COMPENSATION

Salaries and hourly wages for each position will be in accordance with the Agency's Wage/Salary Structure as approved by the Board of Directors.

With prior Executive Director approval, an employee may receive wage/salary adjustment due to a substantial, documented reassignment or change in the workload and/or job duties/responsibilities within the same position.

Agency paid fringe/salary and wage adjustments will be determined on an individual program basis based on availability of funds.

### VIII-B. PAY PERIOD

Pay periods will be every two-weeks. Pay day will be on Friday following the end of the two-week pay period. Employees are responsible for their time records and timely submission. Late submission of records may result in disciplinary action including 2 days off without pay.

### VIII-C. OVERTIME

Non-exempt employees who exceed 40 hours of work time in a workweek will be paid time and one half their regular rate for all hours over 40 in a workweek.

Paid leave, such as paid holidays, vacation, and/or sick/personal time, is not considered time worked for purposes of calculating overtime.

Employees who anticipate the need for overtime to complete the week's work must notify their supervisor in advance and obtain approval before working hours that extend beyond their normal schedule.

Although employees will be paid for all hours worked in accordance with applicable law, failure to obtain advance approval for overtime may result in disciplinary action, up to and including termination of employment.

### VIII-D. DEDUCTIONS AND GARNISHMENTS

The law requires that NMCAA make certain deductions from every employee's compensation. These deductions include, but are not limited to, Federal Income Tax withholdings, State Income Tax withholdings, Social Security Tax withholdings and Medicare withholdings. Social Security taxes are withheld on each employee's earnings up to a specified limit that is called the Social Security "wage base." Garnishment and other court ordered deductions might also be deducted from an employee's paycheck. Optional deductions will be made at the employee's direction, through the HR Director.

Any employee who believes that NMCAA has made an improper deduction from his/her wages should promptly notify the HR Director of the alleged error. NMCAA will promptly investigate and determine whether deductions were made in error. If the Agency determines that deductions were made in error, it will reimburse the employee for improper deductions in a timely manner.

#### VIII-E. NOTICE OF LAYOFF

Employment is for no definite period and may be terminated at any time without previous notice.

In the event NMCAA determines, in its sole judgment, that it is necessary to reduce the number of employees, or to discontinue a position to which an employee is assigned, or to eliminate a program or department in whole or in part, or to reorganize a program or department in whole or in part, whether due to lack of work, reallocation of resources, change in Agency priorities, efficiency or economy of operations, budgetary reductions, or similar reasons, NMCAA, to the extent possible, shall give affected employees at least 2 weeks layoff notice or more if required by law. Employee may request to use any available vacation or sick/personal time in accordance with those policies,

#### VIII-F. MANAGEMENT RIGHTS

Nothing in these policies shall be construed to expressly or implicitly limit the authority of the Agency to determine the scope or character of the Agency's activities and services or its authority to expand or contract any of its activities and services.

Employees may be demoted, laid off, or transferred; or given a reduction in hours, pay or responsibility whenever the Agency decides to reorganize its structure, eliminate positions, or otherwise change the scope of its business. The Agency may implement such a change without regard to the affected employee's job performance.

#### VIII-G. CELL PHONE POLICY

The Cell Phone Policy shall pertain to Agency provided cell phones and personal cell phones when such personal cell phones are being used for NMCAA business purposes. Employees must adhere to all federal, state, local and/or NMCAA rules and regulations regarding the use of cell phones and texting.

Unless otherwise authorized, company provided cell phones must be used only for business purposes. Cell phone usage includes unlimited talk minutes and limited data usage. The employee **MAY BE** responsible for any personal data usage in excess of the data plan limit. Please see your supervisor to obtain data limits if applicable.

The use of a cell phone while driving may present a hazard to the driver, other employees and the general public. This policy is meant to ensure the safe operation

of company and/or private vehicles while an employee is on NMCAA time and conducting business for NMCAA.

Agency issued cell phones are NOT TO BE USED for any purpose at any time WHILE DRIVING. Personal cell phones are NOT TO BE USED for any purpose (personal or business) WHILE EMPLOYEE IS DRIVING ON AGENCY TIME.

Should an employee need to make a call while driving, he/she will locate a lawfully designated area to park and make the call. For incoming calls, let the voice mail portion of the phone service answer. When convenient, pull into a lawfully designated parking area and retrieve your message(s), making a return call, if necessary, before returning to the road.

Written acknowledgement of receipt of this company policy will be required of all employees using cell phones for NMCAA business, whether Agency issued or personal.

Violation of this policy will subject an employee to disciplinary action up to and including immediate termination.

The use of personal cell phones to receive or place personal phone calls or text messages should be limited to personal time only and not take place during work time. For emergency situations, employees may be contacted through the main office or appropriate site numbers. The use of cell phones in the classrooms during class time is not allowed.

Business use of cell phones by non-exempt employees must be confined to normal working hours unless approved in advance by their supervisor.

**NMCAA may in its discretion provide a cell phone to employees or reimburse employees for on-the-job use of their personal cell phones.**

#### VIII-H. SMOKING POLICY

In order to promote wellness and maintain a safer, healthier, and efficient work environment, the use of tobacco products including smoking, chewing tobacco, vaping, tobacco pouches, and e-cigarettes is prohibited inside all NMCAA facilities. In accordance with Michigan Law, smoking is not permitted on the property of a childcare center and is prohibited within 25 feet of other NMCAA offices.

#### VIII-I. WEATHER POLICY

NMCAA recognizes that clients need access to services in all types of weather and it is our intention to provide these services during our normal business hours despite inclement weather. The expectation is that all NMCAA operations will be carried out as scheduled

except in rare cases of severe and/or extreme conditions. Due to the complexities of Agency operations, and the vast geographic area covered, it is next to impossible to establish a uniform inclement weather policy. The offices will close based on the decision of the Executive Director in situations where law enforcement officials are requesting travel be limited, or State of Michigan or County Government offices close due to weather.\*

### **Decision Makers**

Unless the location has been declared closed by the Executive Director or designee, every effort will be made by the employee to report to work on time.

### **Attendance**

#### *When warranted by extremely hazardous driving conditions\*:*

- An employee, with supervisor approval, may be allowed up to 2 hours travel time, limited to the beginning of that workday only, to get to work. If an employee chooses to stay home on a day when NMCAA is open, there will be no special compensation paid, however vacation time or sick/personal time may be used toward the lost time.
- An employee, with supervisor approval, may decide to go home early once all appointments or other obligations on the work calendar have been properly rescheduled. This time off will be unpaid; however, vacation or sick/personal time may be used toward the lost time.
- If an employee is unable to reach the office due to inclement weather, they will be required to adjust their work schedule or use vacation or sick/personal time to cover time missed. In the circumstance that there is an adjustment to the work schedule, including working remotely, the employee will be **required to contact their supervisor for approval** and to clarify expectations around use of this time.\*

*Program Directors for the Early Childhood and Senior Nutrition Programs may have additional policies based on program and site requirements*

#### *Agency closure:*

- In the event that the Agency is declared closed, staff will be credited normal hours that would have otherwise been worked.
- Due to the large service area of NMCAA and frequent variance in weather conditions throughout, there is the potential for closure at one office location and not another.

### **Communication**

In the event of extremely hazardous conditions, staff will be notified of closures in the following way.

#### *Agency-Wide Closures*

- In the event that the Agency is declared closed, an email will be sent by the Executive Director to All Staff announcing the closure and providing all pertinent details.
- Executive Leadership and Management Teams will assure that all staff under their supervision are aware of the closure.

### Partial Agency Closure

- The Executive Director will send an email to the Executive Leadership and Management Teams with details regarding the closure including, but not limited to, the sites affected and the time of the closure.
- Executive Leadership and Management Teams will assure that all staff under their supervision that will be impacted are aware of the closure.

\*We will utilize the MI State Police/MDOT/miDrive alerts:

[www.michigan.gov/roadconditions](http://www.michigan.gov/roadconditions) (michigan.gov) or by calling (800)381-8477.

### VIII-J. WEAPONS POLICY

NMCAA strictly prohibits firearms and weapons on NMCAA property or at NMCAA-sponsored events. Employees are also strictly prohibited from carrying firearms, knives, or other weapons or hazardous materials while they are in the course of their employment, regardless of whether they are on NMCAA property or at a location where firearms or weapons are otherwise allowed. This restriction during the course of employment applies to all employees and includes any location where NMCAA's services are conducted.

Vehicle Exception: Employees are permitted to have a weapon and/or ammunition in their personal vehicles provided that: (i) employees comply with all applicable federal, state, and local laws relating to the weapon and/or ammunition, including, but not limited to, its possession, transportation, and use; (ii) the weapon and/or ammunition is securely stored out of sight (i.e., indiscernible from the ordinary observation of a person located outside and within the immediate vicinity) if and/or when the vehicle is being used in the course of the employees' or any passengers' employment with NMCAA (e.g., in a locked box in the locked trunk); and (iii) the weapon and/or ammunition is never removed from the vehicle or used while the employees or any passengers are performing duties in the course of their employment with NMCAA.

This policy does not pertain to authorized security or law enforcement personnel.

Any employees in violation of this policy are subject to disciplinary action, up to and including suspension/termination and/or legal action as appropriate.

This policy shall not be construed to create any duty or obligation on the part of the Agency to take any actions beyond those required of an employer by existing law. If an employee becomes aware of anyone violating this policy, he/she should immediately report it to the HR Director or the Executive Director.

### VIII-K. WORKPLACE VIOLENCE PREVENTION POLICY

All employees, clients/customers, vendors, business associates, and members of the public must be treated with courtesy and respect at all times. Employees are expected

to refrain from making threats of violence, engaging in acts of violence, fighting, or other conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, client/customer, vendor, business associate, or member of the public, or causes a reasonable belief that another person is in danger will not be tolerated. NMCAA resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to the Department Director, HR Director, or Executive Director. This includes threats by employees, as well as threats by clients/customers, vendors, business associates, or other members of the public. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the HR Director of any protective or restraining order that they have obtained that lists the workplace as a protected area.

NMCAA will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. NMCAA will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, NMCAA may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

#### VIII-L. LIMITED ENGLISH PROFICIENCY POLICY

##### **POLICY AND PROCEDURES FOR COMMUNICATION WITH PERSONS WITH LIMITED ENGLISH PROFICIENCY POLICY:**

NMCAA will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. The policy of NMCAA is to ensure meaningful communication with LEP clients and their authorized representatives involving the services that are available through NMCAA. The policy also provides for communication of information contained in vital documents, including but not limited to, application forms, waivers of rights, financial and insurance benefit forms, etc. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and patients/clients and their families will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter. NMCAA will conduct a regular review of the language access needs of our patient population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

## **PROCEDURES:**

### **1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE**

NMCAA will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or “I speak cards,” available online at [www.lep.gov](http://www.lep.gov)) or posters to determine the language. In addition, when records are kept of past interactions with patients (clients/residents) or family members, the language used to communicate with the LEP person will be included as part of the record.

### **2. OBTAINING A QUALIFIED INTERPRETER**

(a) The Human Resources Director is responsible for maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff:

(b) Staff will contact the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret.

(c) Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and **after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person’s file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children and other clients will **not** be used to interpret, in order to ensure confidentiality of information and accurate communication.

### **3. PROVIDING WRITTEN TRANSLATIONS**

(a) When translation of vital documents is needed, each unit in NMCAA will submit documents for translation into frequently encountered languages to the Human Resources Director. Original documents being submitted for translation will be in final, approved form with updated and accurate legal and medical information.

- (b) Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.
- (c) NMCAA will set benchmarks for translation of vital documents into additional languages over time.

#### **4. PROVIDING NOTICE TO LEP PERSONS**

NMCAA will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to the lobby, meeting areas, etc. Notification will also be provided through one or more of the following: outreach documents, web pages, telephone voice mail menus, local newspapers, radio and television stations, and/or community-based organizations.

#### **5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION**

On an ongoing basis, NMCAA will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, NMCAA will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, feedback from clients and community organizations, etc.

## Separation Policy - IX

Whether an employee resigns or is terminated, the following shall pertain to their separation from the Agency:

### IX-A. RESIGNATION

NMCAA requests, but does not require, that two weeks' notice is given if an employee decides to resign. A letter of resignation is requested stating the employee's declared last date of employment. This letter may be hand delivered or mailed to the employee's immediate supervisor. This notice period in no way alters the at-will nature of the employment relationship with NMCAA.

**The supervisor will immediately notify the HR Director of the resignation via a Personnel Action Form.** A separating employee may complete an Exit Interview which is located on the NMCAA website.

### IX-B. TERMINATION

In the event an employee is terminated, a letter of termination will be provided to the employee by the Executive Director.

### IX-C. BENEFITS

For those employees with Agency sponsored benefits, the following shall apply:

- (1) Vacation -  
At separation, any credited, but unused vacation time will be paid at the current rate of pay.
- (2) Sick/Personal -  
There is no buy-out of accumulated sick/personal leave.
- (3) Life Insurance - The life insurance policy, purchased by the Agency, may be transferred to the employee upon termination. Life Insurance coverage and premiums will then be the responsibility of the former employee.
- (4) Health Insurance - See Appendix A-4
- (5) Flexible Spending Account – Contributions to the Flexible Spending Account will be discontinued. If the employee has remaining funds in his/her account, he/she may request reimbursement of allowable expenses under the plan conditions.
- (6) Tax Deferred Annuity (TDA) - TIAA/CREF will be notified and, in turn, the employee is responsible for contacting TIAA/CREF regarding their individual account.

- (7) Employees that have left employment with NMCAA and have an outstanding loan balance will have the remaining balance deducted from their final paycheck, to the extent permitted by law. – See appendix A-5.

IX-D. AGENCY PROPERTY

All Agency property and equipment must be returned to the Agency upon separation, including but not limited to, cell phones, keys, computers, tablets, other equipment and identification cards, files, records, documents, and NMCAA Confidential Business Information and confidential information of NMCAA's clients/customers in any form, manner or media on which it is maintained. Failure to return all Agency property may result in a separate billing to the employee for the unreturned items. Further, NMCAA reserves the right to seek any and all other applicable civil or criminal remedies.

NORTHWEST MICHIGAN COMMUNITY ACTION AGENCY, INC.

Personnel Policies

APPENDIX

A-1

Report of Harassment/Discrimination

A-2

Communicable Disease Policy

A-3

Family and Medical Leave Act

A-4

Group Health Continuation Coverage under COBRA

A-5

Employee Loan Fund

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NMCAA Criminal Background Check Policy and Procedures

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Information Technologies Policies and Procedures

A-1  
NORTHWEST MICHIGAN COMMUNITY ACTION AGENCY, INC.  
REPORT OF HARASSMENT/DISCRIMINATION

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**INSTRUCTIONS**

If you wish to file a report claiming sexual or other harassment, or discrimination against someone within the Agency, please complete this form and give it to the HR Director or Executive Director. If the complaint involves either of these persons, return it to the other. You are encouraged to complete this report and return it to one of the above-named persons as soon as possible.

Your Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Department: \_\_\_\_\_

Person(s) who allegedly harassed you sexually or otherwise or discriminated against you and the date that the alleged act(s) took place.

Name

Date

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**EMPLOYEE COMPLAINT: (Reasons for claim)**

State the facts simply, giving full particulars of the harassment or discrimination incident(s) including time, date, place, names, and a description of what transpired. You may attach additional sheets or write on the back of this form.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Reporting Employee

Date Received: \_\_\_\_\_

\_\_\_\_\_  
Signature/Title of Agency Representative

A-2  
NORTHWEST MICHIGAN COMMUNITY ACTION AGENCY, INC.  
Communicable Disease Policy

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Northwest Michigan Community Action Agency, Inc. (NMCAA) recognizes that employees with communicable diseases may wish to engage in as many of their normal pursuits as their condition allows, including work. Communicable diseases may include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS), including the SARS-CoV-2 (coronavirus) and tuberculosis. NMCAA may choose to broaden this definition within its best interests to the extent permitted by applicable law and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

NMCAA will not tolerate unlawful discrimination against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. However, to the extent permitted and/or required by law, NMCAA reserves the right to exclude and/or limit the access of a person with a communicable disease from workplace facilities, programs and functions if NMCAA finds that, based on a medical determination, a direct threat to the individual or others exists.

NMCAA's decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, the directives and/or recommendations from federal, state, or local government and/or health authorities, and an individualized assessment of the identified risks and the available alternative for responding to the individual with a communicable disease.

NMCAA will comply with all applicable statutes and regulations that protect the privacy of medical information. All medical information will be kept confidential to the extent required by law and will be kept in a separate confidential medical file.

#### Reporting Communicable Disease Exposure

If an employee has been exposed to a communicable disease, management should be notified immediately. Management will consult with the local Health Department to determine if a notification plan is needed and/or facility sanitation requirements are satisfactory. If a notification plan is necessary, the local Health Department will help determine which information can be released to clients, employees, and volunteers, and inform NMCAA of any required exclusions and re-admission timelines.

#### Reasonable Accommodation

Reasonable accommodations should be made for employees with communicable diseases in accordance with NMCAA's Disability Accommodation policy. Further, in accordance with NMCAA's Harassment policy, any discrimination on the basis of any disability, and other protected status, is strictly prohibited.

Northwest Michigan Community Action Agency, Inc. reserves the right to change this policy or make appropriate revisions, additions, amendments, or corrections, in its sole discretion.

## FAMILY AND MEDICAL LEAVE ACT

The Family Medical Leave Act (FMLA) entitles eligible employees to take up to 12 workweeks (or 26 workweeks for Military Caregiver Leave) of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. FMLA leave is measured on a 12-month backward rolling basis. The period is measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, NMCAA will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 workweeks of available leave (or 26 workweeks for Military Caregiver Leave), with the balance remaining being the amount the employee is entitled to take at that time.

### Employee Eligibility

To be eligible for FMLA benefits, an employee must:

1. have worked for the Company for a total of at least 12 months;
2. have worked at least 1,250 hours over the previous 12 months; and
3. work at an Agency location where at least 50 employees are employed within 75 miles of the work site.

### Leave Entitlement

Employees who meet the eligibility criteria may take up to a total of 12 workweeks of FMLA leave (or 26 workweeks for Military Caregiver Leave) during any 12-month period for one or more of the following reasons:

1. for the birth and care of a newborn child of the employee if the leave is requested and concluded within twelve (12) months of the birth of the child;
2. for placement with the employee of a son or daughter for adoption or foster care if the leave is requested and concluded within twelve (12) months after placement;
3. to care for a spouse, son, daughter, or parent with a serious health condition;
4. to take medical leave when the employee is unable to work because of his/her own serious health condition;
5. for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or has been notified of an impending call or order to covered active duty as a member of the Armed Forces, including National Guard and Reserves ("Military Exigency Leave"); or
6. to care for a covered service member who is the employee's spouse, son, daughter, parent, or next of kin ("Military Caregiver Leave").

In the case of FMLA leave for reasons 3, 4, 5, and 6 above, the leave may be taken intermittently or on a reduced hour basis, if such leave is medically necessary. As with any request for FMLA leave, appropriate certification of the necessity of leave as well as the necessity for intermittent or reduced hours leave is required. If FMLA leave is requested for birth and care of a newborn, or placement for adoption or foster care, use of intermittent or reduced schedule leave is subject to Agency approval.

If both spouses work for the Agency, they are limited to a combined total of 12 workweeks for FMLA leave reasons 1, 2, and 3 (with respect to caring for a parent) above. They are limited to a combined total of 26 workweeks for FMLA leave reason 6 above if each spouse is a parent, spouse, son, or daughter, or next of kin of the covered service member. For all other FMLA leave reasons, spouses working at the Agency each are entitled to FMLA leave without regard to the amount of FMLA leave their spouses use.

### Military Exigency Leave

To be eligible for Military Exigency Leave to address certain qualifying exigencies, you must meet the requirements of the FMLA and have a spouse, son, daughter or parent on covered active duty in the Armed Forces or who has been notified of an impending call to covered active duty. "Covered active duty" means duty during deployment with the Armed Forces to a foreign country whether as a regular component of the Armed Forces, or through the National Guard or Reserves. A deployment to a "foreign country" means areas outside of the United States, the District of Columbia, or any Territory or possessions of the United States, and includes deployments to international waters.

Qualifying exigencies may include attending certain military events and related activities, arranging for alternative child care and related activities, caring for the military member's parent who is incapable of self-care, addressing certain financial and legal arrangements, attending certain counseling sessions, taking time to spend with military member on rest and recuperation leave during deployment, and attending post-deployment reintegration briefings.

Military Exigency Leave is subject to the same 12-workweek limit as other types of FMLA leave.

### Military Caregiver Leave

To be eligible for Military Caregiver Leave, you must meet the requirements of the FMLA and need leave to care for a spouse, son, daughter, or next of kin who is a covered service member. Next of kin is the nearest blood relative to the employee, other than the current service member's spouse, parent, son, or daughter (in a particular order designated by statute).

A covered service member is (a) a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty (or existed before the beginning of the service member's active duty and was aggravated in the line of duty) that may render the service member medically unfit to perform his/her duties for which the service member is undergoing medical treatment, recuperation or therapy; or is in outpatient status; or is on the temporary disability retired list;

or (b) a veteran undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including National Guard or the Reserves), was discharged or released under conditions other than dishonorable, and was discharged within the five-year period before the eligible employee takes FMLA military caregiver leave to care for him or her.

Military Caregiver Leave may last up to 26 workweeks, but the combined total of all types of FMLA leave may not exceed 26 workweeks in a single 12-month period.

### Notice

Requests for FMLA leave must be submitted to the HR Director in writing at least thirty (30) days before the leave is to commence for foreseeable events. When circumstances require the leave to begin in less than thirty (30) days, the employee must give as much notice as is practicable. Further, absent unusual circumstances, employees must comply with the Agency's call-in procedures and standards for giving notice of absences from work. Failing to provide proper notice may result in delay and/or denial of FMLA leave and potentially be considered an unexcused absence.

### Certification Requirements

Employees requesting leave will be required to provide the Agency with an appropriate certification of the need for leave and complete an application for family and medical leave. An employee's leave may be delayed if this certification is not received with fifteen (15) days of employee's receipt of the certification form. Failing to furnish the required certification may result in the delay and/or denial of FMLA leave, and related absences could potentially be considered unexcused absences.

As permitted by law, the Agency requires employees on FMLA leave to report periodically on their status and intent to return to work.

Finally, employees returning from FMLA leave due to their own serious health conditions will be required to present a fitness-for-duty certification prior to being restored to employment. If such certification is not received, your return to work may be delayed until certification is provided.

### Compensation During Leave

FMLA leave is unpaid. An employee requesting FMLA leave is required to apply any available paid time off toward such leave, as permitted under the FMLA. Such paid leave will run concurrently with the leave granted under the FMLA. Once an employee's available paid time off is exhausted, the balance of the leave will be without pay. Please note that FMLA leave runs concurrently with workers' compensation when an employee is out of work for a "serious health condition" regardless of whether it was an injury or illness that arose out of and in the course of employment.

### Benefits During Leave

During FMLA leave, the Agency will maintain any group health insurance coverage that was provided before the FMLA leave on the same terms as if the employee had continued to work. Therefore, if the employee was having medical health premiums deducted from his/her paycheck prior to FMLA leave, he/she will be responsible for submitting those premiums while out on leave as if those deductions were continually taken from his/her paycheck. In some instances, the Agency may recover premiums it paid to maintain health coverage if the employee does not return to work following FMLA leave.

For any unpaid portion of an employee's leave, the employee will not accrue employee benefits, and he/she will be ineligible for holiday pay for any recognized holiday that occurs during his/her leave. Employee benefits that the employee has accrued up to the day on which the FMLA leave begins will not be lost.

### Job Reinstatement

Employees who return to work on or before the expiration of their FMLA leave are entitled to be reinstated to their former position or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if your position is no longer available due to a job elimination) or for highly compensated employees under specific conditions. An employee who does not return upon expiration of his/her FMLA leave entitlement is no longer protected by the FMLA and is not entitled to reinstatement under the FMLA.

## GROUP HEALTH CONTINUATION COVERAGE UNDER COBRA

On April 7, 1986, a federal law was enacted (Public Law 99-272, Title X) requiring that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of the law. (Both you and your spouse, if any, and any dependents should take the time to read this notice carefully).

If you are an employee of Northwest Michigan Community Action Agency, Inc., covered by the current insurance carrier, you have the right to choose this continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct on your part).

If you are the spouse of an employee covered by any of the above mentioned health insurances, you have the right to choose continuation coverage for yourself if you lose group health coverage under these policies for any of the following reasons:

- (1) the death of your spouse;
- (2) a termination of your spouse's employment (for reasons other than gross misconduct) or a reduction in your spouse's hours of employment with Northwest Michigan Community Action Agency, Inc.;
- (3) divorce or legal separation from your spouse; or
- (4) your spouse becomes entitled to Medicare.

In the case of a dependent child of an employee covered by any of the above mentioned health insurances, he or she has the right to continuation coverage if group health coverage is lost for any of the following reasons:

- (1) the death of the employee;
- (2) a termination of the employee's employment (for reasons other than gross misconduct) or reduction in the employee's hours of employment with NMCAA;
- (3) the employee's divorce or legal separation;
- (4) the employee becomes entitled to Medicare; or
- (5) the dependent child ceases to be a "dependent" child.

Under the law, the employee or a family member has the responsibility to inform the Northwest Michigan Community Action Agency, Inc. Plan Administrator of a divorce, legal separation, or a child losing dependent status under the current insurance carrier within 60 days of the date of the event. Northwest Michigan Community Action Agency, Inc has the responsibility to notify the Plan Administrator of the employee's death, termination, reduction in hours of employment or Medicare entitlement.

When the Plan Administrator is notified that one of these events has occurred, the Plan Administrator will in turn notify you that you have the right to choose continuation coverage. Under the law, you have at least 60 days from the date you would lose coverage because of

one of the events described above to inform the Plan Administrator that you want continuation coverage.

If you do not choose continuation coverage on a timely basis, your group health insurance coverage will end.

If you choose continuation coverage, and properly elect such coverage, Northwest Michigan Community Action Agency is required to give you coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that you be afforded the opportunity to maintain continuation coverage for 36 months unless you lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage period is 18 months. These 18 months may be extended for affected individuals to 36 months from termination of employment if other events (such as death, divorce, legal separation, or Medicare entitlement) occur during that 18-month period.

In no event will continuation coverage last beyond 36 months from the date of the event that originally made a qualified beneficiary eligible to elect coverage. The 18 months may be extended to 29 months if a qualified beneficiary is determined by the Social Security Administration to be disabled (for Social Security disability purposes) at any time during the first 60 days of COBRA coverage. This 11-month extension is available to all individuals who are qualified beneficiaries due to a termination or reduction in hours of employment. To benefit from this extension, a qualified beneficiary must notify the Plan Administrator of that determination within 60 days and before the end of the original 18-month period. The affected individual must also notify the Plan Administrator within 30 days of any final determination that the individual is no longer disabled.

A child who is born to or placed for adoption with the covered employee during a period of COBRA coverage will be eligible to become a qualified beneficiary. In accordance with the terms of the Blue Cross/Blue Shield Major Medical or Blue Cross/Blue Shield Community Blue PPO and the requirements of federal law, these qualified beneficiaries can be added to COBRA coverage upon proper notification to the Plan Administrator of the birth or adoption.

However, the law also provides that continuation coverage may be cut short for any of the following five reasons:

- (1) Northwest Michigan Community Action Agency, Inc. no longer provides group health coverage to any of its employees;
- (2) The premium for continuation coverage is not paid on time;
- (3) The qualified beneficiary becomes covered under another group health plan that does not contain any exclusion or limitation with respect to any pre-existing condition he or she may have;
- (4) The qualified beneficiary becomes entitled to Medicare;
- (5) The qualified beneficiary extends coverage for up to 29 months due to disability, and there has been a final determination that the individual is no longer disabled.

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) restricts the extent to which group health plans may impose pre-existing condition limitations. These rules are

generally effective for plan years beginning after June 30, 1997. HIPAA coordinates COBRA's other coverage cut-off rule with these new limits as follows.

If you become covered by another group health plan and that plan contains a pre-existing condition limitation that affects you, your COBRA coverage cannot be terminated. However, if the other plan's pre-existing condition rule does not apply, by reason of HIPAA's restrictions on pre-existing condition clauses, the current insurance carrier may terminate your COBRA coverage.

You do not have to show that you are insurable to choose continuation coverage. However, continuation coverage under COBRA is provided subject to your eligibility for coverage; the current insurance carrier Plan Administrator reserves the right to terminate your COBRA coverage retroactively if you are determined to be ineligible.

Under the law, you may have to pay all or part of the premium for your continuation coverage. There is a grace period of at least 30 days for payment of the regularly scheduled premium. (At the end of the 18-month, 29-month, or 36-month continuation coverage period, qualified beneficiaries will be allowed to enroll in an individual conversion health plan provided under the current insurance carrier).

If you have any questions about COBRA, please contact the Plan Administrator at 3963 Three Mile Road, Traverse City 49686 or at 231-941-7070-3780, ext. 2001. Also, if you have changed marital status, or you or your spouse have changed addresses, please notify the Plan Administrator at the above address.

NORTHWEST MICHIGAN COMMUNITY ACTION AGENCY, INC.  
Employee Loan Fund

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The Employee Loan Fund is an emergency fund established to assist employees in a time of financial need. The following guidelines shall apply to the Fund.

1. Loans will be for any amount up to a maximum of \$500.00
2. Employees are eligible for one loan per calendar year.
3. To be eligible, the person must have been employed by NMCAA for a minimum of one year. Employees on training/observation status are not eligible.
4. Loan applications must be approved by Department Supervisors.
5. In accordance with the Loan Agreement, loans must be repaid by payroll deduction at a minimum of \$50.00 per pay period. To be eligible, employees must be paid at least the minimum wage amount for their hours worked + \$50.00 to cover the loan repayment. If this threshold is not met, then a loan will not be approved. Under special circumstances the Executive Director may authorize a reduced minimum repayment amount, providing the loan will be repaid within at least 10 pay periods.
6. For those employees who do not work the summer months, loans must be paid in full before their lay-off date.
7. Employees that have left employment with NMCAA and have an outstanding loan balance will have the remaining balance deducted from their final paycheck, to the extent permitted by applicable law.

## NMCAA Criminal Background Check Policy & Procedures

### General Information

**1. Why do we have this policy?**

To protect NMCAA and its assets, the agency needs to ensure that individuals assigned to sensitive positions (work independently with vulnerable populations and/or have access to confidential information) are properly screened for any history of criminal behavior relevant to their work with the Agency.

**2. What exactly does this policy do?**

The policy articulates the responsibilities of Agency departments and describes the process for criminal background checks, including the notification process, and provides for the confidentiality of information gathered and the protection of privacy of individuals undergoing criminal background checks.

**3. What is a Criminal Background Check?**

- Child & Family Development Department - A process involving a comprehensive background check; fingerprinting.
- Other Departments -To comply with grant requirements.

**4. Who needs a Criminal Background Check?**

Due to the nature of NMCAA activities, after a contingent offer of employment and as otherwise required during their tenure, all Agency employees require a Criminal Background Check. All volunteers, and contractor and subcontractor employees working on NMCAA projects who have unsupervised direct contact with children and/or vulnerable adult populations or access to confidential information are required to complete a Criminal Background Check prior to performing any services on behalf of or in connection with NMCAA. Where policies and contractual provisions related to background checks currently exist for specific personnel and/or programs the provisions of this policy will be applied in conjunction with those provisions already in place.

**5. Does a Criminal Background Check include checking into a person's credit rating and personal finances?**

Generally, no. The background checks authorized by this policy are for criminal convictions only. However, some positions may require additional background checks, including into a person's credit rating and finances when such a check is substantially related to the duties and responsibilities of the position for which the individual is applying and/or which the employee holds.

### Access and Privacy

**1. Who will have access to the Criminal Background Check results and what is the procedure?**

As part of the application process all applicants with NMCAA will complete the appropriate employment application or volunteer application along with the NMCAA ICHAT/SOR Clearance Request. To the extent that the Fair Credit

Reporting Act applies, individuals will be provided with separate Disclosure and Authorization forms and a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act." form.

At the time of a contingent offer of employment to the selected candidate, date of birth, gender, and race information is completed on the NMCAA ICHAT/SOR Clearance Request. The HR office will conduct the ICHAT, SOR, and NSOR. The Human Resources (HR) Office will maintain the results of the Criminal Background Checks. If there are no criminal convictions, HR will notify the department to complete the personnel transaction (e.g., hire). The original report will remain with HR. If there is a criminal conviction(s), or one after hire, HR will notify the supervisor to determine if the identity of the person in question is accurate. If the conviction information is correct, HR will convene a meeting for action by the Criminal Background Check review Committee (Executive Director, HR Director, and Department Director), which will review the results and make final determinations regarding the suitability of subjects for specific positions. During this period, a current employee may be placed on administrative leave with or without pay.

Unless otherwise required by law, a previous conviction does not automatically disqualify an applicant from consideration for employment, transfer, or promotion with NMCAA. Any hiring or placement decision shall be based on consideration of several factors, including, but not limited to, the nature of the offense for which the individual was convicted and its relationship to the position, the age of the individual at the time of the crime, the amount of time that has elapsed since the conviction, the number of convictions (if more than one), and whether the hiring, transferring, or promoting of the individual would pose an unreasonable risk to NMCAA.

The Agency reserves the right to conduct additional background screenings to the extent permitted by law. Further, all background checks will be conducted in conformity with applicable laws.

**2. How will the Agency protect an individual's right to privacy?**

NMCAA HR office maintains all Criminal Background Check results and treats such records as confidential to the extent required by law. Agency policy and state and federal laws recognize a subject's right to privacy and prohibit NMCAA employees and others from seeking out, using, or disclosing personal information except within the scope of assigned duties.

**3. Where should departments file Criminal Background Check information?**

Criminal Background Check information will be kept in a separate confidential HR file.

**4. How long will the Criminal Background Check results remain on file at the Agency?**

NMCAA HR will keep the criminal background results on file until notified by a department that an individual is no longer working with the Agency.

## Time Issues

**Criminal Background Checks must be completed after a contingent offer of employment/volunteer approval is extended, after all required disclosure and authorization forms have been returned by the applicant/volunteer, and prior to commencement of activities by the individual on behalf of or in connection with NMCAA.**

**NMCAA reserves the right to conduct checks during the tenure of employment or volunteer authorization in accordance with applicable law and as authorized by the individual, when such authorization is required by law.**

## Review Committee

- 1. Does the Criminal Background Check Review Committee have final decision-making authority regarding the suitability of an individual for employment/volunteering/contract in a sensitive position?**

Yes. The Committee reviews all Criminal Background Checks with convictions and makes the final determination regarding the suitability of individuals for specific positions.

- 2. Does a criminal conviction automatically preclude an applicant from employment or a current employee from a reclassification or promotion?**

No. If there is a criminal conviction, the Criminal Background Check Review Committee will review the results and make the final determination regarding the individual's suitability for employment in the position. The Review Committee may recommend additional controls that a department would need to implement before employing, promoting, or reclassifying a person convicted of a crime.

As stated above, any hiring or placement decision shall be based on consideration of several factors, including, but not limited to, the nature of the offense for which the individual was convicted and its relationship to the position, the age of the individual at the time of the crime, the amount of time that has elapsed since the conviction, the number of convictions (if more than one), and whether the hiring, transferring, or promoting of the individual would pose an unreasonable risk to NMCAA, and whether the convictions were disclosed by the individual when such disclosure was lawfully requested.

- 3. Are there certain kinds of convictions that will automatically preclude hiring or promotions into a sensitive position?**

Generally, individuals with criminal convictions for theft, embezzlement, identity theft or fraud cannot be hired into positions with fiduciary responsibilities. Convictions for child molestation and other sex offenses will automatically preclude an individual from employment that involves direct unsupervised contact with children, outreach programs, or access to residence facilities. Workplace or domestic violence, or other convictions for behaviors that would be inappropriate for specific jobs may also be grounds for denial of employment/promotion. This list is not inclusive but serves to illustrate the decision-making criteria.

**4. How long does it take for the Criminal Background Check Review Committee to make its decisions?**

The Committee will complete its review within ten days of receiving notification of a background check with convictions.

## **Criminal Convictions**

**1. How far back does the check for criminal convictions go? Will it include all convictions?**

Michigan criminal background checks automatically report all past criminal convictions in a person's history, unless restricted by contract or law. Only convictions within the past ten seven years will be considered by the Criminal Background Check Review Committee.

## **Process & Forms**

**1. What specific forms and documents are needed for this process, and where can they be obtained?**

Northwest Michigan Community Action Agency

**Staff, Contractor & Volunteer Screening Policy**

(Procedures for staff, contractor & volunteer criminal clearance checks & DHHS Central Registry)

### STAFF, CONTRACTOR & VOLUNTEER (including paid subs):

1. Will sign a *Criminal Clearance Statement (P:\Agency\Grant Requirements\Agency Criminal Clearance Form)* and/or complete *NMCAA Application for Employment* indicating if they have been convicted of child abuse or neglect or a felony involving harm or threatened harm to an individual or robbery/larceny within 10 years before date of hire or contract execution. The Criminal Clearance Statement will be updated yearly as required and placed in the appropriate HR file.
2. Will sign a *NMCAA Confidentiality Statement (P:\Agency\Grant Requirements\Agency Confidentiality)* agreeing to maintain Agency established confidentiality.
3. **Will have a Department of Health and Human Services (DHHS) Central Registry Clearance indicating no listing on the Child Abuse Central Registry before hired, volunteering, or contract execution.** A copy of this will be kept in the appropriate agency file(s).  
The employee/volunteer/contractor is required to contact their local DHS office for times and days they will be able to obtain a Central Registry Clearance.
4. Will sign the *NMCAA ICHAT/S.O.R. CLEARANCE REQUESTS (P:\Agency\Grant Requirements\iChat clearance)* have a Michigan Department of State Police criminal history record check (ICHAT) clearance before hiring, volunteering, or contract execution. The HR office will conduct this internet check.

Employment and/or services pursuant to a contract will not commence until the employee/contractor/volunteer has been cleared through both the DHS & State Police ICHAT/S.O.R. clearance unless otherwise addressed in this policy.

Each new hire, employee, subcontractor, subcontractor employee, or volunteer who works directly with clients or who has access to client information is required to notify NMCAA in writing of criminal convictions (felony or misdemeanor), pending felony charges, or placement on the (DHHS) Central Registry as a perpetrator, at hire or within 10 days of the event after hiring.

Any employee, subcontractor, subcontractor employee, or volunteer who may have access to any databases of information maintained by the federal government that contain confidential or personal information, including but not limited to federal tax information, are required to have a fingerprint background check performed by the Michigan State Police.

**Northwest Michigan Community Action Agency  
Information Technology Policies and Procedures**

**Goals and Objectives**

The uses of technologies carry with them certain responsibilities. As a person having access to client information, through your employment, association, or privileges with Northwest Michigan Community Action Agency (NMCAA), you must understand and agree to NMCAA policies and procedures regarding security and confidentiality of client information and the use of Information Technologies.

Technology is defined as including, but not limited to, electronic media, hardware and software or equipment owned or leased by NMCAA, as well as the Internet, email system, phone and voicemail system, and other networks, systems, and access provided by NMCAA.

User of technology is defined as any person who accesses technology, as defined above.

Client is defined as any person whose personal data is documented and stored on paper records or electronic systems or is otherwise accessible to NMCAA staff.

Confidential information is defined as personal information, (whether that information is verbal, handwritten, printed, or on a computer system) that must be accessed or disclosed only for a specific and approved use, or with the expressed authorization of the client.

It is the goal of NMCAA to make certain that its employees have the knowledge needed to:

Protect:

- Equipment
- Data integrity
- Data confidentiality
- Usage of workers time
- Viewing of inappropriate data

Provide:

- Training
- Systems
- Supplies
- Software
- Technical support

Listed below are specific responsibilities and limitations which must be observed by any person using technology that NMCAA possesses or accessing technology upon the NMCAA premises or through remote access communications. It is the user's responsibility to provide for the reasonable care and protection of technology.

## **Responsibility Code**

### **General Rules:**

- Any confidential information obtained through employment, association, or provider privileges with NMCAA shall remain confidential to you. You are not permitted to share any information with other persons or organizations unless directed to do so in the performance of your regular role/duties. In no event, shall confidential information be shared outside of NMCAA without appropriate client authorization or management authorization. This includes, but is not limited to, casual conversation, electronic transmission, and phone conversation. As part of your employment, association, or privileges with NMCAA, you may have a need to access various computer software, hardware, systems, and networks. Use of this information and/or technology is a privilege and imposes many obligations.
- You are responsible for all entries of data and information recorded into NMCAA systems under your user ID/password.
- Unless specified otherwise, and to the extent permitted by law, full Social Security Numbers (SSN) will be entered into Agency databases. When not required, the nine digit SSN field shall be filled out as follows: Birth date month (2 digits), birth date day (2 digits), birth date year (last digit) plus the last 4 digits of the Social Security Number. Employees are required to comply with the Agency's Social Security Number Privacy policy.

### **Equipment Resources:**

The I.T. Department has the following equipment available for Agency use by all staff:

Digital Cameras  
DVD / VHS Recorder / Player  
Laptop Computers  
LCD Projector  
Conference Telephone  
Tablets/iPads

*\*To access, please contact agency receptionist.*

**All purchases of IT equipment must go through IT for system configuration and compatibility purposes.**

The following Rules apply to all borrowed equipment:

- Permanently issued equipment with a dollar value greater than \$200 (or if requested by the department) must have a signed NMCAA Issued Equipment Form (Appendix A) filled out. One copy each should go to the IT Dept., the supervisor, and the employee. Each department is responsible for the completion of this form. Returned equipment shall be returned to the IT Department for maintenance and reissuing.
- Equipment should be signed-out on the calendar located on the door of the equipment cabinet (include: Department Name, Name of Contact Person, date(s) and time(s) needed).

- Please check inventory check list (included with the equipment) before taking it and upon return to assure that all parts will be there for the next person wanting to use the equipment.
- If any piece of equipment is lost or not working properly, **contact the IT Department immediately**, so the equipment can be repaired or replaced before the next person wants to use it.

### **User Maintenance:**

- Basic Operation
  - ♦ Turn system on/off at surge protector (power strip).
  - ♦ Avoid jarring or dropping of any of its components.
  - ♦ Turn system off if left unattended for 3+ hours.
  - ♦ Turn system off only when sure that work is saved, and all programs closed.
  - ♦ Use copy machine to make more than 10 copies, not computer printer.
- Environment
  - ♦ Hands should be clean before using computer.
  - ♦ Keep screen, keyboard and mouse clean (microfiber cloth with spray cleaner).
  - ♦ Keep food and drink away from the computer.
  - ♦ Protect system from sources of moisture and direct sunlight.
  - ♦ Keep system covered and locked up for the summer (Child Dev. Centers).
- Moving Equipment
  - ♦ Unplug the surge protector, phone and/or network cable from the wall.
  - ♦ Move the cart, table or separate components carefully to its new location.
- Installing New Software and Hardware
  - ♦ Permission must be granted by the Information Technology Department to install any programs (software) and hardware not originally supplied.
- Allowing Others To Use The Computer
  - ♦ Permission must be provided by staff assigned to that computer along with proper training and supervision for the activity they are performing.
  - ♦ Computers may not be used for unsupervised use by children at any time.
- Optimization and Prevention
  - ♦ If files are not on the server, you need to backup important files you have created onto the external drive, flash drive, or CD-ROM.
  - ♦ Do not install *any unknown* programs when prompted, while on the Internet (It could be malware).
  - ♦ Run Disk Cleanup at least every 2 weeks when in regular use.
  - ♦ Run Microsoft Windows Update when prompted, or allow to run, set up for automatic updates.
- Peak Performance
  - ♦ For peak system performance the following are strongly discouraged and may be required to be removed before I.T. Tech Support will begin to troubleshoot:

## **Screen Savers, Wallpaper, Instant Messenger, Unapproved Software and Hardware.**

### **Training**

#### **Inside NMCAA:**

- You are responsible for learning to use the computer and related technology as it pertains to your job.
- Help is always available from the I.T. Department or from co-workers.
- Group training on various topics is available several times per year and will be conveyed to staff by email.

#### **Outside Opportunities:**

- Training opportunities may be available. See your supervisor for department training procedures.

#### **Resource Library:**

- Books, Manuals, and training materials are available for checkout (See I.T. Department).
- A search on the internet may be a valuable asset.

### **Security-Backups**

#### **Theft Prevention:**

- Computer equipment should not be left in an un-secure location.

#### **Passwords:**

- Your password(s) should only be used by you.
- **Do not have your password(s) displayed on or near your computer.**
- Changing your network password will also change your e-mail password and VPN password.
- Agency policy requires that you change your password(s) every 2 months.

#### **Backup frequency and storage:**

- When possible, files should be saved to the server. This will ensure that your files are backed-up daily.
- If files are not saved on the server, you will need to backup important files onto a flash drive, external drive, or CD ROM as needed.

NOTE: You are responsible for keeping your data secure.

- If you do not know how to create a backup and need help, contact the I.T. Department for instructions.

### **Software Use**

#### **Installation Procedures:**

Unauthorized purchase, installation, copying, alteration, erasure, or other unauthorized act pertaining to NMCAA systems is prohibited. Proprietary ownership and licensure of software must be respected. You may not make unauthorized copies of such software for your own use, even when the software is not physically protected against copying. Only authorized users may install, remove or relocate software.

### **Forms-Shared File Maintenance**

- If you have created or are responsible for files in a shared area (i.e. server, P:\), ensure that they are updated, and old duplicate files are removed.
- File names should be descriptive so that others can locate the file easily.
- File location, name and date should be at the bottom of each document/form.

### **Agency Website**

The Agency has a website at [www.nmcaa.net](http://www.nmcaa.net). Your web browser should be set to this as its "Home Page".

#### **Home Page Setup Procedure:**

All NMCAA owned computers should have the Agency's Website ([www.nmcaa.net](http://www.nmcaa.net)) designated as the computer's Internet "Home Page". If you need assistance contact the IT Department.

#### **Website Modification Instructions:**

Each department has web editors assigned to make changes to their department's website pages. If you want to modify the Website, please talk with the Web Editor in your department.

### **Internet Activities**

- It is the user's responsibility to ensure that transmission and/or reception of information by means of technology is appropriate and lawful. Electronic mail is not guaranteed to be private.
- Users should use proper network etiquette.
- Be careful to comply with applicable laws and regulations relating to copyrights and licenses.
- Minimize spelling errors and make sure your message is easy to understand and read.

#### **Internet and Electronic Mail Policy:**

- Use of the Internet and electronic mail is for official NMCAA business. Personal use of the Internet and electronic mail should be incidental, infrequent, involves no actual cost to the Agency, and does not interfere with the performance of official

duties. **The employee MAY BE responsible for any personal cellular data usage in excess of the data plan limit.**

The Internet and electronic mail should not be used for the following:

- a. Violating copyright laws or fair use practices
  - b. Using for commercial or political purposes
  - c. Engaging in any activity in violation of local, state, or federal law
  - d. Sending or soliciting sexually oriented messages or images
  - e. Display or transmission of any material which is offensive to others based on race, national origin, sex, sexual orientation, disability, or other protected class.
  - f. Intentionally damaging computers, computer systems/servers or computer networks
  - g. Trespassing in others' folders, documents or files
  - h. Using other employees' passwords or identity
  - i. Transmission of threatening or harassing material
  - j. Other behaviors in violation of Agency policy or regulations, etc.
- Employees should be aware that correspondence sent or received via electronic mail and records of sites visited on the Internet are public information. Internet messages and electronic mail generally have no guarantee of confidentiality. Even though electronic messages have been deleted, they may still be retained in the system. Deleted emails will be automatically and permanently deleted after 14 days.
  - Employees are individually responsible for the content of any communication sent via the Internet or electronic mail. There should be no expectation of privacy with respect to any communications sent and/or received via NMCAA technology. The Agency reserves the right to access stored records in cases where there is reasonable cause to suspect wrong-doing or misuse of the system. Employees who violate this policy may be subject to disciplinary action.

### **Using Email:**

#### General Guidelines:

You are required to use your NMCAA email account to conduct Agency business. You should regularly delete email out of each folder. This includes Inbox, Sent, Draft, and Junk folders on a monthly basis to conserve space on the exchange server. Remember, even when you delete an email from your mailbox; it will exist in the Deleted folder for two weeks.

1. Be careful about what you send and to whom. Confidentiality of email and/or internet communications cannot be guaranteed. Remember that email invites sharing; a push of the button will resend your message worldwide, if any recipient (or hacker) decides to do so. What you say can be republished and stored by others.

2. Beware of the "Reply All" button. Often your message only needs to be returned to one individual -- is the message really appropriate for (and should it really take the time of) everyone on the address list?
3. You can create liability for yourself. For example, within or outside the Agency, if you "publish" (type or resend) words that unlawfully defame another individual or disparage another individual or institution, if you upload, download, or resend copyrighted or pornographic material, if you use email to harass or discriminate against someone, or if you send private information or data about someone, you may violate applicable laws and Agency policy. Make sure none of your activities violate any law or policy.
4. Please keep in mind that because of intermediary server problems and other potential delays, Internet email can sometimes take anywhere from five minutes to several days to arrive. It may not be the best means to send time-sensitive information.
5. Finally, beware of sending attachments. The recipient may receive attachments they cannot open because they don't have the proper software, or version of software, to open the file.
6. Email attachments can introduce viruses into the Agency system, and you can introduce a virus into a recipient's system by forwarding an infected attachment. This is especially likely if the attachment arrives from an unknown source via the Internet. If you do not know the sender of Internet email, do not open it. While that should prevent activating a virus, it will not stop certain other infections. Please do not open attached files ending in "EXE," "BAT," ".ZIP", or "COM," as these files may be viruses or programs designed to delete data from the computer. When in doubt, do not open the file and delete the email.

#### Using Your NMCAA E-mail:

To access your NMCAA email account you will need a Traverse City Office network connection (via terminal services) and use Microsoft Outlook or you will need an Internet connection and use Outlook Web Access (OWA). You will also need a username and

password. These have already been assigned. In most cases your username is the first letter of your first name followed by your last name (i.e. jsmith). Your **initial** password is the first letter of your first and last name, followed by 1234\$\$ (i.e. js1234\$\$). Your new email address will be username@nmcaa.net (ie. jsmith@nmcaa.net). In rare instances your emails address may have been assigned 2 characters for your first name where there were duplicates. We will notify you if you are one of these exceptions.

Most users: Your MS Outlook should already be set up for you. To access just click on the MS Outlook icon on your desktop. You are already logged in by way of your windows login. To change your password, press the [ctrl] [alt] [del] keys at once and click on "Change Password". Follow the directions.

Other Email Option: Go to the Agency's website ([www.nmcaa.net](http://www.nmcaa.net)) and click on the **NMCAA mail** link to access OWA, at the bottom of the website. You will need to enter "nwmhsa\username" and then your **password**. To change your password, log in to office.com with your email address to change your password.

If you have not yet been trained on MS Outlook or OWA contact your supervisor. If you have technical problems or have difficulty accessing your new email account, contact the IT Department at (231) 346-2103 or (231)346-2163.

#### NMCAA E-mail Signatures:

All staff must use an Agency electronic signature in the following format:

Name  
Title  
Phone  
Fax  
www.nmcaa.net  
and privacy notice (see Disclaimer below)

DISCLAIMER: This email and its attachments may contain privileged and confidential information and/or protected health information intended solely for the use of Northwest Michigan Community Action Agency and the recipient(s) named above. If you are not the recipient, nor the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any review, dissemination, distribution, printing or copying of this email message and/or any attachment(s) is strictly prohibited. If you have received this transmission in error, please notify Northwest Michigan Community Action Agency immediately at 231-947-3780 and permanently delete this email and any attachment(s).

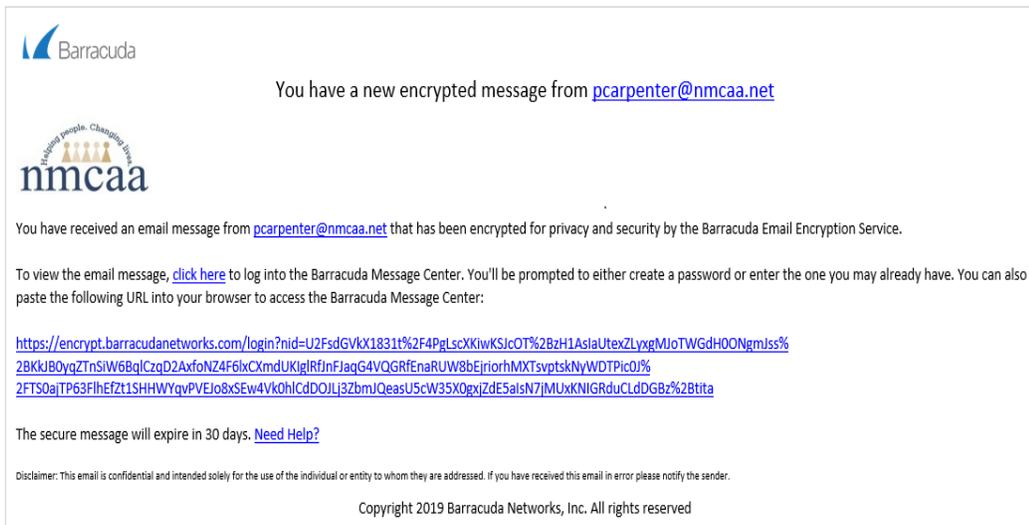
#### NMCAA E-mail Encryption:

The agency has implemented encryption on our email security appliance, to facilitate the communication of sensitive\confidential information. There are a few things YOU need to be aware of:

- Including “-secure-” without quotations, in the Subject line of emails you compose, will now send those messages *encrypted*.

There are *a few other things* to be aware of, so we can provide guidance to our partners and clients that will be receiving these encrypted messages:

- The subject line of the encrypted messages you send will always appear in the recipient's inbox as, "You have a new encrypted message from (your email address)".
- Upon opening the message, the recipient will see:



 You have a new encrypted message from [pcarpenter@nmcaa.net](mailto:pcarpenter@nmcaa.net)

 Empowering people. Changing lives.

You have received an email message from [pcarpenter@nmcaa.net](mailto:pcarpenter@nmcaa.net) that has been encrypted for privacy and security by the Barracuda Email Encryption Service.

To view the email message, [click here](#) to log into the Barracuda Message Center. You'll be prompted to either create a password or enter the one you may already have. You can also paste the following URL into your browser to access the Barracuda Message Center:

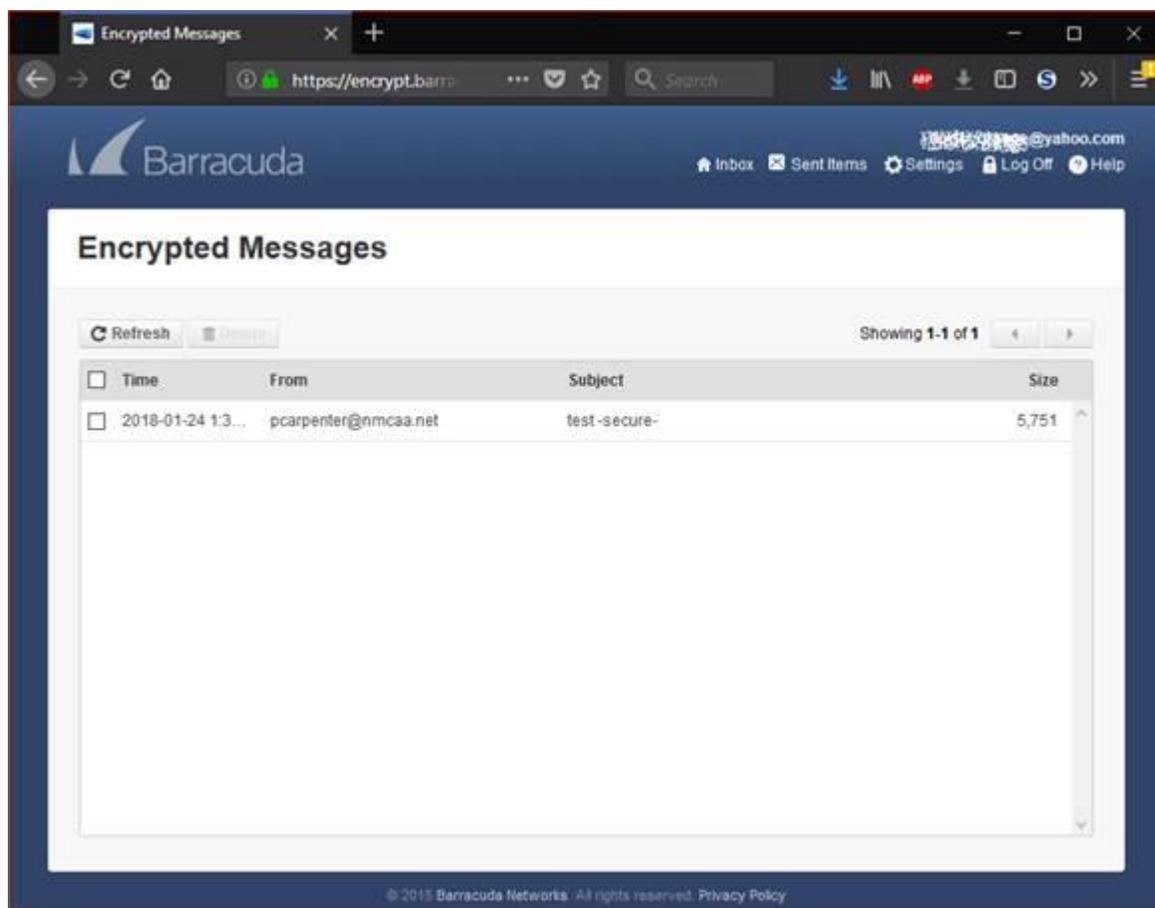
<https://encrypt.barracudanetworks.com/login?nid=U2FsdGVkX1831t%2F4PgLscXKiWKSicOT%2BzH1AslaUtexZLyxgMloTWGdHOONgmJss%2BKkJBD0yqZTnSIW6BqICzqD2AxfonZ4F6ixCXmdUKjgRfjnFJaG4VQGRfEnaRUW8bEjriorhMXTsvptskNyWDTPicOj%2FTS0ajTP63FihEfzt1SHHWYqvPVEJo8xSEw4VkhCddOJLj3ZbmjQeasU5cW35X0gxiZdE5alsN7jMUxKNIGRduCLdDG8z%2Btita>

The secure message will expire in 30 days. [Need Help?](#)

Disclaimer: This email is confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.

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- **The first time** someone follows the click here link, they will be prompted to setup a password which will be linked to their email. They are responsible for maintaining this password. I.T. **does not** have the ability to manage those credentials.
- Once logged in, the recipient will have fully functioning email interface they can use to view and reply to encrypted messages. (see below)
- Replies sent this way **will be encrypted**.



**\*If you don't know whether or not you should be encrypting the messages you send, ask your supervisor.\***

#### **Using the Internet:**

1. Be careful about where you go and what you do. Do not visit any site or download or share any material that might violate Agency policy, violate applicable law or regulations, or cause anyone to question your professionalism or that of the Agency.
2. Read the "License" or "Legal" contract terms on every site. Do not purport to bind the Agency to any license or other contract. If you make an agreement on your own behalf, do not violate that agreement using the Agency's equipment or Internet account.
3. Comply with all applicable laws and regulations related to copyrights and licenses. Do not assume that just because something is on the Internet, you may copy it. As a general rule, assume that everything is copyrighted and

do not copy it unless there is a notice on the site stating that you may do so. For example, if you see a clever cartoon assume that you may NOT copy it without the consent of the author. Governmental documents are an exception (you may copy them), but you must confirm that it is the “government” and not a government-related entity such as the post office.

4. You can create liability for yourself. For example, if you “publish” (type or re-send) words that unlawfully defame or disparage another individual or Agency, if you upload, download or resend copyrighted or pornographic material, if you use the Internet to harass or discriminate against someone, or if you provide private information or data about someone, you may violate applicable laws or Agency policy. Make sure none of your activities violate any law or policy.
5. Do not engage in any “spamming” or other activities that could congest the Agency internet.
6. Mobile devices (iPad, tablets, etc.) maybe issued to employees. Agency-issued mobile devices should be limited to business use. The employee MAY BE responsible for any personal cellular data usage in excess of the data plan limit. Please see your supervisor to obtain data limits if applicable.

## **Technical Support**

### **Basic Computer Troubleshooting Techniques:** (Please attempt before calling Tech. Support)

- Computer Doesn't Appear to Start
  - ♦ Check all connections.
  - ♦ Check positions or all switches on all components.
  - ♦ Check outlet and power strip (light on?).
- Program or Printer Doesn't Appear to Operate
  - ♦ Save file you're working on (if needed).
  - ♦ Close program and then restart program.
  - ♦ Retry operation you were performing
- Computer runs slow or sluggish
  - ♦ Run Disk Cleanup and Disk Defragmenter (Windows XP and 7).
- Program or Printer Still Not Operating Correctly
  - ♦ Perform a normal shut down of Windows (if possible).
  - ♦ Turn off power to all components for approx. 20 seconds and then power back up.
  - ♦ Retry program. Try a different program.
  - ♦ Document what's working and what isn't before you call.

- Can't Connect to the Internet
  - ♦ ISP could temporarily be down, try again later.
  - ♦ Website could be down or overloaded, try later or try a different website.
  - ♦ If no internet activity on any computer in building after 3 hours, ask the designated staff person for the site to reboot the cable router/modem.

### **I.T. Work Orders and Priorities:**

Contact the IT Department if the above Technical Support techniques have not solved your problem.

Call NMCAA Information Technology Department at (231) 346-2103 or email [IT@nmcaa.net](mailto:IT@nmcaa.net) or Sebastian LaPointe at [slapointe@nmcaa.net](mailto:slapointe@nmcaa.net). When contacting support, *have your phone with you at the computer.*

# NMCAA Issued Equipment Form

This form assigns primary responsibility for NMCAA equipment to the borrower. The borrower will be responsible for taking the necessary precautions to protect the equipment and to store it in a manner that provides adequate protection when it is not in use, thus not subjecting the equipment to possible theft or damage.

Date of Issue: ____ / ____ / ____	Estimated Market Value_____
Borrower Name_____	Phone No._____
Item Description _____	Serial or Tag No._____
Purchase Date or Year_____	Condition_____
Other Parts or Components (case, memory card, etc.) _____	

1. The borrower will be responsible for return of the equipment in reasonable condition given normal wear and tear.
2. If loss or damage of the equipment/property occurs it will be reported immediately to the borrower's supervisor to determine if the loss or damage is a result of negligence, in which case the borrower may be held financially responsible for the repair or replacement of the item(s). If reimbursement to the Agency by the borrower is required it will be at the fair market value of the equipment/property at the time of loss and will be deducted through payroll, to the extent permitted by applicable law.
3. Equipment cannot be loaned or transferred to a third party.
4. The borrower cannot modify the equipment in any way without written approval of the Agency.
5. The borrower will make the equipment available at any time as requested by the Agency.

I have read the above information and agree to the terms and conditions herein contained.	
Borrower Signature_____	Issuer Signature_____
Department Director Signature_____	

Return Date ____ / ____ / ____	Return Condition_____
Return Authorization Signature_____	

Distribution – IT Dept., Supervisor, Employee

# **Northwest Michigan Community Action Agency, Inc.**

## **Social Media Policy**

At NMCAA, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, co-workers, and the public. However, NMCAA does restrict the use of social media in limited ways. For purposes of this policy, “social media” includes all means of communication or posting information or content of any sort on the Internet, including but not limited to communicating with and/or posting to your own or someone else’s web log, blog, vlog, journal, diary, website, social networking or affinity website, web bulletin board, or chat room, whether or not associated or affiliated with NMCAA, as well as any other form of electronic communication.

NMCAA expects its employees to comply with the following guidelines when using social media:

1. Except where specifically authorized by the Executive Director and/or the use of social media is part of an employee’s job responsibilities, the use of social media during work hours is prohibited.
2. Only those with express authorization from the Executive Director are permitted to use social media to express content in an official capacity on behalf of NMCAA. Further, unless authorized as described in this policy, postings on social media should not create an impression that the employee is speaking in any official capacity on behalf of NMCAA. When authorized to express content on behalf of NMCAA, authorized employees are expected to be respectful, polite and patient when engaging in conversations on NMCAA’s behalf and should be careful when making declarations or promises towards clients/customers and the public. Further, authorized employees must avoid speaking on matters outside their field of expertise or job responsibilities when possible.
3. When using NMCAA equipment, software, Internet, and/or technology to access and/or post on social media, all usage is subject to and must comply with NMCAA’s Information Technology Policies and Procedures and related policies.
4. All usage of social media must comply with all of NMCAA’s Equal Employment Opportunity and non-discrimination policies, including but not limited to the Harassment policy. Therefore, employee postings on social media should not be discriminatory or harassing on the basis of any classification protected by applicable law, or unlawfully retaliatory.
5. All usage of social media must comply with NMCAA’s policies regarding the treatment of Confidential Business Information, confidential information of our clients/customers or other parties, and any Protected Health Information. Therefore, when using social media, employees must not disclose or misuse NMCAA’s Confidential Business Information, the confidential information of our clients/customers or other parties, and any Protected Health Information.

6. All usage of social media must comply with NMCAA's Workplace Violence Prevention policy. Therefore, postings on social media should not be threatening, intimidating, bullying, coercive, or cause a reasonable belief that another person is in danger, or otherwise violate the policy.
7. Employees must not knowingly, recklessly, or maliciously post anything false. Any posting by the employee discovered to be false, should be corrected as soon as possible.
8. Employees must not use NMCAA intellectual property for their own or others' commercial purposes and must follow all applicable trademark, copyright, and other intellectual property laws when posting.

A violation of this policy may result in disciplinary action, up to and including termination of employment.

### **For more information**

If you have questions or need further guidance, please contact the HR Director.