

NORTHEAST SOUTH DAKOTA HEAD START PROGRAM, INC.

EMPLOYEE HANDBOOK OVERVIEW

This Handbook contains important information about your employment, pay and benefits; it also contains important information about Program Policies. Please read all of the material thoroughly. **Keep this Handbook available for future reference!**

Program Policies and Procedures provide the framework for establishing and maintaining a professional and productive work environment for employees. It is important you know, understand, and comply with these Policies and Procedures; so that Program business can be conducted in a professional, safe, and efficient manner. If you have any questions or concerns about this Handbook, or any other Policy or Procedure, you are encouraged to discuss them with your supervisor or with the Human Resources Manager.

This Handbook is a general statement of Policy, to be modified and applied by the Program at its discretion. This Handbook includes only a brief description of the benefit Plans and an overview of Program Rules and Policies. It is designed to be a reference tool for all employees. It is not possible to anticipate or address every question which might arise in the course of employment. While this Handbook provides information about topics most often of interest to employees, questions or concerns may arise, on occasion, which are not addressed by this Handbook. In these instances, employees should direct such questions to their supervisor or to the Human Resources Manager.

Benefit Plans and Policies may be changed, modified, revoked, or terminated at any time by action of the NESD Head Start Program, Inc. with or without notice. In case of a conflict between any language in this Handbook and an actual benefit Plan or Policy, the Plan document or Policy itself will control. This Handbook supersedes all previously issued Handbooks.

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INTRODUCTION

MISSION STATEMENT

The mission of the Northeast South Dakota Head Start Program, Inc. is to provide assistance through education, training, awareness and support to enable Head Start children and families to identify and remove obstacles that keep them from attaining their fullest potential as self-assured, self-sufficient individuals and families.

VALUE STATEMENT

Together, we the staff, Board of Directors and Policy Council of the NESD Head Start Program, Inc., commit to making a difference in the lives of the Head Start children and families through behaviors that demonstrate our dedication to these values:

- *Compassion – Providing services with dignity and kindness;*
- *Excellence – Leading the way in high standards of personal and Agency achievement;*
- *Mutual Respect – Treating all individuals as partners in accomplishing our common goals;*
- *Openness – Hearing, speaking and acting with kindness and honesty; and*
- *Acceptance – Recognizing that each person has unique and diverse qualities and strengths.*

We provide a caring environment where consultation and communication are central to providing quality services to children and families.

We value diversity and we strive to ensure that people have the opportunity to develop skills and experiences in ways that are beneficial and honorable.

We believe in empowerment - we enable people to develop their fullest potential, to make informed choices and to take responsibility.

While working with Head Start children and families, all staff, consultants and volunteers will:

- Respect and promote the unique identity of each child and their families;
- Refrain from stereotyping on the basis of gender, race, ethnicity, culture or religion;
- Read and follow the Program policy on confidentiality concerning information about children, families and other staff members;
- Never leave a child alone or unsupervised;
- Use positive methods of child guidance;
- Not engage in corporal punishment; never engage in verbal, emotional, physical abuse and / or action of children, families and staff.
- Not use methods of discipline that involve isolation;
- Not use food as a punishment or reward;
- Treat children / families and staff in a respectful, friendly, courteous manner;

AT-WILLEMEMPLOYMENT

All employees of the NESD Head Start Program, Inc. are “at-will” employees. This means that each Program and its employees have the right to end their employment relationship at any time, for any reason, with or without cause, and with or without notice.

Except with respect to its “employment-at-will policy,” the NESD Head Start Program, Inc. reserves the right to change, modify, revoke, suspend, or make exceptions to its Personnel Policies, Procedures, work rules, and benefits, including those for retirees, at any time, for any reason without notice. Nothing in this handbook, or any other written or verbal communication, should be construed as creating a contract for employment or a warranty of benefits for any particular period of time; nor does this handbook change the “at-will” employment relationship between the NESD Head Start Program, Inc. and any of its employees.

Employees have the right to terminate the employment relationship with the NESD Head Start Program, Inc. at any time, with or without notice, for any reason. The NESD Head Start Program, Inc. has the same right to terminate the employment relationship at any time, with or without notice, for any reason not prohibited by law.

EQUAL EMPLOYMENT OPPORTUNITY

The NESD Head Start Program, Inc. is committed to the principles of “Equal Employment Opportunity” and to comply with all related federal, state or local laws. The NESD Head Start Program, Inc. will not discriminate against, or allow the harassment of, any employee or applicant on the basis of race, color, religion, national origin, age, gender, sexual orientation, disability, veteran status, marital status, or any other basis prohibited by law. The “Equal Employment Opportunity” Policy of the NESD Head Start Program, Inc. applies to all phases of employment, including selection, promotion, demotion, transfer, compensation, benefits, layoff, recall, and termination, and all other conditions of employment. Any employee with questions or concerns about any type of discrimination, harassment, or inappropriate or offensive conduct in the workplace is directed to bring these issues to the attention of their supervisor, or any other member of the management team, including the **Human Resources Manager (605.229.4506), and / or the Executive Director of NESD Head Start Program (605.229.4506)**. The NESD Head Start Program, Inc. is committed to creating a positive and professional workplace free of any kind of discrimination or harassment, including retaliation. Retaliation will not be tolerated against any employee raising concerns or making reports of any kind of discrimination or harassment. It is the responsibility of each employee to uphold and cooperate fully with the “Equal Employment Opportunity” Policy and help to ensure that his / her work environment is free of discrimination, harassment, and inappropriate or offensive conduct. Anyone who violates the Program’s “Equal Employment Opportunity” Policy will be subject to discipline, up to and including immediate termination, at management’s discretion.

AMERICANS WITH DISABILITIES ACT

The NESD Head Start Program, Inc. is committed to complying fully with the “Americans with Disabilities Act” (ADA) and any applicable state law ensuring equal employment opportunity for otherwise qualified individuals with disabilities. All employment practices and activities are conducted on a nondiscriminatory basis. In accordance with all applicable laws, the NESD Head Start Program, Inc. will attempt to make reasonable accommodation for the known physical or mental limitations of an otherwise qualified individual with a disability, unless to do so would impose an undue burden on the operation of our business, or is otherwise not required by law. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, and lines of progression. Leave of all types will be available to all employees on an equal basis in accordance with all eligibility and qualifying criteria for such leave. Medical information for individual employees is treated confidentially and is maintained separately from the employee’s personnel file. The NESD Head Start Program, Inc. will take reasonable precautions to protect such information from inappropriate disclosure. Supervisors and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination, at management’s discretion.

The NESD Head Start Program, Inc. will not discriminate against any qualified employee or applicant because they are related to or associated with a person with a disability. The NESD Head Start Program, Inc. will follow any applicable state or local law that provides individuals with disabilities greater protection than the ADA. The NESD Head Start Program, Inc. is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state and local laws.

EMPLOYMENT INFORMATION

JOB CLASSIFICATIONS AND DEFINITIONS

Employee – Any person on the payroll of NESD Head Start Program.

Administrative Staff – are those employees whose primary duty consists of the management of the Agency.

Central Staff – are those employees whose primary duties consist of the management of component areas and may include supervision of staff.

Unit Staff – are those employees whose primary duties consist of providing direct services to children.

Immediate Family – means spouse, children, parents, brother, sister, grandparents, grandchildren, mother-in-law, father-in-law, brother-in-law, sister-in-law, son or

daughter-in-law, stepparents, stepchildren of the employee, spouses of stepchildren, stepbrother and stepsister.

Jurisdictional Area – is the thirteen (13) county area including Beadle, Brown, Campbell, Day, Edmunds, Faulk, Hand, Marshall, McPherson, Potter, Roberts, Spink and Walworth counties and other such areas as may be designated by the Office of Health and Human Services.

Probationary Employee – one who has not completed the probationary period.

Regular Employee – one who has successfully completed the probationary period.

Full-Time Employee – one who works 40 hours per week and is eligible for all employee benefits.

Part-Time Employee – one who works less than full-time and more than half-time (20 hours).

JOB CLASSIFICATIONS AND DEFINITIONS

Exempt Employee – An employee who is paid on a salary basis and who does not have any limits on the hours that may be worked in a given work week/pay period. They are expected to work the required hours needed to accomplish their job responsibilities without receiving extra pay for overtime worked. Exempt employees are paid on the basis of their assigned responsibilities and may work over 40 hours per week without additional compensation. Therefore, exempt employees are not docked pay for a partial day's absence unless they take reduced or intermittent leave under the Family and Medical Leave Act.

Non-Exempt Employee – An employee hired to work a fixed number of hours per work week (e.g. 40, 30, or less). A non-exempt employee is eligible for overtime pay. Non-exempt employees are paid overtime at the rate of 1-1/2 times their regular hourly pay for hours worked in excess of 40 hours per work week and under other circumstances as more fully discussed in this handbook under the Overtime section. Compensatory (or "comp") time cannot be used instead of overtime pay.

If the policies contained herein conflict with the directives of National or Regional Offices of Head Start, then those directives shall control when used in reference to NESD Head Start Program, Inc. employees.

Consideration for employment will be given to staff members currently employed. Preference will be given to former or current Head Start parents for employment vacancies for which they are qualified.

Employee reductions may be necessary because of reorganization, reduction or shortage of funds, or lack of work. The Executive Director will designate the positions to be deleted with input from the Program Managers and approval of the Head Start Policy

Council and Agency Grantee Board of Directors. The factors will include, but are not limited to the following:

1. Future estimated need of the component or unit;
2. Geographical location;
3. Past and present employment history, performance and longevity with the Agency;
4. Future potential of the employee;
5. Future estimated organization requirement of the component or unit:
 - a. Skills
 - b. Education
 - c. Experience

The Executive Director may use discretion in combining functions. An employee may be placed in a comparable position for which the employee is qualified if a position is available.

The employee must be given fourteen (14) calendar days' notice prior to the layoff.

HIRING PROCEDURES

Recruitment, selection and employment of Head Start staff will be carried out in accordance with the Head Start Performance Standards Subpart B. 1302.91.

A. Job Descriptions

Job descriptions will be provided for all positions. The job descriptions shall be reviewed by the appropriate Supervisor for accuracy and compliance at least once each year or upon a job vacancy. The Executive Director shall have the authority, with input from the Program Managers and the approval of the Head Start Policy Council and the Agency Grantee Board of Directors, to reorganize or reclassify job positions.

B. Authorization to Hire

1. Specific Hiring

- a. Executive Director: A committee comprised of the Program Grantee Board of Director's Executive Committee shall recruit and interview applicants for the position of Executive Director. The applicants selected by this Committee will be recommended to the Program's Grantee Board of Directors and the Head Start Policy Council for approval.
- b. Program Staff: the Program Grantee Board of Directors of the NESD Head Start Program, Inc. invests in the Executive Director or his / her designee the authority and responsibility for the selection of all other Head Start personnel. The Head Start Policy Council will have final authority to approve or disapprove the hiring of all Head Start employees and any other employees paid from other than Head

Start funds when the individual has direct contact with Head Start children and funds.

2. Notices and Recruitment Forms

The Human Resource Manager will prepare job opportunity notices which include a description or example of the duties, the necessary qualifications, salary, a statement of nondiscrimination (Equal Opportunity Employer) and other pertinent information.

3. Standard Procedures for Recruitment and Hiring (Regular Employees)

The recruitment and selection process of the Program is designed to promote career development opportunities for existing employees as well as to encourage qualified persons from outside the Program on an equal opportunity basis to apply for positions. A special effort will be put forth to encourage members of minority groups and qualified persons with disabilities to seek employment with the Program. The following procedures apply in filling all regular full-time and part-time positions:

- a. The job opportunity notice will be posted in the central Administrative Office with each Supervisor responsible for notifying those employees under his / her supervision, of the job opportunity. Current employees who have completed the probationary period will be given one week to apply for the job opportunity. If a current employee is not selected for the job opportunity, the position will then be announced publicly. When time is a factor in filling a position, the job opportunity may be advertised at the same time it is opened to current employees.
- b. If a current employee is selected for a new position, they will be subject to the probationary period.
- c. The job opportunity notice will be sent by the Human Resource Manager to minority employment projects and the local community agencies and organizations within the service area of the Program. All openings which will be of more than twenty-six (26) weeks duration will be advertised publicly for at least two (2) consecutive weeks.
- d. The "Application for Employment" form, which is completed by all current and potential employees contains:
 1. Assurances that the Program is an Equal Opportunity Employer and does not discriminate on the basis of gender, race, ethnicity, religion or disability;
 2. A declaration that must be signed by the prospective employee lists pending or prior criminal arrests and charges related to child sexual abuse and their disposition; convictions related to any form of child abuse and neglect and convictions of violent felonies.

The declaration also allows the Program to conduct a criminal record check on the employee.

Federal Head Start regulations require all current employees to notify their employer of any pending criminal arrests and charges, including any related to child abuse / neglect and violent felonies since initial date of employment. This declaration form will be completed annually by all employees.

Prospective bus driver applications are checked through the appropriate State agency, including a check of the applicant's driving record through the National Driver Register.

- e. A recruitment file shall be established at the time a job opportunity notice is issued and shall contain copies of the vacancy notices; applications received, stamped with date of receipt; names and addresses of those who inquire about the position by telephone, and to whom a copy of the notice and application form has been mailed; record of reference letters requested and received; and copies of any correspondence between the Program and the applicants.
- f. At the close of the announcement period, all applications will be screened by the Executive Director, appropriate Supervisor and / or a member of the Policy Council / Parent to determine basic qualifications for the position. The relevancy and extent of the applicant's previous experience; employment history; education and training; and personal and work references will be utilized in making this determination. All applicants not chosen for an interview will be notified in writing by the Human Resource Manager.
- g. Upon completion of the screening process, interviews will be conducted by the appropriate Supervisor and a member of the Policy Council with the top-ranking applicants for the purpose of determining the applicant best matched to the position.
- h. Once the candidate has been selected for an appointment by the interview committee, the appropriate Supervisor will verify personal and employment references. A screening for reports of child abuse and / or neglect and a criminal background check will be completed before making an offer of employment. The position will be offered as a temporary position until the employee is approved by the Policy Council. All other applicants shall be notified of their status in writing by the Human Resource Manager. All applications will be retained for one (1) year.
- i. The Human Resource Manager will then complete personnel forms for the new employee. Personnel forms to be completed include, but are not limited to:

1. Internal Revenue Service Form W-4
 2. Employment Eligibility Verification (I-9)
 3. Drug Free Workplace Policy
- j. Orientation of new employees
Initial orientation will be conducted by the Supervisor in preparation for the probationary report. The new employee will review with the Supervisor and receive a copy of the following:
1. Personnel Policies and Procedures Manual
 2. Job Description
 3. A copy of the Program's Standard Operating Procedures and any applicable job-related orientation material.
- k. Employee Physicals
All new employees will be required to have medical examinations reported on a form provided by the Program. The Program will reimburse the employee up to \$50 for the initial health examination.

PROBATIONARY PERIOD

Probationary periods for new Administrative staff and Central staff shall be one hundred thirty (130) working days in length from the initial date of employment pending Policy Council approval and probationary periods are intended to be a working test period that is an integral part of the examination process. Probationary periods for new Unit staff shall be sixty five (65) working days in length from the initial date of employment pending Policy Council approval and probationary periods are intended to be a working test period that is an integral part of the examination process. Probationary periods shall be utilized for the purpose of closely observing an employee's work in determining their suitability and qualification for the position. During the period, the Supervisor shall observe the employee's ability to perform the various duties and requirements of the position and make verbal comments / recommendations. For Administrative and Central staff, annual leave may be accrued, but not used until a successful completion of sixty five (65) working days of the one hundred thirty (130) working day probationary period. For Unit staff, personal leave may be accrued, but not used until a successful completion of the sixty five (65) working day probationary period. Sick Leave may be accrued and used during the probationary period. Prior to the end of the probationary period, the Supervisor must complete a written performance evaluation of the employee.

If a qualified "In-House" applicant is chosen for a new position (promotion), this applicant will be subject to the probationary period for that particular position. However, the applicant will be able to accrue and use annual leave subject to the approval of her / his immediate supervisor.

The Supervisor, with concurrence from the Executive Director and the Policy Council, may remove an employee at any time during the probationary period. The employee shall be notified of this action in writing.

An Employee's duty station and vehicle designation is determined by the Executive Director based on factors which will ensure the effective and efficient execution of assigned duties and responsibilities to guarantee services to Head Start children and families.

PROMOTIONS AND TRANSFERS

The NESD Head Start Program, Inc. is committed to promoting from within whenever possible and practical. This practice is designed to offer career advancement opportunities to qualified employees based on performance, experience, ability, education, skill sets, etc.

The NESD Head Start Program, Inc. is committed to developing employees, and believes that many of the best applicants may be found "In-House." Throughout the Program history, there have consistently been opportunities for advancement within the Program for qualified candidates.

Before applying for an open position, employees must secure their supervisor's approval. If hired, the releasing supervisor and the hiring supervisor will negotiate a mutually beneficial transfer date. The Executive Director must approve all promotions and / or transfers.

TERMINATION OF EMPLOYMENT

When employment is **VOLUNTARILY** terminated with the NESD Head Start Program, Inc., employees are **ASKED** to meet with their supervisor for an exit interview. This interview provides an opportunity for employees to express their views about employment with the Program. All Program property issued to you, including, but not limited to: program vehicles, tools, keys, door cards, cellular phones, computer equipment, confidential information, etc., are to be returned at this time. Final paychecks will be issued after such property is returned.

EMPLOYEE RESPONSIBILITIES

NON-DISCRIMINATION AND ANTI-HARASSMENT

The NESD Head Start Program, Inc. is committed to providing a work environment free from discrimination and harassment on the basis of race, color, religion, national origin, age, gender, sexual orientation, disability, veteran status, or any other basis prohibited by law. This Policy prohibits all acts of discrimination, harassment, or inappropriate or offensive conduct in the work environment, whether engaged in by a supervisor, management employee, co-worker, agent of the Program, or visitor on Program premises. Any act of discrimination, harassment, retaliation, or inappropriate or offensive conduct, is strictly prohibited and is subject to disciplinary action, depending on the circumstances, up to and including immediate termination, at management's discretion. If a non-employee violates this policy, steps will be taken by the Program in its discretion to assure violations are stopped immediately. Discrimination may include, but is not limited to, any conduct or action directed toward or about any employee, or with respect to any employee, because of that employee's race, color, religion, national origin, age, gender,

sexual orientation, disability, veteran or military discharge status, or membership in any other legally protected category.

Sexual harassment may include, but is not limited to:

1. Any unwelcome or unwanted sexual advance;
2. Requests for sexual acts or favors; or
3. Other verbal, physical, visual, or other acts of a sexual or sex or gender-based nature between members of the same or opposite sex when:
 - a. Submission to such conduct is made a term or condition, either explicitly or implicitly, of an individual's employment;
 - b. Submission to or rejection of such conduct by an individual is used as a factor in decisions affecting that individual's employment; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, offensive work environment.

Sexual harassment is not limited just to sexual advances or expressions of sexual desire. It may also include expressions of hostility or dislike or other inappropriate conduct toward another based on that individual's gender. Additionally, the offender or victim of sexual harassment may be either a man or a woman and sexual harassment can occur between persons of the same or opposite sex. Discriminatory harassment may include, but is not limited to, verbal, physical, visual, or other conduct relating to an individual's race, ethnic background, religion, gender, color, national origin, age, sexual orientation, disability or handicap, veteran or military discharge status, or other legally protected status, where the conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities.

Some examples of prohibited harassment, discrimination, or inappropriate or offensive conduct, include, but are not limited to:

- ♦ Pressure to go out on dates or provide sexual favors;
- ♦ Display or transmission of sexually explicit, obscene, or offensive pictures in the workplace, including those viewed or displayed via the Program's computer systems through the Internet, e-mail, telephone voice mail, or other electronic means;
- ♦ Suggestive gestures or remarks, sexual advances, flirtations, innuendos, explicit sexual propositions or demands for sexual favors in exchange for favorable treatment or continued employment;
- ♦ Sexually oriented kidding, teasing, practical jokes, or horseplay;
- ♦ Physical assault or any kind of unwelcome physical contact, such as touching, patting, pinching, or brushing against another's body;
- ♦ Teasing or jokes referring to race, national origin, ethnicity, or any other legally protected category; or
- ♦ Referring to an individual's race, age, physical or mental condition, particularly when

making decisions affecting that individual in the workplace or which affect the individual's ability to perform his or her job.

This list describing discrimination, harassment, and inappropriate and offensive conduct is not exhaustive or all inclusive. The absence of any conduct from this list does not mean the conduct is not harassing, discriminatory, or inappropriate. The NESD Head Start Program, Inc. retains the right and the Program will use its discretion in all situations to discipline any employee it finds has engaged in harassing, discriminatory, or inappropriate conduct, regardless of whether the conduct is specifically described. If an employee has a complaint of discrimination, harassment, or inappropriate or offensive conduct by anyone, including supervisors, managers, co-workers, or visitors, the employee must immediately bring the problem to the attention of their supervisor, or other manager, including **Human Resources Manager (605.229.4506), or Executive Director of NESD Head Start Program (605.229.4506)**. This stipulation is important because prompt reporting results in a more rapid response and resolution of objectionable behavior or conditions for both the complaining employee and any other affected employees.

If a complaint involves someone in an employee's direct line of command, then the employee must bring the complaint to the attention of one of the two persons specifically named above. Further, if any person in a supervisory position knows of, or has reason to know of, discriminatory, harassing, inappropriate, or offensive conduct, or receives a complaint directly from someone, they in turn are responsible for immediately taking all possible corrective action and reporting the complaint to one of the two individuals named above. Failure to address the conduct and report the situation to the appropriate individual is grounds for discipline, up to and including termination. All allegations of discrimination, harassment, or inappropriate or offensive conduct will be investigated. Appropriate disciplinary action up to and including immediate discharge may result if the facts support the allegations. Information necessary to complete the investigation, including the identity of the alleged employee engaging in the conduct, the employee who is the target of such conduct, the content of the accusations, and the interviews of witnesses, will be disclosed as necessary during the investigation. Other information will be disclosed only on a need to know basis at management's discretion. The NESD Head Start Program, Inc. will not retaliate against any employee who makes a good faith report of discrimination, harassment, or inappropriate or offensive conduct, or assists in or cooperates in an ensuing investigation. Nor will the Program permit any employees to retaliate. All employees shall respect the right of their fellow co-workers to make valid, legitimate complaints under this Policy. Employees must not gossip, spread rumors about, ignore or be hostile towards coworkers who have made complaints under this Policy. If an employee believes he or she has been retaliated against in any way, he or she should report such retaliation in the same manner as set forth above. If an accusation results in a finding that an individual made false or bad faith accusations of discrimination or harassment, the accuser may be subject to disciplinary action, up to and including immediate termination.

ATTENDANCE & PUNCTUALITY

To maintain a productive work environment, employees are expected to be reliable and to be punctual in reporting as scheduled for work. Absenteeism and tardiness place a burden on other employees and the Program. Consistent, regular, and predictable attendance is an essential function for all positions.

If an employee is unable to report for work, the employee must notify their supervisor or other person designated by the supervisor by telephone as early as possible before the scheduled starting time to allow time to rearrange the workload. Failure to comply with this requirement may result in an unexcused absence and disciplinary action. Employees must keep supervisors posted of the progress during their absence.

Poor attendance and excessive tardiness are disruptive; reflect poorly on overall contribution to the NESD Head Start Program, Inc. and it may lead to disciplinary action up to and including termination. An employee who is absent from work for three consecutive working days without proper notification to their supervisor will be deemed as having abandoned their job and, therefore, resigned employment. Job abandonment will also occur when an employee fails to return to work or directly notify their supervisor of the reason for their absence within three consecutive working days after any approved leave of absence or disciplinary suspension.

OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their job with the NESD Head Start Program, Inc. All employees will be judged by the same performance standards and they will be subject to the Program's scheduling demands, regardless of any existing outside job requirements. If the Program determines that an employee's outside work interferes with job performance or the ability to meet current job requirements, the employee may be asked to terminate the outside employment if he or she wishes to remain with the NESD Head Start Program, Inc. *Outside employment constituting a conflict of interest is prohibited.*

ENDORSEMENTS

Employees are prohibited from making any endorsements of, or for, any supplier or program or person doing business with the NESD Head Start Program, Inc. without the express written permission of the **Executive Director of the NESD Head Start Program, Inc. (605.229.4506).**

BUSINESS CONDUCT

As an employee of the NESD Head Start Program, Inc. there are certain basic guidelines for behavior employees are expected to follow. The NESD Head Start Program, Inc. will comply with all applicable laws and regulations and expects all employees to conduct business in accordance with the letter and spirit of relevant laws, and to refrain from dishonest or unethical conduct. Employees shall, during both working and non-working hours, act in a manner which will inspire public trust in their integrity, impartiality, and devotion to the best interests of the program, and the community.

WORK ETHIC

To ensure ethical and impartial business, it is prohibited for employees to:

1. Be dishonest, unethical, or unfair in their conduct
2. Offer, accept, or solicit money, property, service, or other items of value by way of gift, favor, inducement, or loan with the intent that the offer would influence or the recipient would be influenced by such conduct in the discharge of public duties.
2. Use their position, uniform, or badge to secure special advantage in business, personal gain, or other benefit derived from such relationship.
3. Use any program-owned facility, building, equipment, materials, or vehicle for their personal use or benefit, or for the personal use or benefit of any other individual, without prior approval from their immediate supervisor.
4. Invest or hold a financial interest, directly or indirectly, in any business entity, transaction, or business endeavor that would create a conflict between the program employee's duty to uphold the public trust and the individual's private interest.

In general, the use of good judgment, based on high ethical principles, will be the guide with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter must be disclosed to the employee's supervisor, and/or the **Human Resources Manager (605.229.4506), or the Executive Director of the NESD Head Start Program, Inc. (605.229.4506)**. *Violations of business ethics is considered a serious matter and it may result in appropriate disciplinary action, up to and including termination, at management's discretion.*

RECORDING DEVICES IN THE WORKPLACE

The NESD Head Start Program, Inc. prohibits employees and employee visitors from using cameras, camera phones, tape recorders, or other recording devices in the centers or home based units unless specific advanced authorization has been obtained from the employee's Supervisor.

CONFIDENTIALITY AND AGENCY RECORDS

Protected Personally Identifiable Information (PII) such as social security numbers of employees, driver's license numbers, educational transcripts, bank account numbers, date and place of birth, mother's maiden name, criminal, medical and financial records will be safeguarded and securely stored. Northeast South Dakota Head Start Program, Inc. realizes the importance of protecting PII information and shall make as reasonable effort as possible to limit access to and protect this information. Locations of sensitive data include, but are not limited to:

1. Human Resource Manager's Office
2. Education Manager and Education Coordinator's Office
3. Office Manager and Family Service Manager's Office
4. Executive Director's Office
5. Electronic or on-line storage
6. Accounting Office

These office doors will be closed and locked in the evenings and when they are vacant. The keys to these locks will be provided to the Manager of that specific office and the Executive Director. Northeast South Dakota Head Start Program Inc.'s blank check stock will be stored in a locked file cabinet in the Accounting office. Access to this file cabinet shall be by keys in the possession of the Business Manager. All Managers will have a password only to the software that they need to perform their job responsibilities. These measures and others will safeguard sensitive and protected personal identifiable information from others.

In order to provide services which are both comprehensive and adequate to meet the needs of children in the program, the Agency gathers information on educational and social development, health, dental and medical history, nutrition, parent involvement, social services and income. Parents are the primary source of this information and the Agency will not solicit information from other sources without obtaining parent permission.

While effective communication among staff, parents and volunteers is essential, it is equally essential to protect the privacy of families. For this reason, the following procedures have been established:

- A. All records of the Agency relative to specific children, or families, are confidential and will be protected from unauthorized scrutiny.
- B. Parents must sign a "Release of Information" before the agency can release any information about a child to another agency/person, etc., except in case of abuse or neglect.

Head Start is required by SD Law, S26-8A-9 (S118B of HB 1140) to report suspected cases of child abuse or neglect. We are also expected to cooperate in these investigations. The safety and welfare of the child is Head Start's first consideration and employees will report actions that threaten that safety.

- C. Agency records concerning a child may be reviewed by the child's parent(s). In custody dispute situations, Head Start will require a copy of court orders, decrees or agreements which will be placed in the child's file.
- D. Staff and volunteers will not discuss information obtained through contact with the Head Start Program with persons not employed by the agency.
- E. Volunteers will not have access to children's files.

WEAPONS, WORKPLACE VIOLENCE AND UNAUTHORIZED MATERIALS

In the interest of employee safety, the NESD Head Start Program, Inc. prohibit the possession of weapons, alcohol, unauthorized or illegal drugs, or any dangerous or unauthorized materials in the workplace which includes all NESD Head Start Program buildings and premises, owned or leased, or while performing any work duties or acting on behalf of the NESD Head Start Program, Inc.

"Weapons" is broadly defined to include firearms, knives, explosives, and any other item which can be used as a weapon or to inflict bodily harm. The NESD Head Start Program, Inc. also prohibit all forms of violence including, but not limited to, any verbal or physical threats or threatening behavior or other behavior intended to cause or causing

apprehension on the part of another employee, child or visitor.

All employees of the NESD Head Start Program, Inc. are responsible for notifying their supervisor, or another manager of any threats they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report behavior they regard as threatening or violent if that behavior is job-related or might be carried out on a Program-controlled site. ***This policy will be strictly enforced.*** Any person who makes threats, exhibits threatening behavior, engages in violent acts, possesses a weapon, alcohol, unauthorized or illegal drugs, or any dangerous or unauthorized materials on program property will be removed from the premises as quickly as safety permits and shall remain off premises pending the outcome of an investigation. Violations of this policy may result in suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and criminal prosecution of those involved.

Employees who apply for or obtain a protective or restraining order that lists Program locations as protected areas, must provide a copy of the petition and declarations used to seek the order and a copy of any temporary or permanent protective or restraining order granted, to their Supervisor. The NESD Head Start Program, Inc. has confidentiality procedures that recognize and respect the privacy of the reporting employee(s).

THEFT OR INAPPROPRIATE REMOVAL OF PROPERTY

The NESD Head Start Program, Inc. views theft as the unauthorized removal of anything from the Program's premises, or the unauthorized use of Program property for non-Program use. Furthermore, an unauthorized or unacceptable entry in an employee or children's file or a Program account and inappropriate or false reporting for the purpose of personal gain are also considered theft. Anyone guilty of theft will be subject to discipline up to and including immediate discharge and possible criminal prosecution under applicable laws.

PROCUREMENT CODE OF CONDUCT

- A. No employee, members of the Grantee Governing Board or Policy Council of the Program shall solicit or accept personal gratuities, favors or anything of significant monetary value from contractors, potential contractors or outside agencies or businesses.
- B. No procurement or contract award may go to a Program official or a member of his / her immediate family except when it is unavoidable.
- C. All procurement transactions, whether negotiated or advertised, and regardless of dollar value must be conducted in a manner providing maximum open and free competition.
- D. Requests for bids will contain clear specifications and the requests for bids will not contain features which unduly restrict competition.
- E. Positive efforts will be made to use area small and minority owned businesses.

Employees who do not comply with the Procurement Code of Conduct will be subject to disciplinary action, which may include termination of employment.

WHISTLEBLOWER OF BUSINESS/LEGAL MISCONDUCT

Employees of the Northeast South Dakota Head Start Program, Inc. are required to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees of the Program, employees must practice honesty and integrity in fulfilling our responsibilities to the Program.

This Whistleblower Policy is in place to encourage and enable employees to raise serious concerns within the Program in order to safeguard federal and non-federal funds of the Program. No employee who in good faith reports a suspected violation shall suffer harassment, retaliation or adverse employment consequence. Any employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

It is the responsibility of each employee of the Program to report suspected misconduct or dishonesty in accordance with this Whistleblower Policy.

Misconduct and dishonesty include, but are not limited to:

- Theft or other misappropriation of funds / assets of the Program;
- Misstatements and other irregularities in Program records, including the intentional misstatements of the results of operations;
- Wrongdoing;
- Forgery or other alteration of documents;
- Fraud and other unlawful acts; and
- Any similar acts.

It is the responsibility of each employee, acting in good faith and having reasonable grounds to believe the information reported as “misconduct or dishonest” to immediately report to the Executive Director or Human Resources Manager, whether such suspicion is based on direct or indirect information or knowledge. If the complaint is about the Executive Director or Human Resource Manager, the report should be directed to the President of the Board of Directors. The Executive Director or Human Resource Manager is responsible for investigating and resolving all reported allegations. A reasonable effort will be made to complete the investigation within 60 days. Insofar as possible, the confidentiality of the employee making the report will be maintained. 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.

PROGRAM EQUIPMENT AND VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and they are difficult to replace. When using Program property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines, including wearing a seat belt (employees and all passengers) when riding in or operating a Program owned or leased vehicle. Additionally, all employees must be free from the influence of drugs and alcohol, and they may not use tobacco products when operating or being in a Program owned or leased vehicle. Please notify the Supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects, and the

need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisor can answer any questions about responsibility for maintenance and care of equipment or vehicles used on the job. Neither the employee, nor any individual with any personal relationship to the employee, may use, for personal purposes, Program property. Minimal personal use by the employee (such as to stop for a personal errand between two business destinations) is permitted when using a vehicle owned or leased by the Program with prior approval from the supervisor. However, in those cases where the employee is required to keep the vehicle at home in furtherance of the Program's business, it is then permissible for the employee to commute to and from work in the vehicle.

Vehicles must be driven only by the Head Start staff and the staff person assigned to that vehicle. Do not let other non-Head Start staff drive the Head Start vehicle.

Passengers (non-Head Start staff) are not allowed in Head Start vehicles without prior approval from the Executive Director or the Transportation Manager, in the absence of the Executive Director. If approval is received, the approval is not for a "long-term" situation.

DRIVER POLICY OVERVIEW

The NESD Head Start Program, Inc. vehicle policy gives employees guidelines for obtaining, qualifying for, and using a company vehicle. A "company vehicle" is any vehicle NESD Head Start Program, Inc. assigns to employees. This policy applies to all employees who use a company vehicle, and applies during and outside of working hours.

- Qualifying for a company vehicle.

Employees may qualify for a company vehicle if they need a company vehicle for their daily work, or use it frequently to go to the various sites required of their position. To be eligible for a company vehicle, employees must complete an agreement form and submit a copy of their driver's license. Employees are only allowed to drive a company car if they have a valid driver's license and a clean driving record. A clean driving record means the employee has not been held at fault for a car accident or arrested on charges of violating vehicle and traffic laws. NESD Head Start Program, Inc. can assign and revoke access company vehicles at its discretion.

- Company vehicles for employees with disabilities.

NESD Head Start Program, Inc. will make reasonable accommodations to facilitate company vehicle use for eligible employees with disabilities.

- Personal use.

NESD Head Start Program, Inc. allows personal use of company vehicles on a case-by-case. Personal use includes commuting between the workplace and home, or using the vehicle outside of business hours if it supports the NESDHS vehicle fleet purpose. NESD Head Start Program, Inc. provides vehicles for business use to allow employees to drive on company-designated business, and reimburses employees for business use of personal vehicles according to the guidelines below. The company retains the right to amend or terminate this policy at any time. Employees may not drive any business vehicles without prior approval of their supervisor. Employees holding jobs requiring regular driving for business as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy at all times.

- If possible, NESD Head Start Program, Inc. vehicles will be permanently assigned to departments that have demonstrated a continued need for them. Additional vehicles are maintained in a motor pool for use by individual employees, as needed.
- Employees who need transportation in the course of their normal work may be assigned a NESD Head Start Program, Inc. vehicle for their use. All other employees needing transportation for NESDHS business may use vehicles assigned to their department or those drawn from the motor pool. As a last alternative, when no company vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.
- Employees who drive a vehicle on company business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Employees are responsible for any driving infractions or fines as a result of their driving.
- When more than one employee is traveling to work destination, carpool whenever possible.

If driving is part of your job with the NESD Head Start Program, Inc. an employee's driving record, both on and off the job, is important. Employees who develop poor driving records may be terminated, at management's discretion. Motor vehicle checks as well as drug and alcohol tests may be conducted on any employee who drives a Program vehicle as part of their job.

Monthly vehicle reports are to be turned in to the Human Resources / Transportation Manager. The monthly vehicle reports are analyzed and examined by the Human Resources / Transportation Manager. In the monthly reports, the assigned driver of the vehicle documents the starting point and ending point of each daily trip for the particular month. The odometer readings are also recorded on a daily basis. The vehicle report also documents the dates, odometer readings, fuel and repairs for that month.

Misuse or abuse of a Program vehicle by a staff person will result in disciplinary action, which could include losing Program vehicle privileges and / or suspension or termination.

BUSINESS TRAVEL

Business Expense Reimbursement: the NESD Head Start Program, Inc. will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by your Supervisor. *Abuse of business travel expenses and reimbursement requests can be grounds for disciplinary action, up to and including termination of employment, at management's discretion.*

TRAVEL POLICY

When Program employees are traveling on approved or requested Program business or for the purpose of executing the assigned duties and responsibilities of their position, the following policies will apply:

- a. For travel within the jurisdictional area, which includes the periods between 5:00pm and 8:00am, the per diem shall be computed for that period of time following approved state rates. When a work assignment makes it necessary

for the employee to be away from home during this period of time, but does not require an overnight stay, the employee will be reimbursed for meals following approved state rates; i. e. – if, in order to attend a meeting, the employee must leave their home prior to 5:30pm and not return until after 8:30pm, the evening meal would be an allowable expense;

- b. All other per diem will be computed following the approved state rates. Each employee will receive a copy of the current state rates. Advance per diem will be given only when travel involves more than two (2) nights, and must be requested on a “Request for Travel Advance” form at least one (1) week prior to the date of the anticipated travel and it must be approved by the Executive Director. A “Travel Expense Statement” form must be submitted upon return with the appropriate receipts attached;
- c. Lodging rates that exceed state rates for reimbursement may occasionally be allowed when extenuating circumstances merit such action; i.e. – availability of reasonable lodging or when double occupancy is not possible; and it is approved by the Executive Director;
- d. Mileage paid by the Program will follow a rate approved by the Grantee Governing Board. Employees shall submit a “Mileage and Miscellaneous Expense” form for reimbursement for travel on official business. This form must list each trip separately, the purpose for the travel, and the mileage based on odometer readings must be recorded. The travel voucher must be approved by the Executive Director. If a privately owned vehicle is used and it is cheaper to travel by common carrier, the mileage reimbursement shall not exceed the cost of the same travel by common carrier.

ACCIDENT REPORTING

If an employee is involved in an accident while traveling on Program business, the employee must promptly report the incident to their immediate Supervisor. The employee must also complete a “Vehicle Accident Reporting” form.

USAGE OF TECHNOLOGY SYSTEMS AND RESOURCES

All Program supplied technology, including but not limited to, computers, computer systems, computer files, the Internet, the electronic mail (e-mail) system, and software furnished to you are property of the NESD Head Start Program, Inc. and they are intended for business use only. Employees should have no expectation of privacy in the use of information stored, transmitted, or received through the NESD Head Start Program, Inc. technology systems and resources. Employees should not use a password to access a file or retrieve any stored communication or information without authorization by their Supervisor. Additionally, the assignment of a personal password to access various systems or information does not guarantee or imply any right of privacy or confidentiality.

Program technology systems and resources are not to be used for personal matters, personal gain, to solicit for commercial interest, or to support or advocate personal causes or organizations. Internet and e-mail messages are valuable business records that will be maintained and managed to ensure that the Internet and e-mail systems are being used solely for business purposes. The NESD Head Start Program, Inc. reserves the right to

monitor, review, and retain all Internet usage and messages and all e-mail messages sent to and/or from the NESD Head Start Program, Inc., as well as any information obtained, created, or stored on the Program computers. Privacy in the use of the Internet, e-mail, or the Program's computer systems should not be expected.

Internet and e-messages should be preserved and protected like other Program business records. The NESD Head Start Program, Inc. reserves the right to store and retain all Internet and e-mail messages in order to comply with its existing records retention program and all other corporate or legal requirements. Internet or e-mail messages deleted on your computer may not be permanently deleted from Program records. The use of instant messaging and/or chat software is prohibited on program owned computers, unless prior approval is received from the Technology Manager. This includes, but is not limited to Facebook Messenger, AOL Instant Messenger, MSN Messenger, ICQ, and Yahoo! Messenger.

Because of potential security problems associated with the transmission of electronic data, the use of Internet or e-mail can jeopardize the proprietary and/or confidential information of the Program or suppliers, and business associates. The NESD Head Start Program, Inc. is committed to providing a workplace free of harassment and sensitive to the diversity of its employees. The NESD Head Start Program Inc. prohibits the use of Program supplied technology, including but not limited to, computers, software, the Internet and e-mail in ways that are disruptive, offensive, or harmful to others. Under no circumstances shall any computer systems or resources be used in a fashion that denigrates anyone on the basis of religion, sex, race, ethnicity, or any other legally protected characteristic, and under no circumstances shall profanity be used in an Internet or email message. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

E-Mail accounts owned by the NESD Head Start Program, Inc. of former employees will be discontinued immediately after their effective date of service from the Program.

The NESD Head Start Program, Inc. prohibits the illegal duplication of software and its related documentation. The Program purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Program does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. If employees take data files from the office to a home PC, or files are downloaded via e-mail or from the Internet, employees are required to perform appropriate virus detection procedures to prevent viruses from entering Program computer network. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment, at management's discretion.

DISASTER RECOVERY OF COMPUTER NETWORK

In the event of a catastrophic infrastructure and/or server failure, this document outlines the plan for restoring computing and network facilities for the NESD Head Start Program, Inc. The Recovery Plan lists those administrative measures that are already in place that will aid in such a recovery, as well as the actual steps taken after the disaster to begin the restoration process.

Backup Resources

1. The NESD Head Start Program, Inc. does a full system back up each day on the network server at the Aberdeen office. A full backup file is located on a cloud based server at an offsite location.
2. The H.R. / Technology Manager of the NESD Head Start Program, Inc. will replace equipment such as servers, routers, and desktop computers as needed.
3. Copies of router configurations and server software are also backed up in the cloud.

Restoration Process

1. The Executive Director is contacted with the report of the network disaster.
2. The Executive Director provides instruction to appropriate personnel to conduct damage assessments and construct a triaged priority list – i.e. high priority, medium priority, low priority.
3. The Executive Director and Managers use the triaged priority list to develop a prioritized strategic plan for network recovery.
4. The Executive Director informs the Board of Directors of findings and plan for recovery.
5. Suggested prioritization of network components:
 - a) High priority – network backbone (firewall, wiring components, main server that contains critical operational data)
 - b) Medium priority – network print services, critical desktop computers of office personnel (Fiscal and / or ChildPlus)
 - c) Low priority – all other desktop computers at Aberdeen office and Center locations and individual peripherals.

USE OF PHONE, FAX MACHINES, AND MAIL SYSTEMS

It is important that Program telephone lines, fax lines, and voice mail be kept open for business use. Employees should limit personal telephone calls to necessary and/or urgent situations. No personal long distance telephone calls are allowed. To ensure effective telephone communications, employees should always speak in a courteous and professional manner. The use of Program-paid postage for personal correspondence is not permitted. A violation of this Policy is grounds for disciplinary action, up to and including termination, at management's discretion.

CELL TELEPHONE USAGE

Employees may be provided the use of a program cell telephone, if determined necessary by their supervisor, to perform their job. For safety purposes, employees are not allowed

to use their cell telephones while driving and they are required to adhere to the Program's cell telephone Policy at all times. While personal cell telephone usage is not prohibited in certain positions, the frequency, duration, and volume of calls made and/or received should not interfere with on-going work nor distract fellow employees. Abuse of this privilege may lead to disciplinary action.

RETURN OF PROPERTY

Employees are responsible for all property, materials or written information issued to them or in their possession or control. All NESD Head Start Program, Inc. property must be returned by employees on or before their last day of work. When permitted by applicable laws, the Program may withhold from an employee's check or final paycheck the cost of any items that are not returned when required. The NESD Head Start Program, Inc. may take legal action deemed appropriate to recover and protect its property.

Electronic Proximity Access Control System (PACS) key cards:

All employees will be issued a PACS card and is responsible for their strict control. PACS cards are non-transferable. It is the responsibility of every cardholder to report a lost or stolen card immediately to the HR Manager or Executive Director during working hours.

The HR Manager will be responsible for checking PACS cards out to staff or approved individuals. A fee of \$5 will be assessed on all replacement cards, lost or stolen. Upon resignation or termination of an employee, the employee is responsible for returning the card to the HR Manager immediately. The HR Manager will activate/deactivate the cards accordingly.

Name Tags:

All employees will be issued a name tag according to the current title while employed at NESD Head Start. Any lost or stolen name tag will incur a replacement fee of \$10.

DRUG FREE WORKPLACE

The following Policies were established to comply with the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F, and requiring Agencies receiving federal funds to maintain a drug-free workplace:

1. Head Start employees are expected and required to report for work on time and in appropriate mental and physical condition. It is our intent and obligation to provide a healthful, safe and secure environment for staff as well as the children and families we serve.
2. The unlawful manufacture, distribution, possession or use of controlled substances on Program premises, or while conducting Head Start business off Program premises is absolutely prohibited. Violations of this Policy will result in disciplinary action, up to and including termination and may have legal consequences.
3. Employees must, as a condition of employment, abide by the terms of the above Policy. Any conviction under a criminal drug statute for violations occurring on or off Program premises while conducting Program business must be reported to the Executive Director within five (5) days after

conviction.

ALCOHOL AND DRUG ABUSE

The NESD Head Start Program, Inc. recognizes alcohol and drug dependence are illnesses which, in many cases, can be successfully treated. Any employee with an alcohol or drug dependency problem is encouraged to voluntarily enter a drug or alcohol rehabilitation program before the problem affects or jeopardizes their employment. Entry in such a program will not excuse the employee from meeting the performance expectations for his or her position and will not insulate the employee from discipline. Employees who violate the Program's Alcohol and Drug Abuse Policy are subject to discipline despite participation in a Program or a request for assistance. It is not the intent of the NESD Head Start Program, Inc. to intrude into the private lives of our employees; however, the effect of drug and alcohol abuse on safety, work quality, attendance, lost productivity and medical expenses require this policy! It is prohibited for employees to manufacture, use, possess, distribute, transfer, sell, or be under the influence of alcohol or unauthorized or illegal drugs while on the job or performing any duties for or on behalf of the NESD Head Start Program, Inc.

The term "illegal drugs" as used in this policy means a drug or other substance as defined in applicable federal and state criminal law. To help ensure a safe and healthful working environment, employees may be asked to submit to drug testing to determine the illicit or illegal use of drugs and unauthorized use of alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including immediate termination of employment. Any such test will be at the Program's expense and by a physician selected by the Program. An employee who, under a physician's guidance, is taking prescription drugs or other medication which may affect the employee's ability to work safely should not perform his or her job duties if doing so will pose a threat to his or her own safety or the safety of others. Any violation of this policy may result in discipline, up to and including termination of employment, at management's discretion.

SAFETY

It is the intent of the NESD Head Start Program, Inc. to at all times provide a safe working place for employees, and employees are asked for cooperation in making and keeping each work environment safe. Since safety regulations may vary depending on the job involved, the Supervisor will advise you of any safety equipment required and/or provided. Employees are expected to observe all applicable safety policies of the Program, including any occupational safety and health standards issued by OSHA. Your failure to obey all safety procedures is grounds for discipline, up to and including termination, at management's discretion.

PERSONAL APPEARANCE

The NESD Head Start Program year-round professional dress code is defined as:

- Appropriate length dresses, skirts, tops, pantsuits, pants, jeans, Capri's, etc.
- Due to varying body builds, it is too difficult to determine one appropriate length for all. A guide would be no shorter than 5 inches from mid-knee.
- No tank-tops (spaghetti or revealing straps), no crop or tube-tops, no bare

midriffs, no undergarments showing, no T-shirts with insignia or slogans that are unprofessional or potentially offensive, no bare feet.

- Appropriate undergarments worn.

Staff who provide direct services to children:

1. On Home-Visit days or Center-days, staff may wear comfortable clothing – this may include suitable jeans. The jeans should be neat, not faded, not ragged, and be without holes.
2. During the warmer months of the year (April, May, August and September), direct services staff may wear walking shorts (a guide is no shorter than 5 inches from mid-knee).

Coordinators / Managers dress code:

1. As you represent the Program to the general public, it is expected that you dress professionally at the Office and while on Program business.
2. Managers / Coordinators performing periodic direct services to children (e.g., on floor play), may choose to wear suitable clothing on those days.

Appropriate Footwear:

The NESD Head Start Program, Inc. requires the wearing of shoes / boots with non-slip sole (and enclosed footwear when appropriate) for the safety and well-being of all employees and for their protection from injury. Appropriate footwear should be worn whenever you are on company time or operating a Head Start vehicle. Employees are required to choose footwear according to the hazards in their work environments and to choose footwear which is designed to protect feet against a wide variety of injuries. Failure to wear the appropriate and required footwear could negate your rights to worker's compensation benefits should you be involved in an injury where you were found to be in violation.

TOBACCO FREE/NO SMOKING

In keeping with the Program's intent to provide a safe and healthful work environment, smoking is not permitted. This Policy includes the usage of "smoke-less" tobacco products. This restriction applies to all Program building premises, whether owned or leased; and includes all classrooms, staff offices, kitchens, restrooms, parent and staff meeting rooms, hallways, outdoor play areas, and all Head Start vehicles (including buses). This Policy applies equally to all employees, volunteers and visitors.

If Head Start leases a building owned by a Public School District, the "No Smoking" Policy of the Public School District will be enforced. A "No Smoking" Policy on school grounds means employees; volunteers and visitors must be completely off school grounds in order to smoke.

RECREATIONAL & SPORTS ACTIVITIES

Organized recreational and sports activities such as softball, basketball, golf, volleyball and bowling are often participated in after working hours by many employees. However, the Program assumes no liability if employees are injured while participating in such activities. Any such injuries are not work related and they will not be covered by

Workers' Compensation insurance. Of course, the coverage provisions of the health plan may apply in the event of an accidental injury.

SOLICITATION

Solicitation or distribution of material, handbills, printed or written literature of any kind by an employee to another employee is prohibited during working time and in all employee working areas. Working time is all time when an employee's duties require that he or she be engaged in work tasks, but does not include non-work time such as meals, scheduled breaks, and time before and after a shift. Individuals who are not employees of the Program may not solicit or distribute on Program property at any time, whether or not the property consists of a work area or non-work area.

RUMORS

Rumors are misleading and they become increasingly inaccurate as they pass from person to person. The Program follows the policy of promptly notifying all personnel of all authorized information of general interest. Employees **MUST** be careful to avoid spreading rumors and the employee must contact their appropriate supervisor when information is heard wish to verify.

VISITORS

All visitors must be accompanied by an employee while on Program premises. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed on Program premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

HOUSEKEEPING

Cleanliness and orderliness reduce accidents, improve health conditions, and show pride of Workmanship and add to the efficiency of Program job operation. Employees are urged and encouraged to keep the work place neat and clean.

COMMUNICATION

OPEN DOOR POLICY

The NESD Head Start Program, Inc. is committed to fostering a professional culture in which all persons are treated with dignity and respect, and to providing a positive, productive work environment. To that end, steps are taken to provide and promote a professional work atmosphere, "open door" communication, career advancement opportunities and benefits, fair supervisory treatment, supportive leadership, and respect for all. Ideas, suggestions, concerns, and comments are welcome from staff; please communicate these directly to either your Supervisor and/or members of the management team. The Program will give such input due consideration and review; many of the best ideas have come directly from employees. The NESD Head Start Program, Inc. will attempt, to the extent reasonably possible, and in its discretion, to preserve the confidentiality of "Open Door" communication. If concerns relate to discrimination, harassment, or retaliation, please also refer to the Non-Discrimination and Anti-Harassment Policy located in this Handbook, and immediately report it to your

Supervisor, or **Human Resources Manager (605.229.4506)**, or **Executive Director of the NESD Head Start Program, Inc. (605.229.4506)**

ANSWERING QUESTIONS & SOLVING PROBLEMS

Questions and problems arise in every organization. The NESD Head Start Program, Inc. wants to minimize issues which may produce misunderstandings or discord. Problems and concerns cannot be resolved unless brought to the attention of those in a position to resolve them. Teamwork is vital to our success and it is our belief that this success can only be attained in an open, candid atmosphere where mutual respect for every individual is practiced by all.

To that end, questions and concerns should be directed as follows:

1. Employee's immediate Supervisor should be given the first opportunity to resolve any job-related matters and is usually the best source for answers.
2. If the matter is not resolved to the employee satisfaction by the immediate Supervisor, the matter may be referred to the appropriate Manager for review.

SUPERVISION AND PERFORMANCE EVALUATIONS

Supervisors and employees are encouraged to discuss job performance, expectations, job requirements and goals on an informal, day-to-day basis, or as needed. In addition, the NESD Head Start Program, Inc. conducts formal performance evaluations for all employees annually. These performance evaluations are designed to provide employees and supervisors the opportunity to discuss job performance, requirements, and expectations. Highlighting employee achievements, identifying opportunities for improvement, and setting defined goals are an important part of this process. This is also an appropriate time for the employee to address any challenges they may be having with their job, and to ask any questions about the Program, their job, and their career with the NESD Head Start Program, Inc. Employees should be open and candid during these discussions as this will help the Supervisor to accurately identify concerns and potential solutions, as well as contribute to building a good working relationship.

If an employee believes an unfair or inaccurate performance evaluation has been conducted, they are required to notify their Supervisor verbally at the time of the evaluation or within three working days of the evaluation. If the issue is not resolved, a grievance may be filed with the Human Resource Manager, within five days of the date of the notification. This grievance must be submitted in writing, and must clearly state the problem and the specific standards, responsibilities, facts, circumstances and issues involved, along with the appropriate documentation to support the allegations. The grievance must also identify or propose resolution to the issue. A review of the complaint will be performed while collecting additional details from both the employee and the Supervisor throughout the process. At the conclusion of the review, a written recommendation will be provided to the employee and the Supervisor to: uphold the evaluation, make specific changes to the evaluation, and/or complete a special evaluation by a specified date.

In accordance with the principles of prudent management, a chain of command is established within the Program to provide adequate supervision to all employees.

Although exceptions may be made to meet particular circumstances, the general organizational structure of the Program is as follows:

1. The Executive Director reports to the Grantee Board of Directors.
2. Program Administration and Management staff report to the Executive Director.
3. Education Coordinators report to the Education Manager.
4. Family Service Coordinators report to the Family Service Manager.
5. All Center staff (including, but not limited to: Teachers, Teacher Assistants, Cooks and Cooks Assistants, Noon Assistants, and Bus Drivers and Bus Monitors) report to the Education Coordinator assigned to that Center.
6. Home Visitors and Home Visitor Assistants report to the Education Coordinator assigned to that area.

All regular employees shall be evaluated by their immediate Supervisor on their job performance using a prescribed evaluation form. Evaluation of Center staff will be completed by the Education Coordinator with the concurrence of the Education Manager.

- Probation reports for new employees – employee development conferences are to be given periodically after employee begins work; a timely written evaluation will be completed prior to the end of an employee’s probationary period.
- Written evaluations are to be completed by the employee’s Supervisor annually.
- Employee Counseling Reports and / or special evaluations are intended to clarify and document discussion between Supervisors and employees. They may be completed at any time by the employee’s immediate Supervisor if the situation warrants corrective action.

Each evaluation or employee counseling report should be prepared by the employee’s immediate Supervisor and it shall be related specifically to written or oral standards for the position. Such reports do not constitute a disciplinary action, but may be retained in the employee’s personnel record.

Each written evaluation or employee counseling report shall be discussed with the employee. The Supervisor should then obtain the employee’s signature, which does not imply agreement, but acknowledges discussion and review of the report and written comments, if any, before forwarding it through the Executive Director to the employee’s personnel record.

The Supervisor shall discuss performance and specific problems with the employee during the evaluation. The employee receiving an unsatisfactory evaluation shall be advised what specific improvement(s) is needed. The employee will be evaluated again within a reasonable period of time. If deemed necessary by the Supervisor and approved by the Executive Director, any employee may be placed on a corrective work improvement plan following an evaluation to allow time for performance to improve. During the work improvement period, the employee is not eligible to receive pay raises. If he / she receives an unsatisfactory evaluation at the end of that period, disciplinary action may be taken, which may include termination of employment.

All evaluation statements shall be made a part of the permanent record in the employee's personnel file. This information will be protected against preview or use by unauthorized personnel. Each employee or his / her designee shall be allowed to see the contents of his / her file. Personnel files shall be kept in the Agency's central office. Only the Executive Director, Business Manager, Human Resource Manager and the employee's Supervisor shall have access to the files.

If the Supervisor has reason to believe that an employee has personal problems which are causing poor work performance or poor attendance, the employee may be referred to a counseling service or program as a condition of continued employment, including treatment for alcohol or other chemical abuse.

DISCIPLINARY ACTIONS AND TERMINATIONS

Demotion

An employee may be subject to a demotion, a change to a position with less responsibility and / or less salary.

Suspension

Employees may be suspended without pay or other appropriate sanction for engaging in a violation of these Policies and Procedures. An employee may be suspended upon recommendation of a Supervisor with the approval of the Executive Director of the Program. Suspended employees shall be on leave without pay and shall not be allowed to use or accrue annual leave, sick leave or personal leave during the period of suspension. Written notice shall be given to the employee prior to the suspension with a statement of the reasons for the suspension. Regular employees shall have the right to appeal the suspension under the grievance procedures.

Immediate Removal from Work Site

With the concurrence of the Executive Director, any employee whose actions or condition represent a clear threat to the safety or morale of children, staff or the public-at-large may be removed from the work site by his / her immediate Supervisor pending further disciplinary action. Removal from the work site may be grieved, but is not subject to discussion at the time the directive is issued by the Supervisor. The Executive Director may place staff on administrative leave pending further study of the situation.

Termination

A regular employee who fails to satisfactorily perform his / her job, or an employee who commits an infraction of these Personnel Policies and Procedures, may be terminated by the Program's Executive Director upon recommendation of the Supervisor and with the approval of the Policy Council. Written notice shall be given to the employee prior to such termination. The terminated employee may appeal said termination according to the grievance procedures of these Policies and Procedures Manual. In some circumstances, employees may be offered the opportunity to resign their position.

Causes for Disciplinary Action

It is understood that there are specific conducts and actions which are capable of disrupting the efficient operation of the Program and / or violate Program standards.

Examples of such action are listed in, but not limited to, the following:

1. The employee has been convicted on a felony;
2. The employee has willfully, wantonly, unreasonably, unnecessarily or through culpable negligence, been guilty of brutality or cruelty to a child or parent served by the Program, another staff person or volunteer, or to other persons, provided the act committed was not necessarily or lawfully done in self-defense or to protect the lives of others.
3. The employee has violated any of the provisions of the Handbook;
4. The employee has violated any Program regulation or order or failed to obey oral or written directions given by a Supervisor or other person in authority;
5. The employee has consumed alcohol or other intoxicants while on duty or while operating Head Start vehicles;
6. The employee has been guilty of insubordination;
7. The employee unduly disrupts the efficiency or morale of the Program;
8. The employee is careless or negligent with the moneys or other property of the Program or has stolen or attempted to steal money or property of the Program;
9. The employee has used, threatened to use, or attempted to use reasonable personal influence or political influence in securing a promotion, leave of absence, transfer, change of pay rate, or change in character of work;
10. The employee has taken for his / her personal use, from any person, any fee, gift or valuable thing in the course or his / her work or in connection with it, when the gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded to other persons;
11. The employee has engaged in outside business or personal activities on Agency time or has used Program property for those activities;
12. The employee has failed to maintain a satisfactory attendance record based upon the established work hours;
13. The employee has made false statements of material fact in the application process;
14. The employee has fraudulently used his / her sick leave;
15. The employee has intentionally falsified a Head Start record or document.
16. The employee has knowingly violated provisions of this Handbook established for the safe, efficient, or effective operation of the Program.

EMPLOYEE GRIEVANCE PROCEDURES

It is the intent and purpose of the following grievance procedures, which shall be made available to all regular employees of the Program, to provide for the presentation and equitable adjustment or grievances. Employees who are on a probationary period are not eligible to file a grievance.

A grievance is a formal complaint filed by a regular employee or group of employees based on the interpretation or application of the Policies and Procedures; or any other matter of disagreement arising from the employer / employee relationship. It is the responsibility of the employee to initiate the grievance procedure within fourteen (14)

calendar days of the action or incident giving rise to the grievance.

Step 1: Any regular employee who believes that he / she has a justifiable request or complaint must discuss the request or complaint with his / her immediate Supervisor. The request or complaint must also be presented in writing. A written grievance must state specifically what the action or policy of the Agency or its staff is in question, what redress is sought, and any other specific facts which the employee believes are relevant to the action. General statements will not be considered as a part of the written grievance. The Supervisor shall give the aggrieved employee an answer in writing within fourteen (14) calendar days.

Step 2: If sought after redress has not been achieved at this point, and the employee desires to grieve further, they must submit a copy of the written grievance to the Executive Director. At this time, the employee has the right to present the case orally also and may be accompanied by a representative of his / her choice. The Executive Director shall have thirty (30) calendar days to review the situation and make the decision in writing to the employee. If the Executive Director does not respond within thirty (30) calendar days, the grievance is automatically settled to the favor of the employee.

Step 3: In order for the grievance to be considered further, the aggrieved employee or a representative shall, within seven (7) calendar days following the disposition in Step 2, serve the Executive Director written notice of appeal to an impartial arbitration board.

The Board of Arbitration shall consist of one (1) member selected by the employee and one (1) member selected by the Executive Director; each to be selected within seven (7) calendar days of the intent to submit the dispute to arbitration. The two chosen shall select one (1) member to provide the three (3) members Board of Arbitration. When the two members of the Board of Arbitration cannot agree within seven (7) calendar days upon a third member, the third member shall be chosen by the Executive Director and the employee. If the Executive Director and the employee cannot agree on a third member, the third member shall be appointed by the Chairperson of the Grantee Board of Directors of the Agency.

At no time shall an arbitrator be an employee of the Program, Program committees or councils. The Board of Arbitration shall meet for a hearing within thirty (30) calendar days of the appointment of the third member to the Board. It shall investigate the appeal, giving all parties reasonable authority to be heard, and may request any supportive evidence from the employee and the Executive Director. The Board of Arbitration shall render its decision within thirty (30) calendar days after the completion of the hearing, except that this period of thirty (30) calendar days may be extended by mutual agreement of both parties. The decision of the Arbitration Board shall be final.

Grievances which cannot be settled at an administrative level because of authority invested in that level can be waived to the next level with the appropriate authority.

EMPLOYEE SUGGESTIONS

Employees and their ideas are valued. If employees have a suggestion that would benefit the children or other employees, please direct such communication to the immediate Supervisor for consideration. Recognition is given when such suggestions are implemented.

EMPLOYEE COMMUNICATION

Communication is a two-way street. Employees are responsible for keeping the Program up to date with their personal information. Changes such as address, marital status, number of dependents, beneficiary updates, etc.

PROGRAM COMMUNICATION

The NESD Head Start Program, Inc. communicates to its employees through memos, special publications, through Managers and Supervisors, and/or through one of the following:

♦ Orientation: As a new employee, Orientation is designed to introduce new employees to the culture of the Program and to explain some of the policies and procedures relating to employment. If at any time, there are questions about Program Policies and Procedures, or the benefits for which employees may be eligible, they should talk to their Supervisor or contact the Human Resource Manager for clarification.

♦ Meetings: From time to time, meetings with management may be scheduled. Such meetings give employees an opportunity to ask questions they may have about the Program or its Policies and Procedures.

♦ Bulletin Boards: Program business items and information are posted on Program bulletin boards or other places of notice on the Program's property.

♦ E-mails: Important information is communicated through e-mail. It is the responsibility of staff to check their emails daily. Be sure to read such email carefully, and remember to adhere to the NESD Head Start Program, Inc. professional e-mail standards and etiquette at all times when using the Program email system. All e-mails sent externally must follow Program guidelines. Contact your supervisor for more information.

♦ Trainings: Full staff meetings (In-Services) are intended for the benefit of the staff and to improve the quality of the program. Full staff meetings will be scheduled regularly throughout the year, usually on the third Friday of each month. Employees are **required** to attend full staff meetings and they may be excused only by their supervisor, with final approval by the Executive Director.

PROGRAM WEBSITE

The Program Website is a good source for a variety of information including employee work telephone numbers, office locations, directions to each location, Program news and announcements, job openings, an employee benefit section, newsletters, and other useful segments. Employees may make it their "homepage" to stay current on Program happenings.

HUMAN RESOURCES

PERSONNEL FILES

Personnel files contain employment-related documentation on each employee, and they are the property of the NESD Head Start Program, Inc. This information will not be released to parties outside the Program, except as required by law, court or agency order, or validly issued subpoena. Access to files will, to the extent possible, be limited to Supervisors and Management personnel with a legitimate reason to review information in a file. In addition, in accordance with the “Americans with Disabilities Act,” all information regarding an employee’s disability will be maintained in a confidential file, separate from the employee’s personnel file. All personnel files are maintained at the Administrative Office. Employees must contact the Human Resources Manager to receive a copy of their personnel file. It is the responsibility of employees to make certain any documentation / certificates of education, trainings and / or workshops is presented to the Human Resources Manager / Department to be placed in the employee Personnel File.

EMPLOYMENT AND WAGE VERIFICATIONS

Requests from mortgage companies, banks, and other commercial institutions for verification of wage and/or employment information are processed from written requests generated by either the employee or an outside program, and they must have the social security number and original signature of the employee. Written requests should be sent to: the NESD Head Start Program, Inc. c/o Human Resources Manager, 200 South Harrison Street, #1, Aberdeen, SD 57401.

COMPENSATION

The salary scale for the NESD Head Start Program, Inc. shall be determined by the Executive Director and the Grantee Governing Board for the NESD Head Start Program, Inc. with the concurrence of the Policy Council. Salary increases will be approved by the Program’s Grantee Governing Board upon the recommendation of the Executive Director.

The NESD Head Start Program, Inc. operates on a bi-weekly pay period, which means employees will be paid every other Friday. Each paycheck will cover the 2-week work period ending the previous Saturday.

In order to attract and maintain high caliber employees, an Incentive Pay / Retention Pay is a possibility, not a certainty. It is based on employee work performance and employee reviews, to booster morale, health and welfare of employees and honor efficiency shown by employees. Incentive Pay / Retention Pay will strengthen hard working employees.

The Incentive Pay / Retention Pay will be made to all eligible employees, both full-time and part-time and the employee must be on a signed “Employment Agreement.” The Incentive Pay / Retention Pay will be based on an employee’s base salary. The pay will not be eligible for the Program retirement plan contribution or affect the Personal Leave or Sick Leave of employees.

Social security and other appropriate taxes will be paid on the Incentive Pay / Retention Pay. The paycheck will be notated as the “Retention Incentive Payment.”

The employee must not be on a performance improvement plan on the date Incentive Pay / Retention Pay is paid.

The use of an Incentive Pay / Retention Pay will be determined by the Executive Director. The disbursement of an Incentive Pay / Retention Pay will not set a precedent for any future decisions.

In the event of a Natural Disaster or Pandemic, to boost morale, health and welfare of employees, and to strengthen hard working employees in a difficult time, Hazard Pay is a possibility, not a certainty.

Hazard Pay will be made to all eligible employees, both full-time and part-time and the employee must be on a signed “Employment Agreement.” Hazard Pay will be based on an employee’s base salary. The pay will not be eligible for the Program retirement plan contribution or affect the Personal Leave or Sick Leave of employees.

Social security and other appropriate taxes will be paid on Hazard Pay. The employee must not be on a performance improvement plan on the date Hazard Pay is paid. Hazard Pay will be directed deposited into employee’s accounts.

The use of Hazard Pay will be determined by the Executive Director and approved by Policy Council and the Board of Directors. The disbursement of Hazard Pay will not set a precedent for any future decisions.

TIME SHEETS

Time sheets must be submitted to the Head Start Office by the date indicated on the Time Sheet Schedule sent to each employee by the Human Resources Manager. Time sheets must include hours worked and description of hours not worked for each employee. All time sheets must be signed by the employee, certified by the staff Supervisor and the Executive Director. Time sheets for the Executive Director must be signed by the President of the Grantee Board of Directors.

OVERTIME

When operating requirements or other needs cannot be met during regular working hours, Employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive Supervisor’s prior authorization, with final approval needed by the Executive Director. Employees who work overtime without obtaining the required authorization will be subject to discipline, up to and including termination, at management’s discretion. Non-exempt employees will be paid one and one-half times their regular rate of pay for all hours worked in excess of forty hours in one work week. Non-work time that counts towards the forty hours worked in one work week includes: program observed holidays and paid time off (PTO) hours. ***Paid leave such***

as sick leave, funeral leave, jury duty, and military leave do not count as time worked for overtime purposes; nor do Holiday Hours Worked (for benefit-eligible employees who are also receiving Holiday pay). Exempt employees do not receive overtime pay.

PAYROLL DEDUCTIONS

The law requires that the NESD Head Start Program, Inc. make certain deductions from every employee's compensation. Among these are Social Security and Federal Income Tax, Medicare, and, where applicable, State Income Tax, garnishments, and court-ordered wage assignments. These deductions will be itemized on employee pay statements.

The amount of taxes withheld depends on the information on the W-4 form. To complete a new W-4 or change your existing W-4 information, contact the Human Resources Manager.

The Program is obligated to comply with any court ordered wage assignments or garnishments against wages and it will deduct such amounts from wages. The Program is legally required to process these orders and it will not cease unless notified by court order or other legal process. The NESD Head Start Program, Inc. offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs. For more information, contact the Human Resources Manager. If there are questions about deductions made from a pay check or how deductions are calculated, employees should see their Supervisor or contact the Human Resources Manager.

PAYCHECK

Employees are provided earnings and deduction details on each paycheck. If employees have any questions, they need to contact their Supervisor or the Human Resource Manager.

DIRECT DEPOSIT

The NESD Head Start Program, Inc. provides "direct deposit" as a benefit to its employees. ALL employees of the NESD Head Start Program, Inc. must participate in "direct deposit." The "direct deposit" program allows employees to have their pay deposited directly into a checking and/or savings accounts at virtually any financial institution in the United States. In addition, paychecks may be split among several different accounts.

The money is credited to an account each payday. Employees will receive a statement showing gross pay, net pay, and all deductions. This "direct deposit" program eliminates the need for a trip to the bank to deposit your paycheck and makes the pay available immediately to the employee, even if they are away from work because of vacation, illness, or business travel.

ANNUAL SCHEDULE

The Northeast South Dakota Head Start Program, Inc. operates on an annual schedule

developed by the Executive Director and approved by Policy Council and the Grantee Board. Each employee who has successfully completed the probationary period may be eligible for employment for the following operational year. Employees stating their “Intent to Return” will be continued on the Program’s group insurance during those periods when the various units and components are not working. Employees who elect to claim unemployment benefits during scheduled break periods will be responsible for the cost of all employment benefits, excluding the 401K, for the month(s) in which they claim even one (1) day of unemployment. Employees continuing in service will also be offered the opportunity to defer a portion of their compensation to provide for the maintenance of income during non-operational periods during the following year. All other policies notwithstanding, employees not returning to work after agreeing to do so will not be considered for re-employment with the Program.

EMPLOYEE BENEFITS

Providing competitive benefits to our employees is important, and it contributes to the success of employees and the Program as a whole. To that end, a variety of insurance benefits are offered to eligible employees and their eligible dependents. The NESD Head Start Program, Inc. offers employees a comprehensive Group Benefit Plan including: Medical, Vision, Life/Accidental Death and Long-Term Disability coverage. The Medical coverage is designed to protect against catastrophic expenses which may occur. The Life/ Accidental Death and Long-Term Disability benefits are designed to provide income protection in the event of death or disability. In addition, the NESD Head Start Program, Inc. offers a competitive 401(k) plan to help employees save for retirement.

Benefit Eligibility is determined by full-time, part-time, or temporary status, length of service, and number of hours worked. If employees have questions about their employment status, contact the immediate Supervisor or Human Resources Manager. Benefit information in this Handbook is not exhaustive or comprehensive. It is intended only to describe the essential features of the benefits plans in general terms and does not replace the Plan Document legally governing each Plan. The group health and any related programs are described more fully in the Summary Plan Description booklets and in the Master Plan documents. In the event of a contradiction between the information appearing in the Handbook, the Summary Plan Description booklet, or the Master Plan documents, the Master Plan documents will govern in all cases. The NESD Head Start Program, Inc. reserves the right to amend, modify, revoke, or terminate any benefits or benefit programs, including leave policies, or to require employees to contribute to any benefit at its discretion.

MEDICAL COVERAGE

The following summary is a limited description of medical coverage under the NESD Head Start Program, Inc. Group Benefits Plan. Additional provisions, limitations, and exclusions may apply.

Conditions and Limitations

- ♦ Full-time employees are eligible to participate after completing thirty (30) consecutive days of benefit-eligible employment, with coverage effective the first day of the month following 30 days.

- ♦ Coverage is contingent on proper enrollment within thirty (30) days from your Contract hire date or benefit eligibility date.
 - ♦ Coverage provider is Avera Health Plan.
 - ♦ A “qualifying event” such as marriage, divorce, birth of a child, death, loss of dependent status, or loss of prior coverage enables employees to enroll or make changes to your coverage.
- **EMPLOYEES** are responsible for making the change in Enrollment within 30 days of the qualifying event.

If employees are adding coverage due to a loss of prior coverage, they must provide a “Certificate of Prior Coverage” from the former plan listing the dates of coverage and the reason for termination. A change in the cost of the other group coverage is not considered a qualifying event.

If employees do not make the change within 30 days of the qualifying event, they will not be able to make changes until the open enrollment period which is December 1st of each year.

VISION INSURANCE COVERAGE

The following summary is a limited description of vision coverage under the NESD Head Start Program, Inc. Group Benefits Plan. Additional provisions, limitations, and exclusions may apply.

Conditions and Limitations

- ♦ All Full-time employees are eligible to participate after completing thirty (30) consecutive days of benefit-eligible employment, with coverage effective on day thirty-one (31).
- ♦ Coverage provider is Kansas City Life.
- ♦ All benefit eligible employees will be provided vision insurance.
- ♦ There is no cost to the employee for this benefit.
- ♦ Employees may choose to cover their spouse or children for an additional charge paid by the employee.

COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue certain benefit plan coverage when a “qualifying event” would normally result in a loss of coverage. Some common qualifying events are: resignation, termination of employment or death of an employee, a reduction in an employee’s hours or certain leaves of absence, an employee’s divorce or legal separation, and a dependent child no longer meeting eligibility requirements.

Benefit plans that may be continued through COBRA are medical coverage, life insurance and supplemental life insurance. Under COBRA, the employee or qualified

beneficiary pays the full cost of the coverage at the Program's group rates plus an administration fee.

The current health provider will mail to each eligible employee (and spouse, if applicable) a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the benefits plans of NESDHS. This notice contains important information about the employee and qualified beneficiaries' rights and obligations.

COBRA is a federal law; some individual states also have statutes regarding benefits continuation. In states where benefit continuation laws are in existence, the benefits provided under both laws will be coordinated. Where state benefits are more generous, those benefits will be offered.

401(k) PLAN

The NESD Head Start Program, Inc. 401(k) Plan offers a competitive retirement plan designed to enhance employees' long-term financial security. The goal of this plan is to provide a retirement fund for each eligible employee, built through investment and growth over time, and designed to supplement Social Security benefits after retirement. Under this plan, employees may make pre-tax contributions to their individual accounts, reducing their current taxes. The NESD Head Start Program, Inc. may, at its discretion, offer a matching contribution based on a percentage of employee contributions, increasing total investment.

Eligibility: To participate in the 401(k) matching plan, employees must have attained the age of 21; completed twelve (12) months of service and they must have worked Full Time in the enrollment period. Newly hired employees may rollover a 401(k) plan from a previous employer immediately and contribute to the plan. However, NESD Head Start will not match until twelve (12) months of employment are completed.

Enrollment: The plan has 2 enrollment periods: May 1 and November 1. At the time of the enrollment period, eligible employees are allowed to enroll in the Plan and/or change the amount of their deferral percentage. Employees may discontinue contributing to their 401(k) at any time, but they are not able to contribute again until the next enrollment date.

Vesting: Amounts contributed to the 401(k) plan by the employee are always 100% vested.

Tools: Edward Jones administers the Program's 401K plan through American Funds and offers various 401(k) retirement training tools. Refer to the 401(k) Summary Plan Description booklet for specific Plan provisions and further documentation. You may direct specific questions about the plan to the Human Resources Manager.

LIFE/ACCIDENTAL DEATH INSURANCE COVERAGE

The following summary is a limited description of Life/Accidental Death and Dismemberment coverage under the NESD Head Start Program, Inc. Group Benefits

Plan. Additional provisions, limitations, and exclusions may apply.

Conditions and Limitations

- ♦ All Full and Part Time employees are automatically enrolled in the plan after completing thirty (30) consecutive days of benefit-eligible employment, with coverage effective on day thirty-one (31).
- ♦ Coverage provider is SunLife.
- ♦ All benefit eligible employees will be provided a minimum of \$75,000 of Life Insurance.
- ♦ These benefits are provided at no cost to the employee.

LONG-TERM DISABILITY COVERAGE

The following summary is a limited description of Long-Term Disability coverage under the NESD Head Start Program, Inc. Group Benefits Plan. Additional provisions, limitations, and exclusions may apply.

Conditions and Limitations

- ♦ Long-Term Disability Insurance provides a monthly benefit for all full time employees who are totally disabled due to illness or injury.
- ♦ Full-time employees are automatically enrolled in the plan after 30 days of employment.
- ♦ Coverage provider is SunLife.
- ♦ There is no cost to the employee for this benefit.

VOLUNTARY TERM LIFE INSURANCE

Employees can supplement the employer-provided life insurance by participating in the Voluntary Term Life Insurance Plan.

The following summary is a limited description of the Voluntary Term Life Insurance coverage. Additional provisions, limitations, and exclusions may apply.

Conditions and Limitations

- ♦ Full-time employees may elect to participate in this plan after completing thirty (30) consecutive days of employment.
- ♦ Coverage is contingent on proper enrollment within thirty (30) days from your hire date or benefit eligibility date.
- ♦ Employees may purchase Voluntary Term Life Insurance for themselves; their lawful spouse (if not disabled or hospital confined on the effective date), and/or their unmarried children (if not hospital confined) from birth to age 19, or to age 25 if a full-time student.

Cost

- ♦ The cost of coverage depends on the amount of insurance purchased and the employee's and/or spouse's age.

EDUCATIONAL ASSISTANCE

The Tuition Reimbursement Plan provides eligible employees with the opportunity to

maintain or improve job-related skills through participation in course work at accredited colleges, universities and other educational institutions that participate in professional certification programs.

The NESD Head Start Program, Inc. offers two different types of tuition reimbursement:

1. Undergraduate and graduate level course work; and
2. Professional Certification.

Types of Tuition Reimbursement Plans

Undergraduate and Graduate Level Courses

Eligibility: After one year of service, regular full and part-time employees working 30 hours or more per week may apply for reimbursement for undergraduate or graduate level courses. Courses may be part of a degree program, or may be taken in a non-matriculated status. Courses must be taken through an accredited college or university.

Summary: The NESD Head Start Program, Inc. establishes an annual budget for tuition reimbursement. Employees will be reimbursed for 80% of tuition, based on funds available for job related course work, up to a maximum of \$5,250 per calendar year. Classes not job related, but are part of a degree program, will also be reimbursed; however, preference will be given to classes that relate directly to career advancement.

Whether a class relates directly to career advancement will be determined on a case-by-case basis by the Human Resource Manager. The NESD Head Start Program, Inc. will consider all requests for reimbursement up to the annual budgetary limit. Staff intending to undertake such coursework will be requested to notify the Human Resource Manager in writing by September 1 of each calendar year as part of the annual budgetary process.

Non-Degree Courses: The NESD Head Start Program, Inc. employees are eligible to take non-degree courses after 6 months of employment.

Reimbursement forms are available from the Human Resource Manager. Coursework must be approved in advance by the employee's immediate supervisor.

Reimbursement (including non-degree courses): The following are reimbursement guidelines:

1. For undergraduate or graduate level coursework, tuition and eligible fees are reimbursed only for courses taken and completed with a final grade of at least "C" or equivalent.
2. Reimbursement must be approved by the Executive Director within 7 days of receipt of final passing grade.
3. Employee agrees to a 3 year job commitment or a re-payment schedule if employee leaves employment prior to the completion of the 3 year commitment.

Non-Reimbursable:

The following items are not reimbursable:

1. Application fees, transcript fees, test preparation fees, admission testing fees, books, placement fees, course waiver fees, late fees, parking fees, equipment

- purchase, tutoring fees, deferred tuition fees, student activity fees and other similar fees.
2. Fees are not reimbursable when an employee voluntarily terminates employment or if they are terminated for cause, prior to course completion.
 3. Fees are not reimbursable if they have not been approved in advance.

Priority for Staff Training and College Credit:

- Degrees for Teachers
- College credit or CEU's for Teachers to keep their teaching certificate up-to-date
- Teacher Assistants – CDA or Early Childhood Associate
- Education Coordinators – Degree
- College credit to meet the requirement of the position
- Training and / or college credit regarding initiatives
- Training and / or college credit that will enhance job performance or provide opportunity for advancement

Guidelines for Staff Training & College Credit Reimbursement:

- Applicants need to submit a Staff Training Reimbursement form prior to attendance
- Reimbursements will be made to applicants when a copy of receipt of payment, notification of class completion or attendance and passing grade is submitted (if college credit is received)
- College credit will be reimbursed at the current hourly rate for undergraduate credit at the State resident rate
- Registration fees will be reimbursed at the approved cost for the training
- Reimbursement will be made contingent upon availability of funds

Professional Certification Programs

Eligibility: After 6 months of employment, regular full and part-time employees working 30 hours or more per week may apply for reimbursement for coursework leading to professional certification.

Summary: Programs leading to professional certification must be job-related and it should provide the participating employee with knowledge and skills applicable to their current position or career path.

Reimbursement: The NESD Head Start Program, Program. will reimburse employees for 100% of course fees, upon successful completion of the course, up to \$1,000 per calendar year, based on funds available. Employees will not be reimbursed if they do not complete all courses related to the certification program. For multi-class certification programs, employees may be reimbursed after completion of each class. If, however, all coursework is not completed for certification, employees will be required to pay back to the NESD Head Start Program, Program. 20% of the cost of each class completed.

Eligibility: After 6 months of employment, employees working a minimum of 20 hours or more per week may apply for reimbursement for coursework leading to professional certification.

Reimbursement: The NESD Head Start Program, Program. will reimburse employees for up to \$100 per calendar year for non-college coursework. To be reimbursed for a lifetime learning program, a receipt and proof of class completion should be submitted to the Human Resource Manager.

Information Applicable To All Types Of Tuition Reimbursement Plans

Work Schedules: Participation in the Tuition Reimbursement Plan should not in any way interfere with the employee's ability to perform his / her job. Permission to take a course during scheduled working hours will be determined on a case-by-case basis by the employee's immediate supervisor and the Human Resource Manager.

Procedure: Employees must apply for tuition reimbursement in advance of taking classes.

To apply, the employee must complete a Tuition Reimbursement form and submit it to the Human Resource Manager prior to beginning the class. In addition to the application form, the employee should submit material describing the program and courses. The Human Resources Manager will notify the employee if the application has been approved.

To request reimbursement, the employee should submit the Tuition Reimbursement form, along with a copy of the receipt for tuition and a copy of the course grade. If the course is incomplete, or a grade below a "C" is received, the employee will not be reimbursed. Employees will be reimbursed within 30 (thirty) days of submitting the reimbursement form and materials to the Human Resources Manager.

Plan Year: The Plan Year shall mean the 12 month period that ends of October 31 of each year. The records of the Tuition Reimbursement Plan are kept on a calendar year basis.

EMPLOYEE ASSISTANCE PROGRAM

The NESD Head Start Program, Inc. recognizes employees and their families may face challenges, difficulties, or problems in their personal lives, and these problems may affect job performance. Out of concern for the overall well-being of its employees, the NESD Head Start Program, Inc. offers an "Employee Assistance Program" as a benefit to all employees. The goal of this program is to resolve or minimize problems in the workplace, provide valuable problem-solving tools, offer support resources, and retain valued employees.

The "Employee Assistance Program," administered by Intercept, provides confidential counseling and referral services to employees and their families. This program can provide assistance with both personal and work related problems. The NESD Head Start Program, Inc. has no intent or desire to intrude upon the personal lives of its employees; however, in certain situations, it may be appropriate to offer confidential and professional Intercept services to an employee, especially when there are examples of declining work performance, attendance or behavioral problems, or emotional instability. Intercept offers support for broad range of personal problems, including emotional or behavioral

problems, family and/or marital trouble, alcohol and/or drug abuse and/or dependency, gambling, financial problems, legal needs or concerns, work related issues, and many other issues.

Employees may call Intercept toll-free, 24-hours a day, seven days a week, including holidays, at 1-888-226-1236.

SOCIAL SECURITY (FICA)

Through Social Security (FICA tax), you and your family may be protected against loss of work income due to retirement, disability or death. Medicare (FICA tax) protects against the increasing medical expenses associated with aging. All employees participate in the federal Social Security program. By law, employees and the Program share equally in the cost of Social Security by paying taxes on employees' earnings.

WORKERS' COMPENSATION

The NESD Head Start Program, Inc. provides a comprehensive Workers' Compensation insurance Program at no cost to employees. This Program provides medical benefits and disability income payments for employees who suffer from work-related injuries or illnesses. Benefit payments are made by the Program's Workers' Compensation carrier, in accordance with applicable state laws. Employees who sustain any kind of work-related injury or illness are required to inform their supervisor immediately. A "First Report of Injury" form must be completed by the injured employee and the employee's supervisor without delay after an injury or illness is reported. ***No matter how minor an on-the-job injury may appear, it is important that it be reported right away. If complications arise in connection with your injury or illness, report the matter to your Supervisor immediately.***

Work-related injuries that qualify for Workers' Compensation may also qualify as a serious health condition under the jurisdiction of the Family and Medical Leave Act. The NESD Head Start Program, Inc. nor its insurance carrier will be liable for the payment of Workers' Compensation benefits for injuries which occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Program.

There is no connection between your health coverage and Workers' Compensation coverage. The medical plan administrator will not accept claims for payment relating to work-related injuries. Specific questions pertaining to Workers' Compensation insurance must be directed to the Human Resources Manager.

PAID LEAVE PLAN

Paid leave is normally time off with pay and it is to be considered an employee benefit. Policy statements regarding the nature and management of the leave program, as well as an explanation of leave without pay, are noted below.

ADMINISTRATIVE / COORDINATOR ANNUAL LEAVE

Annual leave will be earned by regular, full-time Administrative, Coordinators and Supervisors at the rate of five (5) hours per pay period. Regular employees who work

less than full-time will earn annual leave at a rate in relation to their working time. Annual leave will not accumulate for staff on scheduled break periods. Salaried employees may not take annual leave in less than eight (8) hour increments.

Employees requesting annual leave must have the prior approval of their immediate supervisor. Normally, annual leave shall be requested and approved in advance, with a period of notice equal to the duration of leave required. Annual leave of forty (40) or more consecutive hours will require a written notice to the employee's immediate supervisor. The Executive Director shall have final authority. The approval or disapproval of annual leave shall not be used as a means of disciplinary action or withheld without cause.

Annual leave may not exceed one hundred twenty (120) hours of accrued leave. Employees will not be given monetary compensation for accrued and unused annual leave time, except in the case of termination and availability of federal funding, which shall be known as terminal leave. Terminal leave may be taken as annual or in a lump-sum payment.

UNIT STAFF ANNUAL LEAVE

Personal leave may be granted to full-time, regular unit staff. Sixteen (16) hours of personal leave may be allowed during the school year. Regular employees who work less than full-time, but more than half-time, will be granted personal leave at a rate in relation to their working time, i.e. – an employee working thirty (30) hours per week, or three quarter time (3/4), will receive twelve (12) hours personal leave.

Employees requesting personal leave must have the prior approval of their immediate Supervisor. Normally, personal leave shall be requested and approved in advance, with a period of notice equal to the duration of leave required. The Executive Director shall have final authority to approve leave. Unit employees will be reimbursed for unused personal leave at the end of the school year.

SICK LEAVE

Sick leave may be granted in the following circumstances:

- When the employee is incapacitated from duty by sickness, injury or confinement; for medical, dental or optical examination or treatment;
- When a member of the immediate family of an employee is afflicted with an illness that requires the care and attendance of the employee, or to take members of the immediate family for medical, dental or optical examinations or treatment. Special circumstances must be approved by supervisor and the Executive Director. "Family Illness" or "Employee Illness" must be noted on the leave portion of the time sheet.
- When, through exposure to a contagious disease, the presence of the employee at his / her post of duty would jeopardize the health of others. "Contagious Disease" is defined as a disease to quarantine or requiring isolation of the patient by health authorities having jurisdiction. Alcohol and substance abuse treatment. Sick leave may be granted for treatment of alcohol and substance abuse in any licensed treatment center as recognized by the Agency's major medical carrier upon

request by the employee and / or on the recommendation of the Executive Director and approval of the Executive Committee of the Grantee Board of Directors.

Up to forty (40) hours of sick leave may be used in the event of the death of a member of the employee's immediate family. Salaried employees may not take sick leave in less than eight (8) hour increments.

ACCRUAL OF SICK LEAVE

Sick leave shall be accrued as follows:

Administrative and Management staff, Coordinators and Supervisors shall earn four (4) hours per pay period, and it is available for use as it is accrued. The maximum accrual amount will be two hundred forty (240) hours. Sick leave for Administrative and Management staff, Coordinators and Supervisors who work part-time will be accrued as described under Annual Leave.

UNIT STAFF ACCRUAL OF SICK LEAVE

Full-time Unit staff will have sixty-four (64) hours of sick leave credited to their account at the beginning of the school year. Sick leave for Unit staff who work less than full-time, but more than half-time, will be granted at a rate in relation to their working time. Up to one hundred ninety two (192) hours of unused sick leave may be accrued and used in successive years.

APPROVAL OF SICK LEAVE

The immediate Supervisor shall approve all sick leave requests. Sick leave is to be approved in all bona fide cases in which the employee has leave to their credit. Sick leave for medical, dental or optical appointments shall be requested in advance. In all other situations, the employee shall notify the Supervisor as early as possible in the first day of absence. Failure to give such notice without good cause may result in a charge to leave without pay. An absence for an employee illness in excess of three (3) working days must be supported by a medical certificate. The Executive Director may also request the use of sick leave be documented by a physician's statement at any time.

DONATION OF SICK/PERSONAL TIME

Northeast South Dakota Head Start Program, Inc. recognizes that employees may have a family medical emergency or be affected by a major disaster, resulting in a need for additional time off in excess of their available sick/personal time. To address this need, all eligible employees will be allowed to donate sick/personal time from their unused balance to their co-workers in need of sick/personal time in accordance with the policy outlined below. This policy is strictly voluntary.

Eligibility

Employees must be employed with Northeast South Dakota Head Start Program, Inc. for a minimum of one year to be eligible to donate and/or receive donated sick/personal time.

Guidelines

Employees who would like to make a request to receive donated sick/personal time from their co-workers must have a situation that meets the following criteria:

Medical emergency, defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child or parent.

Major disaster, defined as a disaster declared by the president under §401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), or as a major disaster or emergency declared by the president pursuant to 5 U.S.C. §6391 for federal government agencies. An employee is considered to be adversely affected by a major disaster if the disaster has caused severe hardship to the employee or to a family member of the employee that requires the employee to be absent from work.

Donation of Sick/Personal Time

- The donation of sick/personal time is strictly voluntary.
- An employee may donate sick/personal time to a pool for use by eligible recipients.
- Recipient identity will not be disclosed to donating employees.
- The donation of sick/personal time is on an hourly basis, without regard to the dollar value of the donated or used leave.
- The minimum number of sick/personal time hours that an eligible employee may donate is 4 hours.
- The maximum number of sick/personal time hours an eligible employee may donate in one calendar year is 40 hours or no more than 50 percent of the employee's current balance.
- Employees cannot borrow against future sick/personal time to donate.
- Employees have the opportunity to donate sick/personal at any time.
- Employees who are currently on an approved leave of absence cannot donate sick/personal time.

Requesting Donated Sick/Personal Time

Employees who would like to request donated sick/personal time are required to complete a Donation of Sick/Personal Time Request Form and submit it to human resources. Requests for donations of sick/personal time must be approved by human resources, the employee's immediate supervisor and the Executive Director. If the recipient employee has available sick/personal time in his or her balance, this time will be used prior to any donated sick/personal time. Donated sick/personal time may only be used for time off related to the approved request. Employees who receive donated sick/personal time may receive no more than 240 hours (6 weeks) within a rolling 12-month period.

HOLIDAY PAY

Holidays are allowed at eight (8) hours per day for full-time, regular employees. Regular employees who work less than full-time will be allowed holiday time equal to their working time.

The following days shall be considered legal holidays with pay (if employee is scheduled to work):

- New Years Day – January 1
- Martin Luther King Jr Day – 3rd Monday of January
- President’s Birthday – 3rd Monday of February
- Memorial Day – Last Monday of May
- Independence Day – July 4
- Labor Day – 1st Monday of September
- Native American Day – 2nd Monday of October
- Veterans Day – November 11
- Thanksgiving Day – 4th Thursday of November
- Day after Thanksgiving
- Christmas Day – December 25
- And any other holiday as declared by federal, state or local authorities, i.e. – the Governor of South Dakota)

When it becomes impractical to give time off to an employee scheduled to work on any of the above holidays because of the necessity for continuing essential services, the Executive Director or the employee’s immediate Supervisor shall require the employee to remain on duty and that employee shall be granted equivalent time off at a later date agreed upon by the Executive Director or the immediate Supervisor and the employee.

When any of the above holidays occur on Sunday, that holiday will be observed on the following Monday. If the holiday occurs on Saturday, it will be observed on the preceding Friday.

Employees that work less than twelve (12) months per year will not be paid for those holidays that occur during scheduled work breaks.

PARENTAL LEAVE

For eligible full-time employees, the first eight (8) hours of absence for the birth of a child will be paid as regular pay. These eight (8) hours are to be used on the date of the child’s birth, or the next scheduled work day.

- ♦ Mothers are to use these eight (8) hours on their first day absent for the birth. If a mother is required to start the leave early, the first eight (8) hours absent from work will apply.
- ♦ Fathers are to use these eight (8) hours on the first day following the child’s birth.

LEAVES OF ABSENCE

Leaves of absence are granted according to applicable laws, on a case by case basis, by the employee's Supervisor and the Executive Director. Federal and State Laws affect personal leaves and the availability of pay through the Paid Leave Plan. To discuss options, employees must check with their Supervisor or Human Resource Manager.

REQUESTING A LEAVE OF ABSENCE

To request a leave of absence, submit the request in writing to your Supervisor. Your

Supervisor will discuss your request with the Human Resource Manager to determine whether FMLA leave, personal leave, or some other leave policy applies. Except in instances of emergency medical leave, or as required under the FMLA, the request for a leave of absence must be submitted as soon as possible to allow time to accommodate the work load and scheduling in your absence, if approved.

FAMILY & MEDICAL LEAVE

As required under the Family and Medical Leave Act of 1993 (“FMLA”), the NESD Head Start Program, Inc. will, except as provided otherwise by law, provide up to twelve (12) weeks of unpaid job-protected leave in a twelve-month period for certain family and medical reasons for employees who have worked for at least one year and for at least 1,250 hours over the twelve months immediately preceding the date leave will begin. The “twelve month period” for purposes of FMLA leave will be determined on a rolling twelve-month period measured backward from the date an employee uses any FMLA leave; or the twelve-month period measured forward from the date any employee’s first FMLA leave begins.

Reasons for Taking Leave: the NESD Head Start Program, Inc. will grant FMLA leave to eligible employees for the following reasons:

- ♦ For the birth of an employee’s child or for placement of a child in the employee’s care for adoption or foster care;
- ♦ To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- ♦ For a serious health condition that makes the employee unable to perform the employee’s job.

Leave taken for the birth of a child or placement of a child for adoption or foster care must be taken in a single block of time. This leave must be completed within one year of the date of birth or placement of the child.

Advance Notice and Medical Certification: An employee must provide thirty (30) days advance notice when a leave is foreseeable. All requests must be made by notifying your Supervisor. Medical certification is required to support a request for leave due to a serious health condition. A fitness for duty report is also required to return to work if the leave is taken a result of the employee’s serious health condition. Second or third opinions may be required at the Program’s expense. Leave may be denied or postponed if these requirements are not met. The NESD Head Start Program, Inc. will notify employees if the leave will be counted towards the eligible job-protected leave as allowed under the FMLA.

Job Benefits and Protection: During FMLA leave, the NESD Head Start Program, Inc. will pay its portion of the health coverage under any group health plan the employee is enrolled in prior to the leave. The employee must continue to pay his or her portion of the benefits by payroll deduction when applicable, or by check submitted to the Human Resource Manager. Upon timely return from FMLA leave, except as otherwise provided by law, the employee will be returned to the original or equivalent position with equivalent pay, benefits and other employment terms. The Human Resource Manager

will provide information on continuation of other benefits during the employee's leave. Continuation of benefits is subject to the terms, conditions and limitations of the applicable plans.

Employee Responsibilities while on FMLA: Employees are required to keep their Supervisor informed of the status of their leave and their intent to return to work. In cases of an employee's own serious health condition, the employee may be required to provide a Health Care provider's verification of fitness for duty certificate prior to being allowed to return to work.

Employees are not allowed to be actively working for another employer during any period of FMLA leave or any form of paid leave needed because of the employee's illness. Employees who violate this rule are subject to discipline, up to and including immediate termination, at management's discretion.

MEDICAL LEAVE

Medical leaves for reasons other than those discussed in the Family and Medical Leave policy may be granted at the Program's discretion and only for periods in which an employee is unable to work by physician's orders. The employee absent due to a non-work related medical condition may be eligible for benefits under the Program's Paid Leave and Long-Term Disability plans, based on a physician's advisement. See the Summary Plan Description booklet for the Long-Term Disability Plans and the Family & Medical Leave policy in this handbook. Employees requesting a non-work-related medical leave must request the leave of absence in writing through their supervisor.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the employee's Supervisor. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work. The NESD Head Start Program, Inc. cannot guarantee employment upon expiration of the leave. Employees terminated may apply for available positions.

PERSONAL LEAVE

The NESD Head Start Program, Inc., at its discretion, and with approval of the Executive Director, may grant a personal leave of absence for unique or extraordinary circumstances not covered by other types of defined leaves of absence.

Employees must request a personal leave of absence as soon as the employee becomes aware of the need for a personal leave, and must make the request through their Supervisor. Requests for personal leave will be evaluated on an individual basis, based on a number of factors, including, but not limited to, anticipated workload requirements and staffing considerations during the proposed period of absence. The NESD Head Start Program, Inc. cannot guarantee employment upon expiration of the leave. Terminated employees may apply for available positions. Subject to the terms, conditions and limitations of the applicable plans, benefits may be continued during your leave.

RETURNING FROM LEAVE

Employees must keep their Supervisor informed of their progress and the anticipated length of absence. For medical leaves, a physician's statement certifying the ability to return to work and/or physical work restrictions is required. If an employee does not report to work promptly at the end of the approved leave period, the Program will assume the employee has elected to terminate their employment.

FUNERAL LEAVE

When a death occurs in the employee's family, they may be provided a paid leave of absence to allow time for grieving and to attend the funeral. Funeral leave does not deduct from personal leave or sick leave and is eligible to all Full Time employees.

Funeral leave is paid as follows:

- ♦ Employees are allowed up to five (5) consecutive days of regularly scheduled duty to attend the funeral of a spouse, child, stepchild, parent, or step-parent (if the employee grew up with this person as a primary provider);
- ♦ Employees are allowed up to three (3) consecutive days of regularly scheduled duty to attend the funeral of a brother, sister, step brother, step sister or step parent (if the employee did not grow up with this person as a primary provider), grandparent, grandchild, or legal guardian;
- ♦ Employees are allowed up to two (2) consecutive days of regularly scheduled duty to attend the funeral of father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law and spouses of stepchildren.

Additional personal leave days may be taken after the allowed funeral leave. The Executive Director has the discretion to approve additional funeral leave in special circumstances. Employees must notify their Supervisor in advance of the leave. An employee on vacation or other leave is not eligible for funeral leave pay, as no loss of work time is involved.

JURY DUTY

In recognition of civic responsibilities, the NESD Head Start Program, Inc. will pay the difference, if any, between regular pay and juror's pay during the period of jury duty. Employees must notify their Supervisor promptly when they are summoned for jury duty. Since they are being paid for such time away from work, they are expected to come back to work if they are excused early in the day or before the completion of the assigned period of jury duty. The NESD Head Start Program, Inc. will comply with all applicable state laws regarding jury duty. Any Employee of the NESD Head Start Program, Inc. who has received a subpoena to appear in court, will use personal leave unless the subpoena has to do with job related business or assignments.

LEAVE FOR MILITARY TRAINING

Any regular employee engaged in obligatory military training as member of the National Guard, or a branch of the armed forces reserve, shall, for this purpose, be granted up to fifteen (15) calendar days leave with pay in any calendar year. Pay for military leave shall be that amount equal to the difference between the compensation received for the

military duty and the employee's regular salary. A period of military leave shall be counted as full service with the Program for the purpose of assessing annual leave accrual rates.

AMENDMENT PROCESS

Amendments may be recommended at any regular meeting of the Policy Council and the Grantee Board of Directors of the Program or its designated Committee.

After study by the Grantee Board of Directors, Policy Council or its designated Committee, with opportunity for comment by the Executive Director, an Amendment may be passed by a majority of the members present at any regular meeting of the Program Grantee Board of Directors and the Policy Council. The Program Grantee Board of Directors and Policy Council members must be mailed a copy of the proposed amendment(s) at least five (5) days in advance of the meeting.

Approved → Policy Council: 10-13-2020
Board of Directors: 10-13-2020