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Personnel Policies & Procedures

Approved by OOI Head Start Policy Council
_____ *November 2022* _____
Chair, Policy Council

Approved by OOI Board of Directors
_____ *November 2022* _____
Paulette Hill, Chair, Board of Directors

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

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SECTION 1- INTRODUCTION

PURPOSE:

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

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

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

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

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

ACKNOWLEDGMENT:

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

Employee's Signature

Date

SECTION 2 – HISTORY & APPROACH

Ozark Opportunities, Inc. is a private, non-profit 501c3 established in 1969 as a Community Action Agency providing services to six counties in Arkansas: Baxter, Boone, Marion, Newton, Searcy and Van Buren.

The Agency is governed by a tri-partite board, meaning there are three representatives per county consisting of one public official, one representing the private sector (business, law enforcement, etc.) and a low-income representative.

The mission of OOI is to partner with organizations, families, and individuals to provide services and empowerment opportunities for those with limited means to improve their quality of life.

OOI performs community needs assessments regularly for strategic planning purposes and is currently operating the following programs: Head Start, Early Head Start, ABC Pre-K, CACFP Nutrition Program, Community Services Block Grant, SUCCESS Family Development, Low-Income Home Energy Assistance Program (LIHEAP), and Healthy Families of America- Ozark Mountains. Our current annual funding is approximately \$8 million per year and is used to provide direct services to combat community needs and to pay salaries for over 100 employees.

SECTION 3 – ONBOARDING

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

3-1 Equal Employment Opportunity & Affirmative Action Policies:

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

It is the policy of *Ozark Opportunities, Inc.* to provide equal opportunity for all qualified persons and to prohibit unlawful discrimination in employment practices. Personnel are expected to be capable and responsible, of good character and reputation, and be sympathetic with the objectives of the agency.

Since *Ozark Opportunities, Inc.* operates programs dealing with children, all personnel are subject to the provisions of Arkansas Minimum Licensing Requirements for daycare centers and the Head Start Program, Early Head Start Program and Arkansas Better Chance Program.

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

OOI will take affirmative action to assure the employees are treated properly during employment without regard to their race, color, religion, sex, national origin, disability or veteran's status. Such action shall include, but not limited to the following: employment, promotion, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training. OOI shall base employment decisions on the principles of EEO and with the intent to further OOI's commitment to affirmative action.

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

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

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

The Human Resource Director has been appointed by the Chief Executive Officer as the agency's EEO Administrator. The Human Resource Director oversees the plan development, modification, implementation, and reporting requirements, as well as responsible for conducting annual management updates. The EEO Administrator also identifies and analyzes OOI's selection process in order to further the principles of equal employment opportunity.

OOI invites any employee or any applicant for employment to review OOI's written Affirmative Action program. The AAP is available for inspection upon request from the Human Resource Director/EEO Administrator/Affirmative Action Administrator. Applicants are encouraged to identify their race and gender. This self-identification is strictly voluntary and confidential, and will not result in retaliation of any sort.

Employees are also invited to self-identify as an individual with a disability, Disabled Veteran or Covered Veteran. This self-identification is strictly voluntary and confidential, and will not result in retaliation of any sort. Nondiscrimination in regard to Veteran Status: In accordance with Section 503 of the Rehabilitation Act of 1973, Vietnam Era Veteran's Readjustment Assistance Act of 1974, and the Veterans Employment Opportunity Act of 1998.

OOI is committed to providing equal employment opportunities to qualified individuals with a disability, disabled veterans, special disabled veterans, recently separated veterans, other protected veterans, and Armed Forces Service Medal veterans.

OOI's employees and applicants shall not be retaliated against by means of: harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any of the following activities: 1. Filing a complaint, 2. Assisting or participating in an investigation, compliance review, hearing, or any other activity related to the administration of Section 503 of the Rehabilitation Act of 1973, as amended, Other Protected Veteran's Readjustment Assistance Act of 1974, as amended, or any other Federal, State, or local law requiring equal opportunity for persons with disabilities or Disabled Veterans or Covered Veterans or; Opposing any act or practice made lawful by Section 503 of the Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, as amended, or any other Federal, State, or local law requiring equal opportunity for disabled persons or Disabled Veterans or Covered Veterans; or 4. Exercising any other right protected by Section 503 of the Rehabilitation Act of 1973, as amended, or any other right protected by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. Any retaliation will be in violation of this policy and will not be tolerated.

3-2 Applications for Employment:

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

Job Descriptions are provided for each job posting and are signed by the employee, supervisor and accepted by Human Resources during the onboarding process.

3-3 Internships and Volunteers:

It is the responsibility of Human Resources to ensure FLSA and DOL laws are strictly adhered to. For this reason, any requests for work or assistance with work for internships, volunteer, court or ordered community services shall be direct to the Human Resources department and the Intern Hiring Policy and Procedure followed.

3-4 Conflict of Interest:

It is important for *Ozark Opportunities, Inc.* Board, Head Start Policy Council, and employees to be aware that both real and apparent conflicts of interest or dualities of interest sometimes occur in the course of conducting the affairs of their duties and that the appearance of conflict can be troublesome even if there is in fact no conflict whatsoever.

To address this issue, each member and employee is required to accept and sign the *Ozark Opportunities, Inc.* Conflict of Interest Agreement upon request.

3-5 Condition of Employment:

Employees must meet the following conditions as part of employment:

- A. Attend training as deemed necessary and advisable, including training where travel, including overnight travel, is required.
- B. Work in the classroom, center, or other job site in the *OOI* service area, as deemed necessary by the Program Manager or other authority.
- C. Keep all information regarding Child Development children and families and program clients confidential, and ensure such information will only be given to the parent/guardian or to staff members who have a "need to know" in order to perform their assigned duties.
- D. Staff will not use any form of behavior guidance which is humiliating, frightening, physically harmful to children, or which is associated with food, rest, or toilet privileges. Inappropriate punishment would include but is not limited to spanking, undue restraint, scolding, harsh treatment, isolation without supervision, verbal abuse, sarcasm, threats, or derogatory remarks about a child or his family.
- E. Staff will continue to maintain a clean record with the Arkansas Child Maltreatment Central Registry.
- F. Comply with all requirements of the job description.
- G. All Child Development staff are required to complete an annual screening questionnaire approved by Head Start Health Advisory Committee and Head Start Policy Council to assess exposure and risk of tuberculosis or obtain a health card stating they are free of tuberculosis. The health card and/or questionnaire is filed in the Human Resources Information System and is made available for Licensing Review. New staff may be asked to obtain a tuberculosis screening test. Contagious or infectious disease, flea and head lice policies are applicable to Child Development staff.

3-6 Confidentiality/Security & HIPAA:

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

All employees are responsible for due diligence in the protection of Agency premises, equipment, files, and supplies. Removal of equipment, files, or supplies from the offices for legitimate *OOI* business without permission to work remotely will be appropriately recorded with the Human Resource Director as acting Security Officer and HIPAA Compliance Officer. The Chief Executive Officer retains authority to approve or reject requests for offsite work that requires such means.

It is of the utmost importance that all information concerning application for and/or receipt of services through *OOI* remain confidential and discussed only with the staff that has a responsibility to know such information. All client records will be stored in a secure area with restricted access. Only after release of information is authorized, may *OOI* personnel share or disclose information as needed to secure necessary services for the client. Employees of *OOI* are expected to follow all specific program guidelines on disclosure of client information.

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

HIPAA (Health Insurance Portability and Accountability Act)

Ozark Opportunities, Inc has entered into agreements in which Protected Health Information, or PHI, may be shared with other HIPAA protected entities. The private and confidential use of such information will be the responsibility of all individuals with job duties requiring access to PHI in the course of their jobs.

The Agency has designated a HIPAA Compliance Officer, as assigned by the Chief Executive Officer. The HCO will provide training to all staff regarding HIPAA, issue procedural guidelines for access of PHI, develop a matrix for personnel who will need access, develop guidelines for describing how and when PHI will be maintained, used, transferred or transmitted. If questions arise about appropriate or authorized use of the PHI the HCO will be consulted.

Complaints regarding unacceptable behavior or possible breach will be directed to the HCO and investigated along with the Human Resource Director. Unauthorized access to, and disclosure of confidential information will result in disciplinary action, up to and including termination.

Final decisions will be made by the Chief Executive Officer.

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

Exceptions to Confidentiality:

- Staff have a “duty to warn”, which means if a client or client’s family member are dangerous to self or others, staff will take steps to insure safety.
- If a client commits an unlawful act on *Ozark Opportunities, Inc.* property, staff have a duty to report.
- If subpoenaed by the **court**, staff will cooperate with the court, releasing files (with proper permission and guidance) and testifying as required. *OOI* Administration requires staff to contact their immediate supervisor immediately when compelled to release documents or testify in court.

Staff who are mandated reporters of suspected child maltreatment are required to call the Child Maltreatment Hotline at 1-800-482-5964 if they have reason to suspect child maltreatment. Additionally, these same individuals are required by Act 530 of 2019, to notify law enforcement if they have a good faith belief that there is a serious and imminent threat to the health or safety of a student, employee, or the public, based on a threat made by an individual regarding violence in, or target at, a school (child care center) that has been communicated to the person in the course of their professional duties.

(PUB-002 Rev. 01/01/2020)

3-7 Personnel Records:

The Human Resource Director shall establish the official agency personnel records for management activities. Personnel records are maintained within Human Resources Information System Software with personal information, job information, pay information, benefit enrollment, time tracking, and training made accessible to staff. The Chief Executive Officer has sole approval of areas of access to the Executive, Management and Supervisory teams, and those required by law.

Background Checks:

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

Personnel with Criminal Records:

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

The following offenses are permanently prohibited:

Abuse of an endangered or impaired person, if felony	Arson
Capital Murder	Endangering the Welfare of an Incompetent person – 1 st degree
Kidnapping	Murder in the first degree
Murder in the second degree	Rape
Sexual Assault in the First Degree	Sexual Assault in the Second Degree

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

The following offenses are prohibited:

Criminal Attempt to commit any offenses in MLR Sect 110	Criminal Complicity to commit any offenses in MLR Sect 110
Criminal Conspiracy to commit any offenses in MLR Sect 110	Criminal Solicitation to commit any offenses in MLR Sect 110
Assault in the First, Second, or Third degree	Assault, Aggravated
Assault, Aggravated on a Family or Household Member	Battery in the First, Second, or Third Degree
Breaking or Entering	Burglary
Coercion	Computer Crimes Against Minors
Contributing to the Delinquency of a Juvenile	Contributing to the Delinquency of a Minor
Criminal Impersonation	Criminal Use of a Prohibited Weapon
Death Threats Concerning a School Employee or Students	Domestic Battery in the First, Second, or Third Degree
Employing or Consenting to the Use of a Child in a Sexual Performance	Endangering the Welfare of a Minor in the First or Second Degree
Endangering the Welfare of an Incompetent Person in the First or Second Degree	Engaging Children in Sexually Explicit Conduct for Use in Visual or Print Media
False imprisonment in the First or Second Degree	Felony Abuse of an Endangered or Impaired Person
Felony Interference with a Law Enforcement Officer	Felony Violation of the Uniform Controlled Substance Act

Financial Identity Fraud	Forgery
Incest	Interference with Court Ordered Custody
Interference with Visitation	Introduction of Controlled Substance into Body of Another Person
Manslaughter	Negligent Homicide
Obscene Performance in a Live Public Show	Offense of Cruelty to Animals
Offense of Aggravated Cruelty to Dog, Cat, or Horse	Pandering or Possessing Visual or Print Medium Depicting Sexually Explicit Conduct Involving a Child
Patronizing a Prostitute	Permanent Detention or Restraint
Permitting Abuse of a Minor	Producing, Directing, or Promoting a Sexual Performance by a Child
Promoting Obscene Materials	Promoting Obscene Performance
Promoting Prostitution in the 1 st , 2 nd , or 3 rd Degree	Prostitution
Public Display of Obscenity	Resisting Arrest
Robbery	Robbery (Aggravated Robbery)
Sexual Offense (any)	Simultaneous Possession of Drugs and Firearms
Soliciting Money or Property from Incompetents	Stalking
Terroristic Act	Terroristic Threatening
Theft by Receiving, Theft of Property, Theft of Services	Transportation of Minors for Prohibited Sexual Conduct
Unlawful Discharge of a Firearm from a Vehicle	Voyeurism

SECTION 4: EMPLOYEE CONDUCT

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

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

4-1 Code of Conduct:

- A. No Board member, employee, or member of his/her immediate family shall have a financial interest in a contract of *OOI* (except an employee's employment) which is supported by CSBG or other grant funds. This shall not be construed to deny services provided by *OOI* to a person otherwise eligible to receive such services. To insure against the appearance of impropriety, all applications for assistance submitted by any Board member, employee, or member of his/her immediate family shall be reviewed and approved (or denied) by the appropriate Executive Team.
- B. Board members, employees, and members of their immediate families shall not solicit or accept gifts, gratuities, favors, or anything of monetary value from any contractor, potential contractor or subcontractor of *OOI*, any person applying for or receiving benefits or services through *OOI*, or any person in a position to benefit otherwise from the activities of *OOI*.

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

4-2 Code of Ethics:

Employees must adopt the following principles:

- A. Pledge to care for every person encountered entrusted with love, understanding and respect.
- B. Commit to providing high quality care in accordance with proven program philosophy, goals, and objectives.
- C. Protect and promote each person's physical and emotional well-being, mental capability and social competency.
- D. Agree to reach out to each child and family, attempting to enhance their quality of life by recognizing their unique needs.
- E. Respect parents as the prime educators of their children and endeavor to strengthen the bond among all family members.
- F. Promise to conserve and protect the property and resources entrusted to my care.
- G. Treat all participants (children, parents, etc.), co-workers and supervisors with respect.
- H. Continued awareness and pride in my role within the community as an important influence on the lives of young children.
- I. Accept the responsibility of involving the community in all aspects of nurturing its future leaders.
- J. Continue to improve personal growth and skills as a professional through relevant training.
- K. Always be truthful when dealing with parents, co-workers, and supervisors.
- L. Dedicated to maintaining high professional standard, safeguarding confidentiality, and performing with intelligence, commitment and enthusiasm.

Employee Honesty:

We expect all employees to conduct themselves in an honorable fashion. Honesty is an important Agency attribute. Therefore, any misrepresentation of fact, falsification of records, or omission of fact, including but not limited to: personnel records, leaves of absence, fiscal records, or employment investigation in response to a grievance process (or the like) will not be tolerated. Any violations will result in corrective action, up to and including, termination.

Workplace Bullying:

OOI will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

OOI defines bullying as repeated, health-harming mistreatment of one or more people by one or more perpetrators. It is abusive conduct that includes:

- Threatening, humiliating or intimidating behaviors.
- Work interference/sabotage that prevents work from getting done, including the withholding of information to complicate work flows.
- Verbal abuse.

Such behavior violates the Code of Ethics. The following types of behavior are examples of bullying:

- **Verbal bullying.** Slandering, ridiculing or maligning a person or his or her family; persistent name-calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying.** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- **Gesture bullying.** Nonverbal gestures that can convey threatening messages.
- **Exclusion.** Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising one's voice at an individual in public or in private.
- Using obscene or intimidating gestures.
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing, marking up or removal of personal property).

Individuals who feel they have experienced bullying should report this to their supervisor or to Human Resources before the conduct becomes severe or pervasive. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible to allow appropriate action.

Violation of Breach of Conduct:

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

Employee Dress and Personal Appearance:

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

OOI also recognizes that personal appearance is an important element of self-expression and strives not to control or dictate employee appearance, specifically with regard to jewelry or tattoos worn as a matter of personal choice. The company expects all employees to exercise appropriate judgment with regard to personal appearance, dress and grooming to be most effective in the performance of their workplace duties.

The agency allows reasonable self-expression through personal appearance, unless it conflicts with an employee's ability to perform his or her job effectively or with his or her specific work environment, or it is regarded as offensive or harassing towards others.

Factors that management will consider when determining whether jewelry or tattoos pose a conflict with the employee's job or work environment include:

- Personal safety of self or others, or damage to company property.
- Productivity or performance expectations.
- Offensiveness to co-workers, customers, vendors or others in the workplace.
- Corporate or societal norms.
- Customer complaints.

If management determines an employee's jewelry or tattoos present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry and/or covering of tattoos or other reasonable means to resolve the conflict.

An environment of mutual cooperation, respect, and fair and consistent treatment for all employees is the company's goal. Any complaint regarding this policy, supervisors and managers will be responsible for explaining the policy and answering employee questions. If an agreeable solution cannot be reached at that stage, the grievance process shall be followed.

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

4-3 Drug-Free Workplace:

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

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

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

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

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

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

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

Employee Screening:

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

- A. **PRE-EMPLOYMENT TESTING:** All employees are expected to take and pass a routine drug screen prior to employment.
- B. **RANDOM TESTING:** Employees may be selected at random for drug and/or alcohol testing at any interval determined by the Agency.
- C. **FOR-CAUSE TESTING:** The Agency may ask an employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.
- D. **POST-ACCIDENT TESTING:** Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

- E. OTHER: If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including discharge from employment. In such a case, the employee may be given an opportunity to explain the circumstances prior to any final employment action becoming effective.

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

OOI explicitly prohibits:

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

Medical Marijuana:

The ingestion of marijuana in the workplace or working while under the influence of marijuana is not allowed. Employees in safety sensitive positions are prohibited from being under the influence of marijuana.

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

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

Smoke/Tobacco/Nicotine-Free Environment:

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

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

4-4 Employee Dating Policy:

Ozark Opportunities, Inc. strongly believes that a work environment where employees maintain clear boundaries between employee personal and business interactions is necessary for effective business operations. Although this policy does not prevent the development of friendships or romantic relationships between co-workers, it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

Individuals in supervisory or managerial roles, and those with authority over others' terms and conditions of employment, are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions.

This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

- Any employee, regardless of status, must disclose the existence of a romantic or sexual relationship with another co-worker. Disclosure may be made to Human Resources. The disclosure remains confidential. Human Resources will review the circumstances to determine whether any conflict of interest exists.
- During working time and in working areas, employees are expected to conduct themselves in a workplace manner that does not interfere with others or overall productivity.
- During nonworking time, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges in nonwork areas should observe an appropriate manner to avoid offending other workers or putting others in an uncomfortable position.
- Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on company premises, whether during working hours or not.

- When a conflict or the potential for conflict arises because of a personal relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment, or terminated from employment.
- When a conflict of interest or potential risk is identified due to a company official's relationship with a co-worker, OOI will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure the parties no longer work together on matters where one is able to influence the other or act for the other. Matters such as hiring, firing, promotions, performance management, compensations decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage. In some cases, other measures may be necessary, such as transfer of one or both parties to other positions or departments. If one or both parties refuse to accept a reasonable solution, such refusal will be deemed a voluntary resignation.
- Failure to cooperate with OOI to resolve a conflict or problem caused by a romantic or sexual relationship between co-workers or among managers, supervisors or others in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.
- Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace.
- The provisions of this policy apply regardless of the sexual orientation of the parties involved.
- Where doubts exist as to the specific meaning of the terms used above, employees should make judgements based on the overall spirit and intent of this policy.

4-5 Discrimination:

Genetic Information Nondiscrimination Act (GINA) Policy:

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information.

Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

Anti-Harassment Policy:

- **OOI encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of OOI to promptly and thoroughly investigate such reports.**
- **OOI prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.**

This policy provides an informal procedure for reporting any conduct or condition perceived to be race, color, religion, gender, sex, national origin, age or disability harassment to enable the agency to receive timely notice and to act affirmatively, if needed, to assure compliance with the law.

If this informal procedure does not achieve the desired result, the affected employee should utilize the OOI Grievance Procedure.

- A. Race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information harassment (by conduct or condition) is prohibited. If you consider another person's conduct or a workplace condition to be harassment, report it immediately to any supervisor, the Human Resource Director or the agency Chief Executive Officer.
- B. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) *quid pro quo* and b) *hostile work environment*. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender.

Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

- C. Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.
- D. The Supervisor, Human Resource Director and the agency Chief Executive Officer receiving any such report shall report the matter to the appropriate personnel which, for the implementation of this procedure, shall be responsible for managing the day-to-day affairs of the agency work site in which the alleged harassment occurred or in which the alleged harasser works.
- E. Except to the extent needed to implement this policy and remedy the alleged harassment, the identification of the person reporting the conduct or condition shall remain confidential.

Any supervisor, Human Resource Director or the agency Chief Executive Officer receiving any such report of harassment shall take appropriate action to remedy any race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, workplace bullying, or genetic information harassment and shall respond to the person reporting the matter so the person originating the report can be informed of the action taken.

4-6 Notification of Employee Protections under 41 U.S.C. § 4172:

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

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

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

1. The Inspector General of the federal awarding agency (for example, the office of Inspector General of the U.S. Department of Health and Human Services);
2. An employee of the federal awarding agency who is responsible for contract or grant oversight or management;
3. A management official or other employee of *Ozark Opportunities, Inc.* who has the responsibility to investigate, discover, or address misconduct; or
4. An authorized official of the U.S. Department of Justice or other law enforcement agency, a Member of Congress or a representative of a committee of Congress, or the Government Accountability Office (GAO).

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

4-7 Employee Protection (Whistleblower) Policy:

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

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

4-8 Grievance Procedures:

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

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

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

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

If a situation occurs where an employee believes that his/her employment terms and conditions have been unjustifiably adversely affected, the employee shall have the right at any time to reach out to their Supervisor(s) or Human Resource Director to begin the grievance process. Timely report is strongly encouraged.

Any grievance shall be handled in accordance with these grievance procedures (below). The Human Resource Director shall provide to the employee information about all stages of the grievance procedure. All documentation will be kept in the employee's file. The employee may discontinue the procedure at any time. Please see the Human Resource Director for more information or questions regarding the grievance process.

GRIEVANCE PROCEDURES:

A grievance is defined as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by management, supervisors or other employees. Employees will not be penalized for using the grievance procedure. Penalization or punishment incurred by the complainant will be fully investigated and not tolerated. In most circumstances, the grievance review process should be adhered to, and concluded within thirty (30) business days from the date of receipt of the Employee Grievance Form (Step Two).

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

STEP TWO: If the employee does not receive a response within **1 week** or if the employee is not satisfied with the immediate supervisor's response, *or the employee's grievance involves the immediate supervisor*, the employee may complete and submit an Employee Grievance Form to the Human Resource Director.

STEP THREE: The Human Resource Director will formally review the grievance. At this time, the Human Resource Director will decide whether to hire an investigator or perform the investigation in-house. Interviews of complainant, other staff, witnesses, supervisor, and manager may be performed. The Human Resource Director and the immediate supervisor shall schedule a meeting within five (5) business days, with the employee to discuss the employee's grievance. The Human Resource Director shall respond in writing to the employee. *OOI Code of Conduct Employee Honesty shall be enforced.*

STEP FOUR: If the employee is still unsatisfied with the response from the Human Resource Director and the immediate supervisor, and the Chief Executive Officer was not involved in STEP THREE, then the employee may, within five (5) business days of receipt of the Human Resource Director response, request a meeting with the Chief Executive Officer. The Chief Executive Officer will review the merits of the situation and decide on the matter.

- If a situation occurs when the Chief Executive Officer or Human Resource Director is the immediate supervisor of the employee, the steps shall remain the same, and the Chief Executive Officer or Human Resource Director shall be known as the "immediate supervisor."
- If the Chief Executive Officer AND Human Resource Director are the subject of the grievance then the Grievance will be filed to the Board President.

4-9 Insubordination:

Insubordination is the willful defiance of authority. Three elements are present to constitute insubordination:

1. The employer (manager, supervisor, etc.) has given the employee an order.
2. The employee acknowledges the order.
3. The employee willfully refuses to carry out the order.

Orders can be verbal or written. They do not have to be formal. The employee's refusal to perform those duties constitutes insubordination.

Insubordination is also a form of willful misconduct. The employee knows the rules and still consciously and intentionally ignores them. Lack of respect for the chain of command or following the grievance process when issues arise will be considered insubordination.

4-10 Disciplinary Actions:

Disciplinary Actions may include the following:

A. Reprimands:

1. When a Verbal Reprimand is given, a record of such shall be documented by the supervisor in the Software System maintained by Human Resources.
2. Written Reprimands must have prior approval by Human Resources, and must contain the specific reasons for which the employee is being reprimanded according to Policies and Procedures. Documentation will be provided via HR Software.
3. Any two Written Reprimands in any twelve-month period automatically places the employee on probation.

B. Disciplinary Probation:

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

C. Suspension:

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

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

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

4-11 Prohibition Against Partisan Political Activity:

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

4-12 Policies that Relate to Outside Employment and Higher Education:

Any employee of *Ozark Opportunities, Inc.* must follow these policies as they relate to outside employment or higher education: Such activity shall not interfere with the efficient performance of the employee's duties, shall not involve a conflict of interest or conflict with the employee's duties, shall not involve the performance of duties performed as part of their employment, and shall not occur during the employee's regular or assigned working hours unless they are either on annual leave or leave without pay during the hours of employment and do not negatively affect the function of the agency.

SECTION 5: OFFICE ENVIRONMENT

5-1 Office Hours:

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

Child Development staff have differing hours, depending on location. Time of classes will be clearly posted where staff and parents are able to see them. Hours offered for work annually may change without notice. Classroom staff are expected to work the full day, as scheduled. Excessive tardiness or unexcused absences will result in disciplinary action.

All employees acknowledge their position and assigned location through their signed job description as designated by the Program Manager and Human Resources Director. For optimal operating purposes the employee may find their assigned direct Supervisor from within the HR software, who will serve as their direct point of contact unless a designee has been assigned for a limited time period.

5-2 Remote Work Policy:

Remote work is defined as the capability of working in any location outside of the office. Work should be verifiable and measurable.

In order for an employee to be eligible to work remotely, the employee must have his/her supervisor's approval, and meet the following criteria; Successful completion of probationary period; Documented performance as satisfactory or whose performance rating on their last evaluation is at least satisfactory; Demonstrated ability to work effectively with minimal supervision; and Demonstrated ability to establish priorities and effectively manage time.

Staff requesting to work in a remote fashion must agree and adhere to "Remote Work Agreement" that can be procured from the HR Director and signed by both the CEO and Program Manager. Remote work is expected to be as-needed and/or as-arranged with management and is not expected to be permanent.

5-3 Americans with Disabilities Act:

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

OOI recognizes some individuals with disabilities may require reasonable accommodations. If you are disabled or become disabled (meaning you have a mental or physical impairment substantially limiting one or more of the major life activities) and you require a reasonable accommodation, you must contact the Human Resource Director to begin the interactive process of discussing your disability, limitations, and possible reasonable accommodations that may enable you to perform the functions of your position, make the workplace readily accessible to and usable by you, or otherwise allow you to enjoy equal benefits and privileges of employment.

5-4 Fire Safety:

A. Candles, Incense & Open Flames:

- Candles, oil lamps, incense, alcohol lamps and open flame burners or other open flame devices are prohibited at all locations.

B. Space Heaters:

- Space heaters are forbidden in all Child Development Classrooms unless approved by the Chief Executive Officer in an emergency situation (in writing.)
- Space heaters are allowed in individual work areas provided the following specifications are met:
 1. contain a non-glowing heat element and utilize a cool-to-the-touch housing.
 2. contain a tip-over automatic shut-off.
 3. not exceed 1500 watts and be UL approved.
 4. be connected to a power supply with adequate power cords.
 5. be turned off when not attended by the person responsible and be unplugged at the end of each workday. **Employees who violate this policy will have portable space heater removed and are subject to disciplinary action.**

5-5 Accidental Injuries:

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

All employees accept their positions with the understanding that accidental injuries occurring on the job are covered by the Arkansas Workers' Compensation laws.

Consequently, all injuries and illnesses arising out of and during the course of employment must be reported to the immediate supervisor and Human Resource Director immediately upon occurrence.

*****Failure to report such injuries may result in a denial of payment for medical care and/or compensation payments prior to the time notification is received by the agency.*****

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

5-6 Use of Equipment and Resources:

All resources assigned for use will be tracked by the HR software. Any employee who is found to have neglected or misused OOI property will be subject to disciplinary action. If an employee's misuse damages a property, OOI reserves the right to require the employee to pay all or part of the cost to repair or replace the property. Misappropriation of agency property is grounds for immediate termination and possible criminal action.

OOI Property is intended for business use only; with limited personal use as necessary but should be the exception and not the rule. OOI reserves the right to monitor at any time any communications that use agency networks in any way. If a personal device is used and reimbursement request is ongoing the personal device is also subject to inspection.

5-7 Travel Regulations:

Detailed travel-related financial policies & procedures are in the Agency Finance Manual.

Reimbursement for Use of Employee-Owned Vehicle:

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

Reimbursement will be made at the per mile rate set by the state of Arkansas. The following stipulations will apply:

- A. ALL travel in personal vehicles will be approved by the program manager prior to beginning the trip to insure coordination of resources (such as carpooling) and insure greater efficiency. If prior authorization is not obtained, travel may be disallowed.
- B. Reimbursement will not be made for travel distances of less than one mile.
- C. Agency travel starting from or ending at the employee's home will require prior approval from the Chief Executive Officer, Program Manager, or Chief Finance Officer. Such prior approval must be noted on the local area travel reimbursement form.
- D. When circumstances cause a travel reimbursement request to be a deviation from what is usual and customary, the employee and supervisor should note the extenuating circumstance on the travel reimbursement request, and sign and date all comments.

Use of Agency Vehicles:

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

Vehicle Safety:

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

5-8 Home Visits:

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

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

- A. Check with others who have visited the home for potential safety issues prior to home visit.
- B. Staff may request that family members keep animals chained during home visits. If animals are not adequately restrained or family refuses to do so, the home visit may be ended at the employee's discretion.
- C. Where there is suspicion of weapons, illicit drugs, or alcohol present, and/or are threatening signs posted on or near the property, the home visit is not to be made.
- D. Take whatever immediate steps are reasonably necessary for personal safety. If you believe your safety is threatened, remove yourself immediately from the situation.
- E. Inform your supervisor or program manager immediately of any home visit ended early for guidance regarding reporting incident to authorities. Carry your cell phone with you if you have one, and make sure it is set to track your location via GPS.

5-9 Prudent Worker Policy:

- A. Employees must make every effort to avoid the appearance of professional improprieties. When processing applications for *OOI* services or employment from employees, immediate family members of employees, or Board members, diligent care must be taken to insure such applications are not given preferential treatment.
- B. On a regular basis, all employees and members of *OOI* Board of Directors will be required to complete an Internal Audit of Services received from the Agency.
- C. This policy must be followed when processing applications from employees of *Ozark Opportunities, Inc.*; immediate family members of employees and board members (mother, father, brother, sister, husband, wife or child; in-laws); and current board members.
 1. Application for service or employment is accepted within ascribed means.
 2. Original application for service or employment is processed according to policy – income verification, documentation, etc.
 3. Preliminary eligibility determination is made at the local level and attached to application
 4. The CEO shall have the responsibility to review the application and determine approval or denial of services.
 5. In cases of employment the CEO will be the determinant if application is made in the same department as the family or *OOI* Board member.
 6. In the event the CEO is unavailable or subject to this policy, the Finance Manager shall make eligibility determination.

5-10 Document Retention and Destruction Policy & Schedule of Retention:

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

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

*****NOTE: See *OOI Schedule of Retention of Records- Finance Manual******

SECTION 6: COMMUNICATION POLICY:

6-1 Computer, Email and Internet Use Policy:

Access to the Internet: Internet is provided to staff members for the benefit of the organization and its customers. It allows employees to connect to information resources around the world. Every staff member has a responsibility to maintain and enhance the Agency's public image, and to use the Internet in a productive manner.

To ensure that all employees are responsible, productive Internet users and are protecting the Agency's public image, the following guidelines have been established for using the Internet.

- A. Acceptable Uses of the Internet: Employees accessing the Internet while on duty are representing the Agency. All communications should be for professional reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner.
- B. Unacceptable Use of the Internet: The Internet should not be used for personal gain or advancement of individual views. Solicitation of non-agency business, or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the agency network or the networks of other users. It must not interfere with your productivity.
- C. Communications: Each employee is responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have your name attached. No messages will be transmitted under an assumed name when posting as an employee of the Agency. Users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language is transmitted through the system.
- D. Software: To prevent computer viruses from being transmitted through the system there will be no unauthorized downloading of any software. All software downloads will be done by authorized personnel only, or with prior authorization from the Chief Executive Officer or designee.
- E. Copyright Issues: Copyrighted materials belonging to entities other than this agency may not be transmitted by staff members on the Internet. One copy of copyrighted material may be downloaded for your own personal use in research. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action from the agency or legal action by the copyright owner.
- F. Personal accounts may be monitored, but limited to 2019 AR Code 11-2-124. Personal posting by employees do not speak on behalf of the Agency.

6-2 Social Media Policy:

Due to the expanded reach of social platforms and integration into our daily lives, it is necessary to address what is acceptable. As an employee, what is posted on social media can have a direct impact on the Agency's brand to the community and recruitment of talented staff.

- A. Personal posting by employees does not speak on behalf of the Agency. Any posts found to be offensive including; but not limited to: hate or intolerance of others, racial insensitivity, derogatory comments about the Agency or employment, incitation of violence or criminal action is cause for disciplinary action.
- B. Regulation and Restriction – Social media posting will maintain and adhere to the Agency's Confidentiality and HIPAA regulation. Online spats, or engaging on a public or private platform of 10 or more members is strongly discouraged.

*****NOTE: If there is question of conduct or posting advisements please contact Human Resources.*****

6-3 Violence Prevention:

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

- A. The staff persons most accessible to the phone will call 911 and/or the Sheriff's Office.
- B. Close all doors to classroom/offices and pull blinds to minimize accessibility to other areas. In open classrooms/offices, try to avert or keep threatening situations close to the nearest outside door.
- C. If situation is outside, go quickly into the building, lock door, pull blinds, and take a head count.
- D. If a classroom, keep all children in the area that has been designated as the safest area.
- E. Try to keep a portable or cell phone with you at all times.
- F. Avoid physical contact unless absolutely necessary.
- G. Use a quiet, calm voice. Speak slowly and avoid yelling.
- H. After a situation has been resolved, a meeting will be initiated to discuss the situation with staff, parents, and children. REMEMBER: This is a basic plan. Various situations will call for staff on site to make the best decision based on survival instincts. KEEP CALM AND THINK!

6-4 Public Information Policy:

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

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

- **Such inquiries should be directed to the Human Resource Director.**

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

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

SECTION 7: COMPENSATION & REVIEWS

7-1 Employment Status Categories:

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

- A. **REGULAR FULL-TIME EMPLOYEES:** Those employees who work a minimum of thirty (30) hours per week, scheduled up to a full forty (40) hours per week and whose employment is not time-limited. Program Managers, in consultation with the HR Director and CEO will determine the requirement of hours needed for each position.
- B. **REGULAR PART-TIME EMPLOYEES:** Those employees who work less than thirty hours (30) per week on a regularly scheduled basis and whose employment is not time limited.
- C. **TEMPORARY EMPLOYEES:** Those employees employed for 6 months from date of hire or less. Temporary employees are not eligible for benefits. Probationary period may be waived after 480 hours of completed Temporary service if status is changed to Regular FTE.

- D. CONSULTANTS: A person serving with compensation (or in-kind) who provides expertise in a particular field. Depending on the circumstances, consultants may or may not be considered employees of the agency.
- E. CHILD DEVELOPMENT HOURLY EMPLOYEES: Those employees who are scheduled to work during the school year term or eleven months or less.

Non-Exempt and Exempt Employees:

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

7-2 Salaries and Wages:

All major funding applications are approved by the Board of Directors of *Ozark Opportunities, Inc.* All salaries are reviewed annually by the Human Resources Director to remain in compliance with multiple federal grant requirements (namely CSBG and Head Start) and are a part of the budget for funding application. Salary ranges are intended to recognize requirements and responsibilities for each job grade. If funds allow, staff who have completed on year of service as of February 1, and have had no disciplinary actions (warning, disciplinary probation or suspension) during that year, will be eligible (up to two times per year) for a meritorious service incentive payment; based on most recent job evaluation (to be completed by July 1 & December 1 of each year).

The CEO/Executive Director will consider any recommendations made by Human Resources to start an employee at a higher rate based on their education and experience. Human Resources may recommend to the CEO an additional salary increase for employees who have documented exceptional work performance or an increase in duties and responsibilities, as recorded by the Program Manager via Employee Eval. Proportionately, should a decrease in duties, responsibilities, or funding occur a decrease in salary may become necessary.

Ozark Opportunities, Inc. will follow the Head Start Act's guidance on the following:

Sec. 653 [42 U.S.C. 9848] (a) of The Head Start Act states:

Comparability of Wages- The Secretary shall take such action as may be necessary to assure that persons employed in carrying out programs financed under this subchapter shall not receive compensation at a rate which is (1) in excess of the average rate of compensation paid in the area where the program is carried out to a substantial number of persons providing substantially comparable services, or in excess of the average rate of compensation paid to a substantial number of the persons providing substantially comparable services in the area of the person's immediately preceding employment, whichever is higher;

Salary Cap: Any person who has been found to exceed the maximum wage set by the OOI Salary Scale as found through the comparability of wage will experience a rate freeze unless a new comparability finds a rise in wages in their ascribed area of service coverage for their job grade. Additional education will be considered, by job grade, if necessary for an increase.

To compensate for the cap reached, and in every effort to retain staff and sustain employee morale, the employee may receive a meritorious sum equal to fifty percent of the total calculated wage if a COLA were received as assigned by funding availability per Division or Department.

Any employee who exceeds the Salary Cap wage prior to February 28, 2023 will remain in their current wage and not experience a decrease unless their position, job grade, or responsibility has decreased, or otherwise informed or authorized by the CEO.

Example:

A COLA raise of \$0.50 has been received by the Office of Head Start for Employee A. Employee A has reached the max wage as determined by the wage comparison.

*\$0.50 x 2,080 hours (Full-Time Employee) = \$1,040 that would be earned over a year's time.
50% of \$1,040 = \$520 one-time payout at the time of the COLA disbursement to all staff.*

If an employee is not satisfied with rates assigned, that employee may seek appeal through the Grievance Procedure. No employee is paid at a rate lower than the State Minimum Wage.

7-3 Advancement, Transfer, and Salary Increases:

- A. **Advancement:** The "at will" employment policy applies equally to hiring and promoting. Nothing herein shall create a property right in employment, entitlement to be hired or promoted or an expectancy of continued employment. Nothing herein establishes grounds upon which hiring or promoting is based. Priority consideration is given to present employees in good standing that are qualified for any job vacancy.
- B. **Transfers:** Employees shall be transferred within the organization as far as applicable to positions where their skills will be best utilized. All hiring procedures, such as interviews and wage considerations will be followed equally along with external applicants.
- C. **Salary Increases:** Salary ranges established in the salary schedule are contingent upon funds availability. Salary ranges are intended to furnish administrative flexibility, recognizing individual differences among employees in the same position, providing employee incentive for growth and improved performance and in rewarding employees for meritorious service.

Only employees of *Ozark Opportunities, Inc.* who have completed their 30-day probationary period at the time of a salary increase are eligible for a salary increase.

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

7-4 Payroll Process (& Time Sheets):

Each employee is responsible for completing a timesheet via ascribed software on a daily basis as prescribed in the Agency Finance Manual.

Time and Attendance reports are submitted to immediate supervisor or designated personnel bi-weekly.

Provided there are no delays beyond the control of the agency, payroll deposits for the pay period; payroll deposits for the pay period ending on Friday will be available the following Friday from within the HR Software. Additional explanation of payroll process and requirements are listed in the Agency Finance Manual.

7-5 Overtime:

Employees subject to the provisions of the Fair Labor Standards Act as amended in 2004 (non-exempt employees) are paid overtime for all hours worked in excess of forty (40) hours in a work week at a rate not less than 1.5 times the employee's regular rate of pay. The agency work week begins on Sunday and ends on Saturday.

Overtime is discouraged. Non-exempt employees are expected to arrive on time, take a 30-minute lunch break (except for those that work in a Child Development environment) and leave at the designated quitting time. Supervisors have the responsibility to assure that non-exempt employees do not work (with or without permission) in excess of 40 hours during the work week, as designated within the Human Resources Software unless prior approval has been obtained.

7-6 Performance Evaluation:

Each staff member shall have a bi-annual performance review. Performance reviews shall be based on an assessment of the individuals' performance that is identified in the job description and in conjunction with personal professional performance. The supervisor shall develop performance expectations of each staff member. Each employee may make comments about their appraisal and such comments will be included in their Personnel File.

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

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

7-7 Prudent Worker Policy:

- A. Employees must make every effort to avoid the appearance of professional improprieties. When processing applications for *OOI* services or employment from employees, immediate family members of employees, or Board members, diligent care must be taken to insure such applications are not given preferential treatment.
- B. On a regular basis, all employees and members of *OOI* Board of Directors will be required to complete an Internal Audit of services received from the Agency.

- C. This policy must be followed when processing applications from employees of *Ozark Opportunities, Inc.*; immediate family members of employees and board members (mother, father, brother, sister, husband, wife or child; in-laws); and current board members.
1. Application for service or employment is accepted within ascribed means.
 2. Original application for service or employment is processed according to policy – income verification, documentation, etc.
 3. Preliminary eligibility determination is made at the local level and attached to application
 4. The Chief Executive Officer shall have the responsibility to review the application and determine approval or denial of services.
 5. In cases of employment the Chief Executive Officer will be the determinant if application is made in the same department as the family or board member.
 6. In the event the Chief Executive Officer is unavailable or subject to this policy, the Finance Manager shall make eligibility determination.

SECTION 8: TOTAL REWARDS

The Chief Executive Officer retains the authority to negotiate rewards and benefits for Executive Recruitment.

In the event the Chief Executive Officer position is vacant, the President of the Board of Directors will have authority to negotiate rewards and benefits.

8-1 Holidays:

Eligible employees: Regular Full-Time, Regular Part-Time and Child Development non-classroom staff that have completed the **Probationary Period of 30 calendar days**. Regular Part-Time employees will receive pay equal to half the day.

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

- January: New Year's Day; Martin Luther King, Jr. Day
- February: Presidents' Day
- March/April: Good Friday
- May: Memorial Day
- June: Juneteenth (19th)
- July: Independence Day (July 4th)
- September: Labor Day
- November: Veterans' Day, Thanksgiving Day & Friday after
- December: Christmas Eve & Christmas Day

NOTE: If a holiday falls on a Saturday, the agency is closed on Friday; if it falls on a Sunday, the agency is closed on Monday, with the exception of Easter.

8-2 Leave of Absence:

Leave is granted according to standards set by *Ozark Opportunities, Inc.* Employees may not take leave without pay if appropriate paid leave hours are available.

8-3 Absentee & Attendance Policy:

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

Sick Leave is made available to eligible employees for such unscheduled events as personal illness, immediate family member illness and subsequent doctor appointments. If at all possible, Child Development Staff are requested to schedule routine visits during periods of layoff.

Excused Absence- An absence is considered excused when:

1. The employee has made acceptable arrangements to be off work prior to the day they will be gone.
2. In cases of sudden illness, the employee has notified their supervisor no less than 2 hours prior to scheduled start time so that appropriate substitute staff can be arranged to meet the needs of the assigned work station.

All employees are required to talk directly with their immediate supervisor. A supervisor must be contacted directly by an agreed upon means, i.e. phone call, voicemail, email, or text messaging. If their supervisor is not available, or does not respond within 15 minutes to acknowledge the notification the employee will reach out to talk directly with any management staff available. **This process must be followed each day of absence**, unless prior approval has been made for extended leave.

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

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

****= may be waived by the CEO or HR in writing in an extreme, documented medical emergency.***

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

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

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

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

8-4 Annual Leave or Vacation:

Eligible employees: Regular Full-Time Hourly & Regular Part-Time Hourly that have completed the **Probationary Period of 30 calendar days**. Annual Leave is computed for each complete pay period of service as detailed on the following chart. Weekend, Holidays and non-working days within a period of Annual Leave are not charged as leave. Regular Part-Time Hourly and Child Development Hourly who are not classroom-based employees will receive half of the Full-Time rate.

A request for Annual Leave exceeding two days must be submitted at least **seven (7) working days** prior to requested leave. Requests are reviewed with approval based on a number of factors, including business needs and staffing requirements.

Hours of Annual Leave Earned for Each Complete Year of Service:

<i>Year</i>	After 30 days	3rd year	5th year forward
Hours per year	80	120	160

Annual Leave will be allowed to accumulate and be carried forward from pay period-to-pay period for an accrued total not to exceed **200 hours** for any one employee; providing that no employee will be granted Annual Leave with pay for a period exceeding **thirty (30)** consecutive days during any six (6) month period, unless used for qualified FMLA purposes.

8-5 Sick Leave:

Eligible employees: Regular Full-Time Hourly, Regular Part-Time Hourly, Child Development Hourly, and have completed the **Probationary Period of 30 calendar days**.

Four (4) hours of sick leave will be recorded in each Full-Time eligible employee's leave account at the end of each pay period during which the employee has performed work, or been on paid leave or holiday status each day of the pay period. Part-Time employees will receive **Two (2) hours** of sick leave. Newly accrued hours will be applied in payroll if leave without pay has occurred during the pay period in which the hours were earned and Leave Without Pay noted if employment is active at time of accrual.

Negative leave accounts are not permitted. Sick Leave accruals are available to staff in real time within the HR Software. Sick Leave will be allowed to accumulate and be carried forward from year to year; employees may accumulate a maximum of **480 hours** Sick Leave.

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

- A. An application for leave must be completed on any Sick Leave. An employee will be required to furnish a **Return to Work (RTW)** certificate from a medical provider for all instances of Sick Leave of more than **three (3) consecutive working days**, and uploaded into their HR Software account. RTW certificates must detail any applicable restrictions. Classroom employees included in child/staff ratio shall discuss any restrictions with the Human Resource Director prior to returning to work.
- B. Sick Leave will be granted to an employee:
 1. Who is incapacitated for the performance of his duties by illness or injury, or by need for medical, dental, or optional treatment or examination;
 2. Whose presence on duty, through exposure to a contagious disease, would jeopardize the health of others;
 3. Who is called away because of extreme illness, serious injury, not to exceed **three (3) days**, if within the county, or **five (5) days** outside the county; unless otherwise authorized by the Chief Executive Officer or designee. (For purposes of this regulation, the "immediate family" will be confined to parents, siblings, spouse, children, grandparents, or any individual acting as parent or guardian of employee);
 4. To attend the funeral of other relatives or close friends when leave is not in excess of one (1) day.
 5. **For Child Development staff, availability during the school year is crucial for program operations; therefore, all doctor, dentist, and other visits that can be scheduled during the off seasons (holidays & summer break) should be done during those time periods.**
 6. For Full-Time and Part-time employees, many types of Sick Leave can be planned for and requested in advance, especially in the area of prevention of illness. Such things as dental treatments, general optional medical treatments and operations and the like are usually done by appointment and absences can be requested in advance.
 7. If a person becomes ill, it must be reported on the first day of absence and an application for leave completed from within the HR software, or upon their return to work. The employee shall call in each day of absence except in cases of FMLA or approved long-term absence.

8-6 Bereavement:

Eligible employees: Regular Full-Time, Regular Part-Time, Child Development Hourly- available immediately upon hire.

Bereavement leave will be paid leave of up to the equivalent of **3 days of work** and used up to one week after incident and supervisor notification for mourning and funeral needs. Any time used after expiration of the bereavement benefit period, sick leave and annual leave will be used accordingly.

1. Bereavement will be granted for immediate family members of the employee: employee's spouse, domestic partner, child, stepchild, parent, stepparent, father-in-law, mother, mother-in-law, grandparent, son-in-law, daughter-in-law, brother, sister, stepbrother, stepsister, brother-in-law, sister-in-law, or an adult who stood in loco parentis to the employee during childhood.
2. Bereavement pay of up to **1 day** will be granted in the event of death of employee's aunt, uncle, or spouse's grandparent.

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

8-7 Administrative Leave:

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

8-8 Adverse Weather Conditions and Emergency Closing Policy:

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

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

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

Adverse Weather Closing Policy:

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

When the decision by the school district is to close a location early, all employees who have reported to work at that location, and are present at the time of the announced closure, will receive normal pay for the day.

- Classroom and nutrition staff will be paid for classroom days canceled due to adverse weather upon completion of assigned professional development activities (AMI packet).
- B. **Extraordinary Circumstances:** When school districts close due to extraordinary circumstances the decision to remain open or closed at each individual Pre-K and Infant/Toddler Early Childhood Classroom operated by *Ozark Opportunities, Inc.* is made by the Chief Executive Officer or designee. Staff may be assigned alternative work duties, locations or professional development activities.
- C. **Remote Work:** A decision to provide work will be at the discretion of the Program Manager. If remote work is not made available or equipment/connection not provided, staff will receive their regular pay. If the staff member declines to accept the offer of remote work then leave must be used.
- D. **Decision to travel:** If the location is open and there is inclement weather or other circumstances, it is each employee's decision as to whether you will show up for work. It is appropriate to use your own judgment to assess the risk of reporting to work, and leave is allowed to be used.
- If an employee elects not to work on a given day due to adverse weather, a phone call to your manager or supervisor advising as to your status for the day is required; **otherwise the absence may be considered unexcused.**

8-9 Military Leave:

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

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

8-10 Jury or Witness Leave:

Eligible employees: Regular Full-Time, Regular Part-Time, and Child Development Hourly, and have completed the **Probationary Period of 30 calendar days**.

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

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

8-11 Family and Medical Leave Act and Military Family Leave Entitlements:

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

- E. Qualifying Employees: An employee must have been employed for at least twelve (12) months and worked at least 1,250 hours during the previous twelve (12) months to qualify for FMLA. A “rolling” 12-month period measured backward from the date of any FMLA leave usage is utilized to determine eligibility.
- F. Purposes for Which Leave Can Be Taken: Employees are entitled to take up to twelve (12) weeks unpaid FMLA leave a year for:
 - 1. The birth of the employee’s child.
 - 2. The placement of a child with the employee for adoption or foster care.
 - 3. To care for the employee’s spouse, child or parent who has a serious health condition.
 - 4. A serious health condition rendering the employee unable to perform his or her job.
- G. The employee may take leave intermittently or on a reduced work schedule when medically necessary due to the employee's or a family member's illness.
- H. Notice Required: The employee is to provide at least 30 days’ notice, if possible, of the intention to take leave. If advance notice is not practicable, the employee must provide notice as soon as practicable, generally the same or next business day.

- I. Medical Certification: The agency may require medical certification that the leave is needed due to the employee's own serious health condition or that of a family member. Medical certifications must be returned within 15 days.

The agency may, at the agency's expense, require a second medical opinion. If the first and second opinions differ, the agency may request a third opinion, at the agency's expense, which is then binding.

- J. Continuation of Benefits: The agency will continue the employee's health insurance under the same conditions as if the employee were working. Leave under this Act is not a "qualifying" event under COBRA.

If the employee does not return to the job, the employee shall be liable to the agency for the repayment of the health insurance benefits paid by the agency during the employee's FMLA leave.

- K. Return to the Job: Upon returning from leave, an employee is entitled to be restored to the same or equivalent position with equivalent pay, benefits and other terms and conditions of employment.

- L. Concurrent Leave: All FMLA, including Military Caregiver and Qualifying Exigency Leave will automatically run concurrent with all other available leave time, e.g., sick leave, annual leave and workers' compensation.

- M. Military Caregiver Leave: Granted to an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness up to a total of **26 work-weeks** of **unpaid** leave during a "single 12-month period" to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

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

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

- N. Qualifying Exigency Leave: Granted to an eligible employee up to a total of **12 workweeks** of **unpaid** leave during the normal 12-month period established for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces. Qualifying exigencies include: short notice deployment; military events and related activities, childcare and related activities, making or updating financial and legal arrangements, counseling, rest and recuperation, post-deployment activities.

- O. Military Leave Certification: Leave for a qualifying exigency will be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency, including contact information if the leave involves meeting with a third party. Leave to care for a covered service member with a serious injury or illness will be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

- P. The employee may take leave intermittently or on a reduced work schedule when necessary due to the employee's or a family member's military service-related qualifying event. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt OOI operations.

8-12 Workers' Compensation and Paid Leave:

If you are absent from work because of a temporary occupational illness or injury and are entitled to workers' compensation benefits, you may use sick leave to supplement your workers' compensation so that your semi-monthly pay from both sources is equal to (but does not exceed) your normal pay at the time of the injury or onset of the illness. If applicable, the *Family Medical Leave Act* leave will automatically run concurrent with all other available leave time (e.g., sick leave, annual leave and workers' compensation.) Accrued leave is reduced by the amount you use to supplement workers' compensation. Sick leave will be used first, followed by annual leave. If receiving workers' compensation benefits for a permanent disability, you are eligible for full pay from both sources until your accrued sick leave is exhausted.

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

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

8-13 Employee Benefits:

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

The Human Resource Director will notify employees when eligibility for Agency Benefits is met; and when OPEN ENROLLMENT for Group Health, Vision and Dental Plans is scheduled.

It is the responsibility of the employee to respond to OPEN ENROLLMENT opportunities within the designated time frame documented by the Human Resource Director. Enrollment applications received after the posted deadline may not be approved.

8-14 OOI Retirement Plan:

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

Employees who are classified as Regular Full-Time or Child Development Hourly, and have completed the Probationary Period of 30 calendar days will be automatically enrolled.

Employees hired in eligible employment categories are provided the Summary Plan Description of *Ozark Opportunities, Inc.* Retirement Plan at orientation and are automatically enrolled after successful completion of the probationary period and submission of required enrollment documents.

An amount equivalent to 5% of an eligible employee's earnings and employee optional tax deferred payroll deductions are deposited into the plan on a monthly basis. Eligible employees are fully vested after 3 years of employment.

8-15 Group Health Benefits:

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

- A. **Medical, Dental and Vision Insurance Coverage:** Full time Regular and Child Development Hourly employees are eligible to enroll for insurance coverage to begin the 1st day of the pay period after which 30 calendar days has passed since the date of hire.
 - A *Summary of Benefits and Coverage* and information on cost of coverage will be provided to eligible employees at the time of enrollment or prior, as possible.
 - Annual open enrollment is during the 4th quarter; with coverage beginning January 1.
- B. **Other Benefits:** Basic AD&D Life Insurance & Air Evac: Full Time Regular and Child Development Hourly employees are automatically enrolled for life insurance coverage and Air Evac to begin the 1st day of the pay period after which 30 calendar days have passed since the date of hire.
 - *Ozark Opportunities, Inc.* pays the full premium for this coverage (Air Evac is a family membership)
- C. **Optional Supplemental Employee Benefits:** Full Time Regular and Child Development Hourly employees are offered the following benefits: Voluntary Accident, Voluntary Critical Illness, Legal, Voluntary Short-Term Disability, Voluntary Long-Term Disability, and Voluntary Life.
 - Employees pay the full premium for Supplementary coverages to begin the 1st day of the month following which 30 calendar days have passed.
- D. **Shirley Richesin Employee Assistance Fund:** Eligible employees are Regular Full-Time, Regular Part-Time, and Child Development Hourly employees employed for at least one year. The fund is employee-funded and available for assistance for personal emergencies. Further details and requests for application may be granted by the Human Resource Director upon request.

SECTION 9: EXITING EMPLOYMENT

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

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

9-1 Offboarding Procedure:

- A. The manager will notify Human Resources by sending the resignation letter and any other pertinent information (i.e. reason for leaving, last day of work). HR will coordinate the employee's departure from the Agency with the Program Manager.
- B. Upon termination, the employee will return all property of OOI in proper working order. The exiting employee may be held financially responsible for damaged property. Property includes, but not limited to, the following: employee badge, laptops, cell phones, tablets, vehicles and other equipment. Failure to return equipment may be considered theft and may lead to criminal prosecution.

- C. Monies owed OOI may be recovered from final wages, annual leave and sick leave payments, where applicable. Monies owed may include, but are not limited to: outstanding fringe benefits or deductions, those covered by educational agreements, travel advances, meals, advance payments for future events (conference fees, registration fees, airline tickets, etc.) and wage overpayments. OOI will comply with state and federal laws and regulations when recovering monies owed the agency.
- D. An Exit Interview packet will be mailed to the staff member after the last scheduled day of employment by Human Resources and results shared with CEO and other designee as assigned.

9-2 Termination of Coverages:

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

9-3 Leave Balances:

- A. A regular employee who has been employed for at least one year and becomes separated from his employment will be entitled to receive pay for the total hours of accrued, but unused, Annual Leave. Sick Leave will not be paid.
- B. Employees must work their full scheduled hours after notice has been given in order to receive leave balances, unless waived by the CEO.

SECTION 10 – CSBG Organizational Standards Category 7

10-1 Arkansas Community Services Block Grant Policy and Procedures Manual Section VII - Sub Grantee Requirements:

Agency Personnel Policies and Procedures:

Category 7 of the CSBG Organizational Standards require each eligible entity to have a comprehensive personnel policy for their agency. Each Standard is addressed in this manual.

Standard 7.1: The organization has written personnel policies that have been reviewed by an attorney and approved by the governing board within the past 5 years.

Standard 7.2: The organization makes available the employee handbook (or personnel policies in cases without a handbook) to all staff and notifies staff of any changes.

Standard 7.3: The organization has written job descriptions for all positions, which have been updated within the past 5 years.

Standard 7.4: The governing board conducts a performance appraisal of the CEO/executive director within each calendar year.

Standard 7.5: The governing board reviews and approves CEO/executive director compensation within every calendar year.

Standard 7.6: The organization has a policy in place for regular written evaluation of employees by their supervisors.

Standard 7.7: The organization has a whistleblower policy that has been approved by the governing board.

Standard 7.8: All staff participate in a new employee orientation within 60 days of hire.

Standard 7.9: The organization conducts or makes available staff development/training (including ROMA) on an ongoing basis.