



# **EASTERN WORKFORCE BOARD, INC.**

*Proudly serving Adair, Cherokee, McIntosh, Muskogee, Okmulgee, Sequoyah and Wagoner Counties in Oklahoma*

## **Personnel Policies Handbook**

### **Added Severance Pay Policy**



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## **GENERAL**

This handbook is designed to provide policy, guidance and procedures for guidance and instruction of all Eastern Workforce Board employees within the Workforce Innovation and Opportunity Act (WIOA). It is the intention of Eastern Workforce Investment Board (EWIB) this document conform to the pertinent legislation, regulation, state issued policies, and the Board's intent to provide quality guidance under the prevue of these guidelines and expectations.

*This policy is a work in progress and will be revised as new guidance both federal and state is received and as EWB directed changes occur. Management reserves the right to change guidelines of this manual without notice. Employment is "at will". The information in this manual should not be construed as a contract guaranteeing employment of any specific duration. Either the employee or the company may terminate the employment relationship at any time with or without cause or notice.*

## **AUTHORITY:**

**The Workforce Innovation and Opportunity Act (P.L. 113-128); 20 CFR 652 Workforce Innovation and Opportunity Act; Final Rules;** and Office of Oklahoma Workforce Development OETI 04-2010 are the Federal and State legislative and regulatory guidance for this document OMB 2CFR Uniform Administration Requirements (Final Rule).

## **SECTION 1 - ORGANIZATIONAL STRUCTURE AND EXPECTATIONS**

### **1.1 Purpose**

The purpose of these personnel policies is to:

1. Promote a cooperative, effective and efficient program at Eastern Workforce Board (EWB);
2. Provide equal opportunity for qualified applicants to be considered for employment at EWB;
3. Provide an atmosphere of fairness and positive regard which will encourage employees to render their best services to EWB;
4. Promote and maintain high morale among EWB, employees by
  - a) promoting good working relationships as much as possible,
  - b) providing uniform application of written personnel policies,
  - c) providing grievance procedures,
  - d) providing opportunities for professional advancement when possible, and,
  - e) promoting consideration of employee welfare.

### **1.2 Chain of Command**

The Eastern Workforce Investment Board (EWB) is responsible for setting policies for its staff members. The Board employs the Executive Director, to whom it delegates responsibility for the day-to-day administration of the agency. The Executive Director, who is also staff and subject to these policies, manages the staff, using these Board approved policies. The EWB manages the Executive Director based on these policies.

EWB's staff members are accountable to the Executive Director, who is also board staff, is accountable to EWB. Communication to the board is channeled through the Executive Director unless there are complaints or grievances to be filed against the Executive Director. Complaints or grievances will be taken to the Chairman of the Executive Committee following the grievance procedure described in these policies.

### **1.3 Open Door**

All staff members are encouraged to provide input and suggestions concerning the overall operation and programs of the agency, following the proper channels of communication. Staff members should initially bring their comments to the Executive Director. In those cases where that may be inappropriate, employees may approach the Chairman of the Executive Committee with their suggestions.

EWB operates in an "open door" manner. All staff input is considered and can be presented without fear of personal recrimination or retaliation of his or her position.

#### **1.4 Conflict of Interest**

EWB expects the primary interest of staff members to be the people we serve. A conflict of interest occurs when the interests of an employee or another outside party actually or potentially affect the agency in a negative way.

- **OUTSIDE BUSINESS INTERESTS**—Employees may have outside business interests and outside employment so long as these do not interfere with job performance. Employees may not conduct outside employment or business interests, which directly results from affiliation with this agency.
- **GIFTS, GRATUITIES**—Employees are not to accept gifts, gratuities, free trips, personal property or other items from an outside person or organization as an inducement to provide services.
- **PERSONAL BELIEFS**—the agency recognizes that its employees may hold a wide range of personal beliefs, values and commitments. These beliefs, values and commitments are a conflict of interest only when they prevent employees from fulfilling their job responsibilities, if employees attempt to use the agency's time and facilities for furthering them, or if employees continue attempting to convince others of their personal beliefs after they have been asked to stop.

#### **1.5 Speaking to the Media**

All inquiries from the media should be referred to the Executive Director. An employee may not speak to the news media as an official or unofficial spokesperson of the agency without prior clearance from the Executive Director.

Should an employee receive a media inquiry, he or she should respond: "I have no authority to respond to your request. You should refer your question to the Executive Director."

#### **1.6 Client Confidentiality**

Employees will, to the best of their ability, ensure confidentiality and privacy in regard to history, records and discussions about the people we serve. The very fact that an individual is served by this agency must be kept private or confidential; disclosure can be made only under specified conditions, which are described below, for reasons relating to law enforcement and fulfillment of our mission. This means that staff shall not disclose any information about a person, including the fact that he or she is or is not served by our organization, to anyone outside of this organization unless authorized by the Executive Director or other authorized personnel or as authorized by cooperative agreements with agencies who serve the same clients. The principle of confidentiality must be maintained in all programs, departments, functions and activities.

- No information requested by someone outside the agency will be given over the telephone. Staff is instructed to respond with the statement: "EWB policy does not permit me to give out this information without written authorization." That includes whether or not a person is being served or has been served by this agency.
- "Release of information" forms will be explained and completed in the presence of the person about whom any information may be released, before it is released.
- Staff will not discuss any individual's record with unauthorized individuals, whether on or off duty.

#### **1.7 Smoking**

This organization offers a smoke-free work environment to employees. Pursuant to Oklahoma State Statute, Title 21 '1247, no smoking will be permitted inside the building or within 25 feet of any entrance or exit of the building.

#### **1.8 Dress Code**

As representatives of the agency, staff is expected to exhibit a neat, well-groomed appearance. Radical departure from conventional dress or personal grooming (including, but not limited to: excessively long hair, untrimmed beards or mustaches, tank tops, shorts and shower thong-type footwear) is not permitted.

If the Executive Director decides that an employee is in violation of the dress code, the employee will be asked to go home and change. This will be done on the employee's own time.

#### **1.9 Telephone Calls**

Personal calls or visitors during work hours should be kept to a very minimum in order to not disrupt the daily work schedule.

#### **1.10 E-mail, Internet and Cell Phone Use**

Employees are provided a computer with Internet and email capabilities. Email and Internet are an important means of conducting business communications and research. Employees should refrain from using the Internet and email for personal use or for use that is not business related. Misuse of email and the Internet will not be tolerated. EWB has the right at any time to access and monitor Internet, cell phone and email usage.

### **1.11 Social Media Use**

***The following principles apply to professional use of social media on behalf of EWB as well as personal use of social media when referencing EWB:***

- Employees need to know and adhere to the EWB's Code of Conduct, Employee Handbook, and other agency policies when using social media in reference to EWB.
- Employees should be aware of the effect their actions may have on their images, as well as EWB's image. The information employees post or publish may be public information for a long time.
- Employees should be aware that EWB may observe content and information made available through their social media. Employees should use their best judgment and not post material that is inappropriate or harmful to EWB, its employees, or customers/clients.
- Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.
- Employees are not to publish, post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the Executive Director.
- Social media networks, blogs and other types of online content sometimes generate press and media attention or legal question. Employee should refer these inquiries to the EWB Executive Director.
- Employees should get appropriate permission before posting images of current or former employees, board members, vendors or suppliers. Additionally, employees should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.
- Social media use shouldn't interfere with employee's responsibilities at EWB. EWB's computer systems are to be used for business purposes only. Personal use on agency computers is discouraged and could result in disciplinary action.
- Subject to applicable law, after-hours activity that violates EWB's code of Conduct or any other EWB policy may subject an employee to disciplinary action or termination.
- If employees publish content after-hours that involves work or subjects associated with EWB, a disclaimer should be used, such as: "The postings on this site are my own and may not represent EWB's positions, strategies, or opinions.
- It highly recommended that employees keep EWB related social media accounts separate from personal accounts.

### **1.12 Code of Ethics and Conduct**

EWB employees shall be defined as all employees both regular and temporary and also includes the executive director. The following is the EWB Employee Code of Ethics:

- I will not discriminate against or refuse services to anyone on the basis of race, color, creed, age, sex, disability, religion or nationality.
- I will not use my professional relationship to further my own interests.
- I will evidence a genuine interest in all persons served, and do hereby dedicate myself to their growth and success.
- I will respect the privacy of persons served and hold in confidence all information obtained in the course of professional service.
- I will maintain confidentiality when storing or disposing of client records.
- I will maintain a professional attitude which upholds confidentiality toward individuals served, colleagues, applicants and the organization.
- I, upon termination, will maintain client and co-worker confidentiality, and I will hold as confidential any information I obtained concerning the organization.
- I will respect the rights and views of my colleagues, and treat them with fairness, courtesy and good faith.
- I will not exploit the trust of the public or my co-workers. I will make every effort to avoid relationships that could impair my professional judgment.
- I will not engage in or condone any form of harassment or discrimination.
- I will respect the confidences of my co-workers.
- When I replace a colleague or am replaced, I will act with consideration for the interest, character and reputation of the other professional.
- I will extend respect and cooperation to colleagues of all professions.
- I will not assume professional responsibility for the clients of a colleague without appropriate consultation with that colleague.

- If I see the client of a colleague during a temporary absence or emergency, I will serve that client with the same consideration afforded any client.
- If I have the responsibility for employing and evaluating staff performance, I will do so in a responsible, fair, considerate and equitable manner.
- If I know that a colleague has violated ethical standards, I will report the activity to the Executive Director; or if the Executive Director is the violator, I will report the violation to the Board Chair or Chief Elected Official. In the event these are not viable options, the violation will be reported to the EWB Board Vice-Chair or a member of the Executive Committee.
- I will accurately represent my education, training, experience and competencies as they relate to my profession.
- If serving as the Executive Director, I will make certain that the qualifications of persons I supervise are honestly represented.
- I will abide by agency policies related to public statements.
- I have total commitment to provide the highest quality of service to those who seek my professional assistance.
- I will continually assess my personal strengths, limitations, biases and effectiveness.
- I will strive to become and remain proficient in professional practice and the performance of professional functions.
- I will act in accordance with standards of professional integrity.
- I will not advise on problems outside the bounds of my competence.
- I will seek assistance for any problem that impairs my performance.
- I understand that violation of this code may be grounds for dismissal.
- All EWB staff members, including the Executive Director, are required to sign by the Employee Code of Ethics.

Employee's conduct toward co-workers is a critical point in the effective operation of Agency business and morale. Name-calling, improper displays of affection, and threatening remarks directed to another employee are examples of behavior that will not be tolerated.

EWB Employees have a responsibility to foster an atmosphere conducive to **professional excellence, professional integrity and professional conduct. When an instance of Professional dishonesty or unprofessional or unethical conduct on the part of an employee is suspected or brought to light, it is the responsibility of the staff to address the issue following the proper protocol. Staff have an ethical and legal responsibility to serve as gatekeepers to the agency and board and must take timely and reasonable action to resolve the issue. Professional integrity includes observance of all the codes of ethics and violations will be handled according to protocol as quickly as possible.**

### **1.13 Use of Physical Restraint**

Under no circumstances is physical punishment or restraint ever to be administered to persons served. In the event there is a need for physical restraint, the local law enforcement should be called in to handle the situation

### **1.14 Travel**

EWB will follow Board approved travel policies.

### **1.15 Drug-Free Workplace**

The Agency falls under the State of Oklahoma Drug-Free Workplace policy and has adopted a Drug Testing Policy which requires all employees to sign the Drug Testing Consent Form.

### **1.16 Inclement Weather**

Because of possible liability implications to the board from accident or injury, the Executive Director may close the agency due to inclement weather. The absence will be considered an excused absence and will not be charged to earned leave time. Should an inclement weather closing occur while an employee is already on leave, he/she will not be entitled to additional wages or time off.

## **SECTION 2 - NON-DISCRIMINATION**

### **2.1 Equal Employment Opportunity Statement**

EWB believes that equal opportunity for all employees is important for the continuing success of our organization. In accordance with state and federal law, this agency will not discriminate against an employee or applicant for employment because of race, disability, color, creed, religion, sex, age, national origin, ancestry, citizenship, veteran status, or non-job-related factors in hiring, promoting, demoting, training, benefits, transfers, layoffs, terminations, recommendations, rates of pay or other forms of compensation. Opportunity is provided to all employees based on qualifications and job requirements.

### **2.2 Harassment**

EWB's policy is to treat all employees equally in their terms and conditions of employment. The harassment of any employee is contrary to this policy, may be considered a violation of federal and state law, and will be considered justification for disciplinary or other appropriate action up to and including termination of employment. This policy applies to all employees, agents and non-employees who have contact with employees during working hours.

Definition: Harassment is any annoying, persistent act or actions that singles out an employee to that employee's objection, or detriment, because of, but not limited to race, sex, age, religion, ancestry, national origin, disability, or marital status. Harassment may include any of the following:

1. Verbal abuse or ridicule. This includes epithets, derogatory comments, slurs or jokes unwanted sexual advances, invitations, or comments.
2. Interference with an employee's work. This includes physical contact such as assault, blocking normal movement, or interference with work directed at an individual because of his/her sex or other protected status.
3. Displaying or distributing sexually offensive or racist materials. This includes derogatory posters, cartoons, drawings or gestures.
4. Discriminating against any employee in work assignments or job-related training.
5. Intimate physical contact.
6. Making sexual or racial innuendos.
7. Demanding favors (sexual or otherwise), explicitly or implicitly, as a condition or employment, promotion, transfer or any other term or condition of employment.
8. Retaliation for having reported harassment.

Procedure: It is every employee's responsibility to ensure that his or her conduct does not include or imply harassment in any form. If, however, harassment or suspected harassment has or is taking place, the following will apply:

1. Any harassment or suspected harassment should be reported to the Executive Director. If any employee is not comfortable with reporting the matter to the Executive Director then the harassment should be reported to a member of the Executive Committee. The complainant may be requested to provide a written statement containing all pertinent facts.
2. The Executive Director shall investigate each complaint and a determination of the facts will be made on a case-by-case basis. The Executive Director will then take appropriate action up to and including discharge.
3. The results of the investigation shall be kept confidential and provided only to those EWB employees who have a need for the information to the extent practical to fully investigate.
4. The investigative files, including the complaint, shall be maintained by the Executive Director. Any disciplinary action taken will also be documented in the employee's personnel file.
5. Whistleblower: No employee of EWB who in good faith reports a violation of the Code or report of suspected fraud shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. Please refer to EWB Whistleblower policy for details.

EWB will not tolerate harassment or any form of retaliation against an employee who has either reported or cooperated in an investigation of alleged harassment. Violation of this provision may result in discharge.

## **SECTION 3 - EMPLOYMENT CONDITIONS & PROVISIONS**

### **3.1 Recruitment**

EWB fills job openings with qualified applicants. The following paragraphs summarize the major elements of our hiring policies.

- **PREFERENCE FOR INTERNAL CANDIDATES.** Job openings are filled by qualified persons from within the agency when possible. Preference is given to internal candidates over external candidates when both are equally qualified. However, internal candidates are not guaranteed the positions for which they apply.



Current job openings will first be opened to EWB staff for a minimum of three days. Current EWB staff applying for other positions must meet all qualification requirements for the position applied for. If no qualified staff members apply for the opening, the position will be made available outside the agency. When going outside the agency to fill vacancies, a notice of the position will be listed with Workforce Oklahoma Centers in the Eastern Area, and placed in appropriate newspapers to run for five consecutive days.

The Executive Director will give consideration, when hiring, to education, experience, and qualification requirements of position.

The Executive Director is responsible for hiring EWB employees and for ensuring equal opportunity practices are followed in the recruitment process. Funding approval for new positions will be made by the Board.

- **INTERVIEWING.** Applicants will be screened to determine who should become candidates for a job. Job candidates may be interviewed by more than one person.
- **REFERENCES.** References will be checked on all candidates to whom job offers may be made, before the offers are made. Drug testing and background checks will be required on new hires.

### **3.2 Releasing Employee Information**

Information requested by prospective employers will be provided only with a written release from the employee or former employee.

Information requested by a law enforcement agency will be provided only upon receipt of a valid subpoena.

### **3.3 Receipt of Policy Manual**

Employees, upon receipt of their copy of the personnel policies manual affecting their employment or any addendum thereto, must sign an “Acknowledgement and Disclaimer” form indicating they have read and understand the agency's policies (Form C). Employees also acknowledge their understanding that no part of this manual shall be construed as being an employment contract—either implied or expressed—between the employee and EWB. EWB is an ‘at-will’ employer.

This manual has been prepared for the information and guidance of employees working at this agency. It is intended to cover the procedures, rules and policies most often applied to day-to-day work activities. EWB reserves the right to change these policies at any time without advance notice. EWB will communicate changes to employees.

### **3.4 Political Activity**

EWB employees shall not participate in partisan politics during normal working hours. This means the devoting of time or labor during usual office hours toward the campaign of any candidate for office or for the nomination to any office. Use of EWB property or facilities, stationary, telephone, offices, etc. for campaigning is prohibited. Use of EWB offices for partisan political meetings is prohibited.

### **3.5 Introductory Period**

Whenever the term *Introductory Period* is used in the personnel policies manual, it shall mean up to the first sixty (60) days of employment of a newly hired employee. Employees whose service is satisfactory in the introductory period may become full-time or part-time employees, subject to availability of funds, the continued existence of the position, and continued satisfactory work performance in the position.

An employee may be terminated at any time during and after the introductory period if his or her performance fails to meet minimum performance standards as defined in the job description.

After the 60-day introductory period, the employee is also given a performance evaluation. The review is conducted by the Executive Director. Successive appraisals will be given annually.

### **3.6 Classification and Categories of Employment**

The Fair Labor Standards Act determines two employee classifications. They are “*Exempt*” and “*Non-Exempt*”:

- “*Non-Exempt*” employees will be compensated at a rate of one and one-half their regular rate for hours exceeding a 40-hour work week. **The Executive Director must approve all overtime in advance.**

To be considered *exempt*, employees must meet certain minimum tests related to their primary job duties and be paid on a salary basis at not less than specified minimum amounts. The implementing regulations generally require each of three tests to be met for the exemption to apply:

- (1) The employee must be paid a predetermined and fixed salary, not an hourly wage that is subject to reductions because of variations in the quality or quantity of work performed (the “salary basis test”);

- (2) The amount of salary paid must meet minimum specified amounts (the “salary level test”); and (3) the employee’s job duties must primarily involve managerial, administrative or professional skills as defined by the regulations (the “duties test”). According to FLSA all salaried EWB employees are exempt.

***Ref: Fact Sheet #17A: Exemption for Executive, Administrative, Professional, Computer & Outside Sales Employees under the Fair Labor Standards Act (FLSA)***

- “Exempt” employees will not be compensated in excess of 40 hours per week.

There are five categories of employment:

- Full-time- Employees regularly scheduled to work 32 or more hours per week.
- Part-time- Employees regularly scheduled to work less than 32 hours per week.
- Permanent- Employees who are not introductory, temporary or in a training position.
- Temporary- Employees hired for a limited duration, typically less than one year.
- Trainee- A participant within the WIA OJT or Work Experience Program.

**3.7 Personnel Records**

Employees can review their personnel file at any time, but will not be allowed to remove the file from the Executive Director’s office.

**3.8 Nepotism**

It is our policy to avoid bringing family relationships into the workplace whenever possible. However, on occasion more than one family member may work for this agency. The following guidelines will govern these situations:

1. No employee will be permitted to hire a relative.
2. When related persons work for this agency, one relative may not supervise another relative.
3. Related persons will not be involved in evaluating each other's job performance or in making recommendations for salary adjustments, promotions or other budget decisions.

Family members of EWB personnel may utilize the Workforce Oklahoma Centers and apply as WIOA customers and receive services through programs operated by EWB. The Intensive Service Provider Contractor(s) will determine eligibility and services according to the Workforce Investment Act.

**3.9 Work Schedules**

Work schedules will be defined in the letter of appointment. Employees should be at their desks ready for work, on time. Office hours are from 8 am to 4:30 pm. All employees are provided a 30-minute lunch break and two 15-minute coffee breaks, one in the morning and one in the afternoon. Employees will be notified in writing of any changes to this schedule.

Exempt employees may be required to work beyond the designated work schedule in order to adequately fulfill their duties and will not be given compensatory time off. Non-Exempt employees may be required to work beyond the designated work schedule in order to adequately fulfill their duties and will be compensated as required by the FLSA.

Reliable, consistent attendance is a requirement and essential function of all staff positions. Employees are expected to be punctual and dependable in order to meet the needs of the organization. Attendance and reliability are important factors in evaluation individual performance and continued employment. Employees finding they are unable to report to work on time or unable to report for a full day must inform the Executive Director within 15 minutes of beginning their work day.

**3.10 Telework**

EWB considers teleworking a viable alternative work arrangement in cases where EWB staff are best suited to such an arrangement. Teleworking is not a substitute for taking appropriate leave. **EWB TELEWORK POLICY:** The Eastern Workforce Board allows the use of teleworking and telecommuting where it's a viable option and clearly defines the benefits to the employee and management. EWB recognizes the benefits of such work options for employees when both program and employee personal needs can be addressed. Telework will be available to employees when it is an appropriate work alternative and may be allowed on a limited and pre-approved basis.

**3.11 Salary**

The Executive Director will conduct a performance review of each staff member annually. These reviews will be completed by the end of the second calendar quarter. Based on the results of the evaluation and the funding level of the agency, the Executive Director may grant a salary increase of up to five (5) percent of the employee’s current rate of pay. However, no employee’s salary shall exceed the approved wage range for that position.

**3.12 Orientation**

New employees will undergo an orientation to acquaint them with the agency's policies and procedures, their jobs, and their internal and external working relationships. The orientation will consist of two parts. (Form D)

- **Orientation to the organization**—The Executive Director generally will coordinate orientation to the agency, to compensation and benefits, and to our expectations of employees. As part of the orientation, the employee will receive a copy of the agency's personnel policies, and will be asked to sign a document stating he or she has received and understood the material in it.
- **Orientation to the job**— The Executive Director, generally will orient the employee to the job, and the internal and external working relationships. The purposes of this orientation are to give employees a level of success to aim for, to set performance guidelines and expectations, to assist them in succeeding and to give feedback to them on performance.

### **3.13 Payroll Deductions**

Deductions from each employee's paycheck include the mandatory and voluntary deductions described below:

**Mandatory deductions:** Social Security, and state and federal taxes. A staff member's paycheck may be garnished for alimony, child support, delinquent loans, or for some other reason, by court order. All mandatory deductions are made without written authorization of the employee.

**Voluntary deductions:** Made only with the written authorization of the employee. Voluntary deductions include sums designated for health, vision, and dental insurance for the employee's family members. An itemized statement of all deductions from the employee's wages accompanies each paycheck. The deadlines for changes in voluntary deductions are January 1 and July 1.

### **3.14 Payroll and Check Distribution**

Pay periods end on the 15th and the last working day of each month. The Executive Director or designee will distribute paychecks to members of the administrative staff subject to the receipt of an approved time sheet for the pay period covered.

### **3.15 Employment Status**

Staff categories as established by EWB in accordance with The Fair Labor Standards Act:

- A. Exempt
- B. Non-Exempt

Temporary Staff are considered non-exempt.

Introductory Period: Exempt and Non-Exempt employees will be considered introductory period employees during their first sixty days of employment.

### **3.16 Employee Health and Welfare**

Employee health and welfare costs incurred in accordance with OMB "super circular" are allowable for the improvement of working conditions, employer-employee relations, employee health, and employee performance.

The EWB recognizes that employees are the most valuable resources and that their health and welfare is essential in achieving its mission.

Employees have a role to play with regard to their own health and wellbeing at work are advised to be sensitive and responsive to the welfare of fellow employees at work. Employees who have concern regarding their welfare should address this initially to the Executive Director.

The Executive Director should respond to employees in a supportive manner taking into account their feelings and difficulties in an atmosphere of trust and confidentiality; and should provide support and ensure all employees are treated in a fair, sensitive and confidential manner.

**Benefits** provided to employees are specified Section 4: Benefits Administration.

**Employer-Employee Relations** include costs of information publications, subscriptions, and memberships if substantially related to the job if funds are available and EWB approved. Morale and Team building may be covered for activities to facilitate increased communication, motivate employees, and develop problem-solving skills.

**Employee Health and Performance** may include expenses for activities and training to aid in the promotion and improvement of health and well-being and help the employee's performance on the job.

### **3.17 Bonuses**

In recognition of the vital part a conscientious and productive staff plays in assuring that quality services are provided EWIB has established a bonus program. Bonuses are determined on a year-to-year basis and depend upon receipt of an Incentive Award from the state.

To be eligible for a bonus, an employee must meet the following criteria:

- He/she must have completed at least one year of continuous employment.
- The employee must be employed at the time the bonuses are issued. If an employee works thru June, quits in July, and bonuses are issued in August, for example, the employee will not receive a bonus.
- No temporary employees are eligible for bonuses.

#### **Bonus availability and amount is determined as follows:**

Bonuses are based on the past fiscal year performance and the incentive awards are usually awarded by the state in September or October. The bonuses are not to be viewed as an automatic fringe benefit.

The dollar amount of the bonuses is established by the board if they determine bonuses are to be awarded. Amounts will be determined according to the amount of the incentive award received from the State.

## **SECTION 4 - BENEFITS ADMINISTRATION**

### **4.1 Insurance**

- A. **Health Care and Dental Plan:** Available for all eligible employees and their dependents beginning at the time of employment for new employees or during an "open period" for enrollment each year. The cost of this coverage will be paid by EWB for the employee only. Benefits will be outlined in the policies provided by the insurance companies.

If the employee does not have a dependent at the time of enrollment in the plan, but later acquires a dependent, this person becomes eligible to participate in the plan on the date that he or she becomes the dependent of the employee.

The employee will assume the cost of dependent or family coverage. Before the employee's coverage or that of the employee's dependents becomes effective, the employee must authorize payroll deductions for such coverage by filling out a form available from the accounting department.

- B. **Life Insurance:** All eligible employees have life insurance protection in an amount of \$50,000 double indemnity for accidental death or dismemberment. The cost of this coverage will be paid by EWB.
- C. **Vision:** This is available to all eligible employees. The cost of this coverage will be paid by EWB. The employee must pay dependent or family coverage.
- D. **Short Term Disability:** This is available to all eligible employees. Short-term disability insurance pays a percentage of your salary if you become temporarily disabled, meaning that you are not able to work for a short period of time due to sickness or injury (excluding on-the-job injuries, which are covered by workers compensation insurance). Employees must apply for Short-Term Disability after 7 consecutive absences.

Additional information regarding coverage and submission of claims is available from the Operations Manager.

### **4.2 Paid Time Off**

#### **A. VACATION LEAVE**

EWB provides paid vacation for rest and relaxation, which we believe, is important for employees' physical and mental health. Years of service shall constitute the amount of time an employee has earned per year. Vacation given is based on longevity. Vacations shall be granted to EWB employees as a fringe benefit in accordance with the following schedule:

1. 0-36 months of service – 80 hours
2. 37-72 months of service - 120 hours
3. 73-108 months of service – 160 hours
4. 109-144 months of service - 200 hours
5. 145 months of service or more – 240 hours

Vacation time will be earned on an accrual basis according to the above schedule beginning on the employee's date of entry.

Vacation must be applied for in advance and approved by the Executive Director with consideration of employee's seniority

and the continuity of programs. Vacation may be used for paid time off when the employee is ill but does not have any sick leave accrued.

Unused vacation time may be carried forward from one year to the next. The maximum vacation time an employee may accumulate at any given time is 360 hours. All vacation time up to 360 hours will be paid for upon separation.

## **B. SICK LEAVE**

Sick leave provides time off with pay for periods of illness or incapacity resulting from injury. Sick leave may also be used for medical, surgical, dental or optical examination or treatment, or where employee's exposure to contagious disease may jeopardize the health of others were the employee to be present at work.

### **Administration of Sick Leave**

1. Sick leave will be granted at the rate of ten days per fiscal year and may be carried forward from one year to the next.
2. Sick leave shall not be used for vacation.
3. The maximum amount of sick leave allowed to accumulate is 360 hours.
4. Sick leave accumulated over 360 hours may be banked and tracked separately.

### **Sick Leave Use**

Each employee is responsible for directly reporting to the Executive Director, within 15 minutes of the beginning of each working day, when illness prevents his or her attendance at work. When an extended length of absence due to illness is required, the Executive Director must be kept advised if the absence is expected to continue for a period longer than originally anticipated.

A doctor's statement may be required for more than three consecutive days' absence due to illness or, at the discretion of the Executive Director, when an accumulation of scattered absences seem to establish a pattern of illness. The Executive Director may request and obtain verification of the circumstances surrounding any use of sick leave.

Employees, with approval of the Executive Director, may use sick leave to care for ill immediate family members.

### **Leave Without Pay Use**

Leave without pay may be granted for illness, education purposes, vacation, or for any other reasons deemed justified by the Executive Director. The employee must apply in writing to the Executive Director for leave without pay, give written notice of intention to return to work at least 2 days prior to returning to work. The approval or denial of the request will be in writing from the Executive Director. The permission to use Leave without Pay must be granted in advance by the Executive Director with the reasons fully documented as to the necessity of such leave. This type of leave will only be allowed at the discretion of the Executive Director.

Failure to report at the expiration of a leave, unless an extension has been requested and approved, may be considered as a resignation. While on Leave without Pay an employee will not accrue any form of Leave or receive pay for holidays.

### **4.3 Bereavement Leave**

A maximum (3) days may be allowed, at the discretion of the Executive Director for a death in the immediate family of a full-time employee. Criteria for the amount of time off allowed include a variety of factors, including, but not limited to, the need for out-of-town travel and responsibility for handling funeral arrangements. The term "immediate family" includes the following: husband, wife, son, stepson, daughter, stepdaughter, mother, stepmother, father, stepfather, brother, stepbrother, sister and stepsister, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, grandmother, grandfather, aunt and uncle.

Up to three (3) days, at the discretion of the Executive Director, may be allowed for a death of specific other family members. This includes the following: son-in-law, daughter-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandmother, grandfather, aunt and uncle.

### **4.4 Military Leave**

EWB will comply with the requirements for military leave. Employee's requests should be reviewed with the Executive Director.

### **4.5 Jury Duty and Subpoenaed Leave**

If employees are called to serve on jury duty, they should notify the Executive Director immediately. All regular employees will be on paid status while on jury duty. Employees will be paid the difference between their regular salary and the amount received as jury pay (where applicable). A copy of the jury summons must be turned in to the head fiscal officer in order for employees to receive pay.

If an employee is served with a subpoena requiring him or her to serve as a witness as a result of his/her position with EWB

that employee will be permitted time off to attend hearings/trial without loss of pay or threat of loss of pay or job. Subpoenaed employees will be paid the difference between their regular salary and the amount received as the witness fee (where applicable). Documentation of witness times and fee must be submitted to the Executive Director.

Upon verification from court personnel (i.e., letter from prosecutor/ attorney, etc.), victims of a crime may submit a written request for “court attendance” to the Executive Director. The Executive Director must approve the request. Time off will be charged to accrued vacation time, or the employee may opt for time off without pay. Employees must provide verification of attendance from court personnel.

1. A regular employee who is summoned to serve court or jury duty shall be granted a leave of absence for the period in which he/she is required to be present for duty at the court house. EWB shall pay the employee the difference between the employee’s regular pay and the amount received from the courts for serving as a juror (excluding any transportation allowance he/she may receive).
2. Any employee called to serve on jury duty or appear in court because of their employment position with the tribe or regarding a case related to EWB business shall be granted a leave of absence for that purpose.
  - a. The employee shall present the Executive Director the original summons or subpoena from the court in order to be granted leave.
  - b. The employee shall also, at the conclusion of the duty, present to the Executive Director a signed statement from the clerk of the court showing the dates of attendance.
  - c. In order to be fully compensated during the period of service to the court, the employee shall either present a copy of the jury duty pay stub or the jury duty paycheck itself to the Executive Director indicating the amount of jury duty pay received. EWB shall pay the difference between the employee’s regular pay and the amount received from the courts for serving as a juror (excluding any transportation allowance he/she may receive).
  - d. An employee testifying in a case which is unrelated to their employment position or regarding a case unrelated to EWB business shall not be eligible for court leave and must request annual leave. If annual leave is not available, the absence shall be designated as leave without pay.

#### **4.6 Time Off to Vote**

EWB provides employees with time off to vote. Employees are provided up to two hours for voting if needed.

#### **4.7 Workers Compensation**

Employees are protected under the state workers compensation law against loss of income due to injury or death that occurs during work activities. The agency pays the entire cost of the Workers Compensation insurance premium. Employees must report all job-related accidents, injuries and illness immediately after experiencing symptoms (See Form B). The insurance carrier will determine the benefits, if any, the employee deserves.

- REPORTING—any employee injured on the job will report the injury immediately to the Executive Director regardless of whether the injury is minor or of no apparent significance.
- INCIDENT REPORT—an Incident Report will be completed promptly by the Executive Director to ensure documentation and expedite compensation.

Failure of an employee to document job-related injuries may result in disciplinary action. Proper reporting job-related injuries protects both the agency and the employee.

#### **4.8 Tuition Reimbursement**

To further develop staff skills, EWB encourages employees to continue their education in an academic program related to their position. If employees wish to enroll in college courses, they should discuss the matter with the Executive Director.

EWB has a written Employee Education Policy to follow if an employee is interested in continuing his/her education in order to enhance employment with the agency. (Attachment II)

#### **4.9 Professional Development**

In-service training is designed to provide staff members with the skills, training and experience necessary for their continued development. Training will be subject to these conditions:

- a. Attendance at conferences, educational meetings, workshops and institutes must have the approval of the Executive Director.
- b. Each employee may be permitted to attend conferences as funds permit, including registration and reimbursement for lodging, meals and travel.

- c. Each employee who attends a conference, seminar and/or in-service is expected to submit a written report summarizing what was covered, the date, and who attended.

#### **4.10 Retirement Program**

Each year of employment, EWB will contribute money to a board approved retirement plan on behalf of each eligible employee. At retirement, employees will be eligible to receive the value of contributions made on their behalf and made by them.

- The employees will be eligible to participate in the plan after six months of service has been completed.
- The amount contributed on behalf of each employee will be specified in the policy/program approved by the board.
- The employee may contribute according to the policy specifications and/or applicable IRS laws.

#### **4.11 Holidays**

EWB employees will observe State holidays as set forth by the decree of the Governor of Oklahoma based upon annual review of the Board.

If a holiday falls on Saturday, it will be observed the preceding Friday. If a holiday falls on Sunday, it will be observed the following Monday.

## **SECTION 5 - PERFORMANCE, & DISCIPLINE**

### **5.1 Performance Review**

All employees shall receive, at least once per year, a performance appraisal, which will assess their performance and accomplishments relative to their job description. Appraisals will occur within 30 days prior to an employee's anniversary of employment.

Standardized forms will be used to record all formal performance appraisals, and all individuals supervising the employee being evaluated will contribute to the review. These records will be used to help determine salary adjustments, advancements, transfers, layoffs and other personnel actions, which are based on merit.

All employees must be given the opportunity to review and make copies of performance reviews. Employees are encouraged to include written comments on the review, if appropriate. Employees who disagree with appraisals are encouraged to discuss areas of disagreement with the Executive Director. Employees must sign and date their appraisal after all comments have been noted.

Performance appraisals become a permanent part of the employee's personnel file. This information will be held in strict confidence, and may only be released to a third party with the prior written approval of the employee.

### **5.2 Disciplinary Philosophy**

This agency uses progressive discipline to ensure staff compliance with performance standards, ethics and conduct. Except in cases of repeated willful or flagrant violations of these standards, the Executive Director will not resort to formal disciplinary measures until informal attempts to correct the problem have failed. If the Executive Director finds it necessary to use formal disciplinary measures, it is intended that the discipline be administered fairly, without prejudice and only for cause.

Disciplinary actions are of several levels, including oral and written warnings, disciplinary probation, suspension and termination. The frequency and/or severity of misconduct determine which level of disciplinary action is required.

Progressive discipline is not required for all offenses. EWB reserves the right to terminate employees for commission of serious infractions, regardless of progressive discipline guidelines or counseling.

### **5.3 Disciplinary Warning**

Documentation of both oral and written warnings will be signed by the Executive Director and the employee, and kept in the employee's personnel file. If an employee refuses to sign, the Executive Director should have a witness sign that a copy was given to the employee. The employee's signature indicates receipt of the document, but not necessarily his or her agreement with it. This document should include identification of the date, violation, indication of necessary improvement and information concerning further disciplinary action that could result from failure to show improvement.

#### **5.4 Disciplinary Probation**

The Executive Director may place an employee on disciplinary probation in order to allow the employee to show improvement on the problem(s) specified at the time of probation.

The disciplinary probation period begins when the Executive Director provides the employee with a written and signed document which:

1. Identifies the problem(s);
2. Indicates the necessary improvement;
3. Specifies length of probation period;
4. Informs the employee of further disciplinary action, which could result from failure to show satisfactory improvement within the specified probation period.

#### **5.5 Suspension**

The Executive Director may suspend an employee for disciplinary reasons without pay. An employee who is suspended will be given written notice of the reasons for the action, and a copy will be made a part of the employee's personnel record.

The Executive Director will meet formally with suspended employees upon their return to work, and define clearly and specifically the improvements in job-related behaviors required as a condition of the employee's continued employment. This meeting will be documented and records of it kept in the employees personnel file. A copy of the suspension records will also be added to the employee's personnel file.

Employees can be suspended for incidents that merit termination if the employee's participation is suspected, but unclear. Under these circumstances, the Executive Director can suspend the employee with pay while an investigation is conducted.

#### **5.6 Dismissal**

Dismissal occurs when other disciplinary action has failed to achieve improvement or when the employee commits a serious offense. However, some offenses warrant immediate dismissal. These include but are not limited to:

1. Theft—including, but not limited to, the removal of company property or the property of another employee from company premises without prior authorization.
2. Drugs/Alcohol—possession, use, sale, purchase or distribution on agency property of alcohol or any illegal drugs or illegally possessed drugs. Also: reporting to work after having ingested alcohol or illegal drugs or illegally possessed drugs, in a condition that adversely affects the employee's ability to safely and effectively perform his or her job functions, or which would imperil the safety of other employees.
3. Falsifying or altering agency records.
4. Sabotaging or willfully damaging agency equipment or the property of other employees.
5. Walking off the job without p e r m i s s i o n of the Executive Director.
6. Insubordination involving, but not limited to, defaming, assaulting or threatening to assault a fellow employee, and refusing to carry out the order of the Executive Director where personal safety of the individual is not a problem. Executive Director's orders must not conflict with any of EWB's policies
7. Fighting or provoking a fight on company premises.
8. Absence for three consecutive working days without notice to the Executive Director, in which event the offending employee will be deemed to have quit voluntarily.
9. Sleeping on the job.
10. Bringing or possession of firearms, explosives, or any dangerous weapon on the agency property.

**THIS LIST OF OFFENSES IS NOT INCLUSIVE.**

#### **5.7 Layoffs**

EWB may be required to reduce staff due to monetary constraints.

#### **5.8 Resignation**

Employees who voluntarily resign from their positions at the agency must give at least two weeks' notice in writing of their intent to resign. At the option of the Executive Director, such employees may be given two weeks' pay, in lieu of working during the two weeks' notice period.

#### **5.9 Final Pay**

Employees who leave the service of the agency for any reason shall receive all pay, which may be due them, with the following qualifications:

1. Exempt and Non-Exempt employees will be paid for all unused vacation days. Employees who leave before completing the introductory period are not entitled to any accrued vacation.



2. Exempt and Non-Exempt employees who are dismissed after committing a criminal offense against the agency or for other gross violations of company policies as determined by the Executive Director will not receive notice pay.
3. Exempt and Non-Exempt employees who give fewer than 10 working days' notice of resignation shall forfeit their accrued vacation unless mutual agreement is reached between the Executive Director and the employee.
4. Separation date for all employees is the last day of actual work or approved leave. Final pay received by an employee will not be construed to extend his or her employment with the agency beyond the separation date.\

**Severance Pay:**

**OMB Uniform Guidance, Subpart E §200.431(i)(1) and State Directive, August 4, 2016 (email)** allows employees of a non-profit agency to be compensated, in addition to regular salaries and wages, when termination of employment at the agency occurs through no fault of the employee because of, but not limited to, reduction in force, lay-off, or dissolution of the Board. Severance packages will consist of compensation equivalent to the wage or salary of the affected employee not to exceed the equivalency of three (3) months' pay and based on the following chart. Employees will sign an Acknowledgment Statement that states the terms of the separation and the amount of severance to be paid. (This policy pertains to full-time, part-time, non-exempt and exempt employees).

Compensation will be commensurate with length of employment and at the discretion of the Executive Committee: (examples below):

<b>TIME WITH EASTERN WORKFORCE BOARD:</b>	<b>SEVERANCE PAY IN WEEKS:</b>
<i>Less Than a Year</i>	<i>Commensurate with length of employment but not to exceed 4 weeks.</i>
<i>1-3 Years</i>	<i>Commensurate with length of employment but not to exceed 8 weeks.</i>
<i>4 Years and up</i>	<i>Commensurate with length of employment but not to exceed 12 weeks.</i>

<b>TO BE CALCULATED FOR EACH EMPLOYEE WHO IS QUALIFIED TO RECEIVE SEVERANCE:</b>	
<i>Employees Annual Salary or Calculated Wages:</i>	<i>Amount:</i>
<i>Time With Agency in Years:</i>	<i>Number:</i>
<i>Severance Pay in Weeks:</i>	<i>Number:</i>
<i>Total Severance Pay:</i>	<i>Value:</i>

*Amounts paid each employee will be based on that employee's current salary or wage and does not preclude an employee being paid for any annual leave accrued and not used. All severance payments will be based on the availability of funds and at the discretion and approval of the EWB Executive Committee and/or approval of the Eastern Workforce Board.*

### **5.10 Grievance/Complaint Procedures**

Any employee who has a complaint or grievance concerning sexual harassment, disciplinary action, termination, demotion, denial of promotion or merit increase, layoff, or discrimination based on a category—i.e., race, age, disability, sex—recognized by federal and local civil rights laws has the right to file a grievance according to procedures outlined in this policy.

Employees should attempt to resolve the problem informally with the Executive Director along with the Equal Opportunity officer in attendance as soon as possible. If a solution cannot be reached, the employee may present a formal complaint or grievance, in writing, to the Executive Director who will cause an appropriate independent investigation of the complaints to be made. If a resolution still cannot be reached the complaint will be handed over to the Executive Committee for resolution.

No employee will be discriminated against, harassed, intimidated, or suffer any reprisal or retaliation as a result of filing a grievance or complaint or participating in the investigation of a grievance or complaint. If an employee feels that he or she is being subjected to any of the above, that employee has the right to appeal directly to the Executive Committee Chairman.

All complaints will be handled in a timely manner. As a goal, this agency attempts to resolve a complaint as quickly as possible and within 20 working days from the time of its initiation. If an extension of the time limit becomes necessary all involved parties will be notified.

Unresolved grievances of employees should be turned over to the Executive Committee for a resolution within twenty-one (21) days of the time the grievance is filed.

Employees may not file grievance procedures challenging the substance of a performance appraisal.

# APPENDIX

## Forms

**FORM A**  
**REFERENCE REQUEST WAIVER**

**I. EMPLOYMENT VERIFICATION**

To: _____	From: _____
Name	Officer Name
_____	_____
Company	Office Name
_____	_____
Address	Address
_____	_____
City, State, ZIP	City, State, ZIP
_____	_____

**II. RE:**

_____	
Applicant's Name	
_____	_____
Social Security Number	Last Wage Rate or Salary
_____	_____
Employed From (Mo/Yr.) to (Mo/Yr.)	Executive Director's Name

Reasons for leaving: \_\_\_\_\_

I authorize \_\_\_\_\_ to furnish with whatever information they may have regarding my employment, including my reason(s) for leaving. I am signing this waiver voluntarily, and to request that \_\_\_\_\_ respond to this reference inquiry with full and complete information. Since this reference is an important part of my application for employment with \_\_\_\_\_, I therefore waive and release \_\_\_\_\_ from any and all claims or causes of action in law or equity, including, but not limited to, defamation of character or invasion of privacy, which might arise from responding to this reference check.

_____	_____
Signature	Date

**FORM B**  
**REFERENCE RELEASE WAIVER**

I authorize EWB to furnish any future employers with whom I seek employment with whatever information they may desire regarding my employment here, including my reason(s) for leaving. I am signing this waiver voluntarily, and request that EWB respond to all reference inquiries with full and complete, factual information.

Since this reference is an important part of my application for my future employment, I therefore waive and release EWB from any and all claims or causes of action in law or equity, including, but not limited to, defamation of character or invasion of privacy, which might arise from responding to a reference check.

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Employee's signature

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Date

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Executive Director's signature

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Date

**FORM C**  
**EASTERN WORKFORCE BOARD (EWB)**  
**ACKNOWLEDGMENT AND DISCLAIMER**

These personnel policies include general rules of conduct, disciplinary rules, employment conditions, and benefits. These policies and other information are subject to change at any time due to business needs. While we will normally attempt to provide employees with advance notice of any change, EWB reserves the right to alter these policies at any time without advance notice.

You are employed with EWB at-will. Nothing contained in these policies or any verbal statement should be construed as creating any type of employment contract, either expressed or implied. This at-will employment relationship can only be modified by a written contract signed by the employee and the Executive Director.

My signature is an acknowledgment that I understand that my employment and subsequent compensation can be terminated with or without cause at any time at the option of either EWB or myself. I further understand that I have been given the opportunity to review and state that I understand the contents of these policies.

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's name (Printed)

\_\_\_\_\_  
Executive Director's signature

\_\_\_\_\_  
Date

**Receipt of Addendums**

Title of Addendum	Date Received	Employee Signature
_____	_____	_____
_____	_____	_____

**FORM D**  
**NEW EMPLOYEE ORIENTATION CHECKLIST**  
(OPTIONAL)

Employee's name: \_\_\_\_\_ Hire date: \_\_\_\_\_

Title: \_\_\_\_\_ Employee number: \_\_\_\_\_

Social Security number: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Address: \_\_\_\_\_

Emergency contact: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

**Section I—Welcome to the Agency**

- Welcome new employee
- Make Equal Employment Opportunity statement to employee and reaffirm agency's commitment to opportunities for advancement
- Introduce new employee to agency employees
- Explain history and purpose of the agency
- Provides employee a tour of facility
- Show new employee his or her work area (explain supplies, give keys to building)
- Explain the purpose of the new employee's job description and his or her expected contribution to the agency
- Present copy of personnel policies and have employee sign a form to acknowledge receipt of the handbook and his or her intention to become familiar with its contents

**Section II—General Information**

- Tell location of rest rooms
- Tell location of lunch and break rooms
- Inform of parking areas
- Explain work hours (define workweek, state overtime policy if applicable)
- Explain break policy
- Explain lunch break
- Explain telephone policy
- Explain smoking policy
- Explain rules of dress, personal grooming
- Explain rules about absenteeism, tardiness

- Explain safety procedures
- Explain introductory period for new employee
- Explain performance reviews (date for first review, frequency thereafter)
- Explain pay procedures (time sheets, date of the first check)
- Explain steps in discipline procedure (verbal warning, written warning, etc.) and specify actions that will result in discipline

**Section III—EWB's benefits, policies**

- Complete form I-9 (required by the Immigration Reform and Control Act of 1986)
- Complete W-4 form for employee to claim payroll deductions
- Explain EWB's benefits and fill out necessary forms (health insurance, for example)
- Explain holidays
- Explain vacation days
- Explain sick-leave policy

**Section IV—Question/review**

- Answer any questions employee has
- Review necessary information (hours, paydays, sick-leave procedure)

I acknowledge that I have discussed the items checked above.

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director's signature

\_\_\_\_\_  
Date



**FORM E**  
**EXIT INTERVIEW**  
**CHECKLIST**  
**(OPTIONAL)**

Employee's name: \_\_\_\_\_ Position: \_\_\_\_\_

**To be obtained from employee, if applicable:**

- Keys to building (s)  Resignation statement
- New address and telephone number  Other \_\_\_\_\_

**Equipment Return:**

- \_\_\_ iPhone
- \_\_\_ iPad
- \_\_\_ Laptop
- \_\_\_ Desktop PC
- \_\_\_ Other \_\_\_\_\_

**To be discussed:**

- Extended medical coverage insurance plan (for COBRA requirements)  
***EWB does not fall under the COBRA Requirements***
- Other \_\_\_\_\_

**To give to employee:**

- Final paycheck (including vacation pay, if applicable)
- Other \_\_\_\_\_

**Permission to release reference information:**

- I do  I do not give permission to release reference information regarding my employment with this agency.

\_\_\_\_\_  
Interviewer's signature and title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date

## CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 29 CFR Part 98, Section 98.305.320 and Subpart F.

- I. The grantee certifies that it will continue to provide a drug-free workplace by:
  - A. Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
  - B. Establishing a drug-free awareness program to inform employees about
    1. The dangers of drug abuse in the workplace;
    2. The grantee's policy of maintaining a drug-free workplace;
    3. Any available drug counseling, rehabilitation, and employee assistance programs; and
    4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - C. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph A.
  - D. Notifying all employees that, as a condition of employment under the grant, the employee will
    1. Abide by the terms of the statement; and
    2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute for a violation occurring in the workplace no later than five days after such conviction.
  - E. Notifying the organization within ten days after receiving notice under paragraph D.2. with respect to any employee or otherwise receiving actual notice of such conviction. Employers of convicted employees provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working. The Federal organization has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.

- F. Taking one of the following actions, within 30 days of receiving notice under paragraph D.2., with respect to any employee who is so convicted.
1. Taking appropriate personnel action against such an employee, up to and including termination consistent with the requirement of the Rehabilitation Act of 1973, as amended; or
  2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate organization;

Making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (A), (B), (C), (D), (E), and (F).

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date

## **DRUG TESTING POLICY**

It is the purpose EWB to help provide a safe and drug-free work environment for our clients and our employees. 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 EWB.

The Company explicitly prohibits:

- The unlawful manufacture, use, possession, solicitation for, or sale of narcotics or other illegal drugs, or prescription medication without a prescription on Company or customer premises or while performing an assignment.
- Being impaired or under the influence of legal or illegal drugs or alcohol away from the Company or customer 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 the Company's reputation.
- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from the Company or customer 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 the Company's reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, while on the premises of the company or its customers, or while on company business. "Prohibited substances" include illegal drugs, or prescription drugs not taken in accordance with a prescription given to the employee.

The Company will conduct drug testing under any of the following circumstances:

- **RANDOM TESTING:** Employees may be selected at random for drug testing at any interval determined by the Company.
- **FOR CAUSE TESTING:** The Company may ask an employee to submit to a drug 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.
- **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 injured, but also any employee who potentially contributed to the accident or injury event in any way.

If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of 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 will be given an opportunity to explain the circumstances prior to any final employment action becoming effective.

**DRUG AND/OR ALCOHOL TESTING CONSENT FORM**

**EMPLOYEE AGREEMENT AND CONSENT TO DRUG AND/OR ALCOHOL TESTING**

I hereby agree, upon a request made under the drug/alcohol testing policy of EWB, (the Company), to submit to a drug or alcohol test and to furnish a sample of my urine, breath, and/or blood for analysis. I understand and agree that if I at any time refuse to submit to a drug or alcohol test under company policy, or if I otherwise fail to cooperate with the testing procedures, I will be subject to immediate termination. I further authorize and give full permission to have the Company and/or its company physician send the specimen or specimens so collected to a laboratory for a screening test for the presence of any prohibited substances under the policy, and for the laboratory or other testing facility to release any and all documentation relating to such test to the Company and/or to any governmental entity involved in a legal proceeding or investigation connected with the test. Finally, I authorize the Company to disclose any documentation relating to such test to any governmental entity involved in a legal proceeding or investigation connected with the test.

I will hold harmless the Company, its company physician, and any testing laboratory the Company might use, meaning that I will not sue or hold responsible such parties for any alleged harm to me that might result from such testing, including loss of employment or any other kind of adverse job action that might arise as a result of the drug or alcohol test, even if a Company or laboratory representative makes an error in the administration or analysis of the test or the reporting of the results. I will further hold harmless the Company, its company physician, and any testing laboratory the Company might use for any alleged harm to me that might result from the release or use of information or documentation relating to the drug or alcohol test, as long as the release or use of the information is within the scope of this policy and the procedures as explained in the paragraph above.

This policy and authorization have been explained to me in a language I understand, and I have been told that if I have any questions about the test or the policy, they will be answered.

I UNDERSTAND THAT THE COMPANY WILL REQUIRE A DRUG SCREEN TEST UNDER THIS POLICY WHENEVER I AM INVOLVED IN AN ON-THE-JOB ACCIDENT OR INJURY UNDER CIRCUMSTANCES THAT SUGGEST POSSIBLE INVOLVEMENT OR INFLUENCE OF DRUGS OR ALCOHOL IN THE ACCIDENT OR INJURY EVENT.

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*Signature of Employee*

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**Date**

**EASTERN WORKFORCE BOARD  
CODE OF CONDUCT AND PROFESSIONALISM**

**Code of Ethics (Professional Integrity and conduct)**

EWB employees shall be defined as all employees both regular and temporary and also includes the executive director. The following is the EWB Employee Code of Ethics:

- I will not discriminate against or refuse services to anyone on the basis of race, color, creed, age, sex, disability, religion or nationality.
- I will not use my professional relationship to further my own interests.
- I will evidence a genuine interest in all persons served, and do hereby dedicate myself to their best interests..
- I will respect the privacy of persons served and hold in confidence all information obtained in the course of professional service.
- I will maintain confidentiality when storing or disposing of client records.
- I will maintain a professional attitude which upholds confidentiality toward individuals served, colleagues, applicants and the organization.
- I, upon termination, will maintain client and co-worker confidentiality, and I will hold as confidential any information I obtained concerning the organization.
- I will respect the rights and views of my colleagues, and treat them with fairness, courtesy and good faith.
- I will not exploit the trust of the public or my co-workers. I will make every effort to avoid relationships that could impair my professional judgment.
- I will not engage in or condone any form of harassment or discrimination.
- I will respect the confidences of my co-workers.
- When I replace a colleague or am replaced, I will act with consideration for the interest, character and reputation of the other professional.
- I will extend respect and cooperation to colleagues of all professions.
- I will not assume professional responsibility for the clients of a colleague without appropriate consultation with that colleague.
- If I see the client of a colleague during a temporary absence or emergency, I will serve that client with the same consideration afforded any client.
- If I have the responsibility for employing and evaluating staff performance, I will do so in a responsible, fair, considerate and equitable manner.
- If I know that a colleague has violated ethical standards, I will report the activity to the Executive Director or if the Executive Director is the violator I will report the violation to the Board Chair or Chief Elected Official. In the event these are not viable options, the violation will be reported to the Oklahoma Office of Workforce Development.
- I will accurately represent my education, training, experience and competencies as they relate to my profession.
- If serving as the Executive Director, I will make certain that the qualifications of persons I supervise are honestly represented.
- I will abide by agency policies related to public statements.
- I have total commitment to provide the highest quality of service to those who seek my professional assistance.

- I will continually assess my personal strengths, limitations, biases and effectiveness.
- I will strive to become and remain proficient in professional practice and the performance of professional functions.
- I will act in accordance with standards of professional integrity.
- I will not advise on problems outside the bounds of my competence.
- I will seek assistance for any problem that impairs my performance.
- I understand that violation of this code may be grounds for dismissal.
- All EWB staff members, including the Executive Director, are required to sign by the Employee Code of Ethics.

Employee’s conduct toward co-workers is a critical point in the effective operation of Agency business and morale. Name-calling, improper displays of affection, and threatening remarks directed to another employee are examples of behavior that will not be tolerated.

EWB Employees have a responsibility to foster an atmosphere conducive to **professional excellence, professional integrity and professional conduct.** When an instance of **Professional dishonesty or unprofessional or unethical conduct on the part of an employee is suspected or brought to light, it is the responsibility of the staff to address the issue following the proper protocol.** Staff have an ethical and legal responsibility to serve as gatekeepers to the agency and board and must take timely and reasonable action to resolve the issue. **Professional integrity includes observance of all the codes of ethics and violations will be handled according to protocol as quickly as possible.**

TO BE SIGNED AND A COPY GIVEN TO EACH EWB EMPLOYEE.

I have read and understand the above code and will to the best of my ability observe and follow all the stated rules of professionalism.

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EMPLOYEE: \_\_\_\_\_ DATE: \_\_\_\_\_



# EWB POLICY APPROVAL REGISTER

Each required policy of the Workforce Innovation and Opportunity Act (WIOA) and the Eastern Workforce Board (EWB) shall be submitted to the Policy Committee for review and comment who will then present policy(s) to the Executive Committee for its recommendation for approval. The Executive Committee recommendation for approval will be presented at the next scheduled board meeting.

<b>Title Of Policy</b>	<b>PERSONNEL POLICY</b>		
<b>Current Eff. Date</b>	WIA		
<b>Revision Purpose</b>	Updated to recommended changes per State Monitors		
<b>Revision Number &amp; Date</b>	1 - 2017		
<b>Author</b>	JH & Exec. Committee		
<b>APPROVED</b>	Executive Committee	DATE;	4/10/2017
<b>APPROVED</b>	EWB Board	DATE:	5/20/2017

Executive Director: Jerri Stoutermire, EdD. \_\_\_\_\_  
Signature:

Board Chairman: Earnie Gilder \_\_\_\_\_  
Signature: