



**PERSONNEL POLICY MANUAL**  
(March 2022)

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## **Welcome new employee!**

On behalf of your colleagues, we welcome you to the South East Texas Regional Planning Commission (SETRPC) and wish you every success here.

We believe that each employee contributes directly to SETRPC's growth and success, and we hope you will take pride in being a member of our team.

This handbook describes some of the expectations of employees, and outlines policies, programs, and benefits available to eligible employees.

Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with SETRPC.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

*Shanna Burke*

Shanna Burke  
Executive Director

# **PERSONNEL POLICY MANUAL**

## **INTRODUCTORY STATEMENT**

This handbook, provided upon hire and available on the SETRPC Public Drive is designed to acquaint you with SETRPC and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by SETRPC to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As SETRPC continues to grow, the need may arise and SETRPC reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time, as it deems appropriate, in its sole and absolute discretion. Employees will be notified of such changes to the handbook as they occur, via email or by written memorandum. The only exception to any changes is our employment-at-will policy permitting you or SETRPC to end our relationship for any reason at any time.

### **NOTICE TO EMPLOYEES**

The South East Texas Regional Planning Commission (SETRPC) operates under the legal doctrine of “employment-at-will” and, within requirements of state and federal law regarding employment, can dismiss an employee at any time, with or without notice, for any reason not in conflict with state or federal laws. SETRPC will attempt to ensure that employee dismissals are not made in an arbitrary or capricious manner; however, these personnel policies do not constitute or imply a contract, agreement, promise, or guarantee of employment or of continued employment. SETRPC has the right to change these policies at any time, without prior notice to employees.

**Each reference in these policies to “SETRPC” means the South East Texas Regional Planning Commission.**

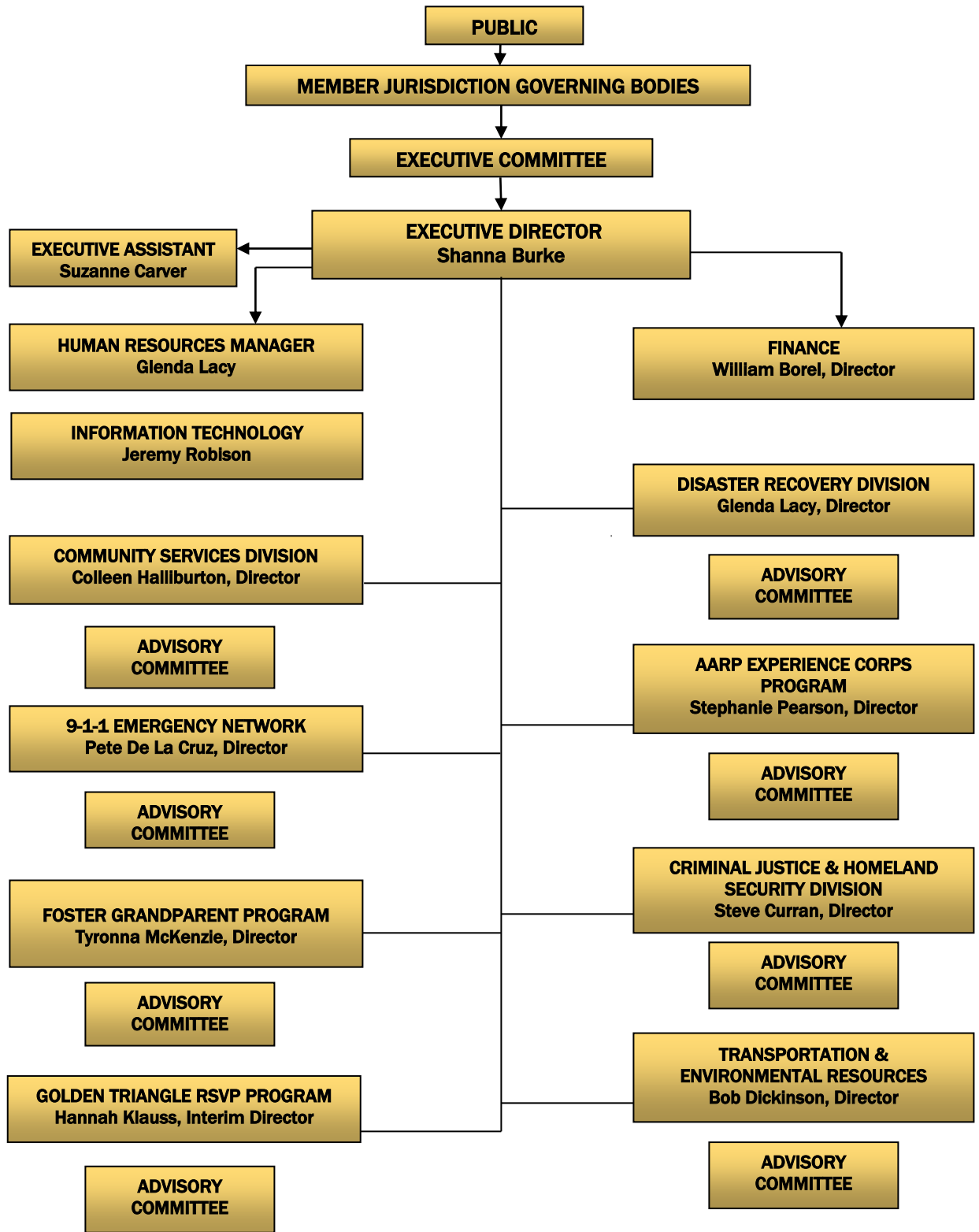
# PERSONNEL POLICY MANUAL

## ORGANIZATION DESCRIPTION

- I. **PURPOSE OF ORGANIZATION:** The South East Texas Regional Planning Commission (SETRPC) was formed in June 1970 as a voluntary association of local governments pursuant to Texas law, Local Government Code, Chapter 391, Regional Planning Commissions (V.A.C.S. Article 1011m). SETRPC is a State designated areawide planning agency for the three-county South East Texas State Planning Region for Federal and State programs, which require or encourage areawide planning and programming. SETRPC's federally and state assisted responsibilities include: transportation planning and implementation, environmental protection, nutrition and social services for the elderly, criminal justice, community services and community development, disaster recovery and homeland security. SETRPC is also charged with areawide administration of the Foster Grandparent Program, the Retired and Senior Volunteer Program, the Experience Corps Program and planning and implementation of the region-wide Enhanced 9-1-1 Emergency Communications System. Additionally, SETRPC administers a program of air monitoring funded by private industry. It is to be noted that the SETRPC Executive Committee is the single governing body providing unified policy direction to all agency activities.
  
- II. **LOCATION:** SETRPC offices are located at 2210 Eastex Freeway, Beaumont, Texas 77703. SETRPC's homepage is located at [www.setrpc.org](http://www.setrpc.org).
  
- III. **ROLE OF EXECUTIVE DIRECTOR:** The Executive Director serves as the chief liaison between local, state, and federal agencies. He or She also consults with government officials to stimulate cooperation in identifying issues and challenges, coordinates comprehensive planning efforts for developing and implementing solutions to regional problems, and directs and supervises all management functions of SETRPC. This includes fiscal responsibility, office operations including the amendment, creation and/or revision of needed policy, special programs, and employment and discharging of staff. The Executive Director assigns responsibilities to staff as appropriate and develops and executes a program of public education and awareness regarding regional planning.
  
- IV. **ORGANIZATIONAL STRUCTURE:** See accompanying flow chart.

# SETRPC

SOUTH EAST TEXAS REGIONAL PLANNING COMMISSION





## **201 Nature of Employment**

Employment with SETRPC is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, SETRPC may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between SETRPC and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended, or cancelled at any time, at SETRPC's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the executive director of SETRPC.

## **202 Employee Relations**

SETRPC believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that SETRPC amply demonstrates its commitment to employees by responding effectively to employee concerns.

## **203 Equal Employment Opportunity**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at SETRPC will be based on merit, qualifications, and abilities. SETRPC does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

SETRPC will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor. Employees can raise concerns and make reports without fear of reprisal.

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Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment. See also the section of this manual relating to "Problem Resolution."

### **204 Ethics and Compliance**

The successful operation and reputation of SETRPC is built upon the principles of fair dealing and ethical conduct of our employees. Ethics is defined as moral principles that govern a person's or group's behavior. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of SETRPC is dependent upon the public's trust and we are dedicated to preserving that trust. Employees owe a duty to SETRPC, its officers, and members to act in a way that will merit the continued trust and confidence of the public. Employees shall, during both working and non-working hours, act in a manner which will inspire public trust in their integrity, impartiality and devotion to the best interests of the organization, its clients and citizens.

SETRPC will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest or unethical conduct. Fraud and fraudulent activity will not be tolerated. Fraud is broadly defined and may include any type of intentional deception for the purpose of personal or business gain or damage to an individual or organization. Examples of fraud include but are not limited to: lying on an employment application, falsifying records or providing false receipts for reimbursement. In general, the use of good judgment, based on high ethical principles, will guide you with the respect to lines of acceptable conduct.

Furthermore, SETRPC employees, contractors /subcontractors/consultants (agents) to the programmatic activities administered by SETRPC, are prohibited from budgeting or expending funds made available through the State of Texas or the government of the United States for the direct influence of, passage of, or defeat of any existing or pending legislation.

SETRPC requires that employees and members of the Executive Committee participate in yearly training in ethics and in the components of its Internal Compliance Program. Training will be provided yearly and all materials will be emailed to all who require such.

SETRPC's Human Resources Director shall be responsible for oversight of its internal ethics and compliance program and shall promote an organizational culture that encourages ethical conduct and a commitment to compliance with all applicable laws and regulations.

The positions of Executive Director and those in the Administration Finance Division have substantial discretionary authority and are involved in the handling of financial and/or highly confidential information. Notarized affidavits have, therefore, been received from the current SETRPC Executive Director and Administration Finance Division Staff certifying that no circumstances exist that disqualify them from holding their current position. As turnover occurs,

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new employees to these positions will sign the same notarized affidavit (as noted above) and undergo a criminal background check. All SETRPC applicants are required to disclose during the application process if they have ever been convicted of a felony or misdemeanor. All current employees have signed a Confidentiality and Conflict of Interest Statement and new employees are required to sign the same upon hire during the orientation process.

All agents of the SETRPC will be required to complete an Assurances page stating they are not under federal or state debarment and that they will comply with the SETRPC's Ethics and Compliance Program and Conflict of Interest policy.

All SETRPC employees, Executive Committee members and agents will have access to a Fraud Risk Assessment Survey located on the SETRPC's website to anonymously report incidents of non-compliance or suspected wrong doing. Annually, all will be reminded and afforded the opportunity to complete the Fraud Risk Assessment Survey. Forms should be filled out electronically when possible, to preserve anonymity or confidentiality. Outside entities should mail forms to the attention of the SETRPC Human Resources Director. Internal staff should place the form in an envelope, seal and turn into the Human Resource Director's mail slot. No identifying factors should be included, unless that is desired by the sender. Matters may also be discussed with immediate supervisors, and if necessary, with the Executive Director for advice and consultation.

The SETRPC also has an internal controls system in place that is carried out semi-monthly at the individual department levels and at the Administrative fiscal level. For more information related to on-going internal fiscal auditing processes, a copy of the SETRPC's Financial, Accounting and Information Technologies Policies and Procedures Manual may be requested.

A report of non-compliance or fraudulent activity will prompt an internal investigation. If a valid issue is identified and exists, appropriate disciplinary action will be taken as noted in Section 809 Progressive Discipline. If warranted, the funding agency and possibly outside law enforcement will be contacted. Any needed revisions or additions to policy will also be made to help mitigate future violations and/or non-compliance. Employees who report suspected fraud and non-compliance with law or unethical behavior can do so without fear of retaliation.

Nothing in these policies shall unduly restrict the abilities of SETRPC Ombudsman employees who may, from time to time, be required to conduct "advocacy" activities under the terms and conditions of particular federal or state grants and contracts when such activities are consistent with relevant underlying federal or state program regulations. Nothing in this section 2.04 prohibits an SETRPC Ombudsman employee from performing a function of the Ombudsman Program described in Title 26 TAC §88.302(a).

Compliance with this policy of business ethics and conduct is the responsibility of every SETRPC employee, Executive Committee member and agent.

### **205 Hiring of Relatives - Nepotism Provision**

Nepotism is the showing of favoritism toward a relative. SETRPC forbids the practice of Nepotism in hiring. No SETRPC employee, officer or member of the Executive Committee or

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member of an advisory committee of SETRPC, shall employ or influence the employment of a member of that person's immediate family by SETRPC.

No SETRPC employee, officer, or member of the Executive Committee or member of an advisory committee of SETRPC, may appoint, confirm the appointment of, or vote for the appointment or confirmation of an individual to a position that is directly or indirectly compensated from public funds or fees of office.

No program director, assistant director or other influential person shall employ or influence the employment of a member of that person's immediate family elsewhere within the agency. SETRPC discourages the employment of family members within the agency. An officer or member of the Executive Committee or member of an advisory committee of SETRPC, shall include all public officials who have any degree of responsibility for the obtaining the approval of any contract funded through the State of Texas or government of the United States, as well as, any other official who exercises control or influence over the administration, hiring, place, or supervisory responsibility.

For the purposes of this policy, a relative or member of the immediate family is any person who is, appears to be, or ever was related by blood or marriage including spouse, child, step child, sibling, sibling of spouse, parent, parent of spouse, step parent, step parent of spouse, aunt /uncle, children thereof, or any other person whose relationship with the employee is, appears to be, or ever was similar to that of persons who are related by blood or marriage.

A nepotism prohibition does not apply if the individual is employed in the position immediately before the election or appointment of the public official to whom the individual is related; that prior employment of the individual is continuous for at least 30 days, if the public official is appointed; six months, if the public official is elected at an election other than a general election for state and county office; one year, if the public official is elected at the general election for state and county office.

If an individual continues in a position, the public official to whom the individual is related in a prohibited degree may not participate in any deliberation or voting on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the individual if that action applies only to the individual and is not taken regarding a bona fide class or category of employees.

### **206 Immigration Law Compliance**

SETRPC is committed to employing only persons who are legally authorized to work in the United States and does not discriminate based on citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility within the first three (3) days of employment with SETRPC. Former employees who are rehired must also complete the form if they have not completed an I-9 with SETRPC within the past three years, or if their previous I-9 is no longer retained or valid. Employees with questions or seeking more

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information on immigration law issues are encouraged to contact the Administrative Department. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **207 Conflicts of Interest**

- A. Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which SETRPC wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.
- B. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which SETRPC does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving SETRPC. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.
- C. Prohibited activities include, but are not necessarily limited to the following:
  - 1. The solicitation or acceptance of, or agreement to accept, a financial benefit, other than from SETRPC, that might reasonably tend to influence his or her performance of duties for SETRPC or that he or she know or should know is offered with intent to influence the employee's performance;
  - 2. The acceptance of employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of official duties;
  - 3. The acceptance of outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for SETRPC;
  - 4. The making of any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for SETRPC; or
  - 5. The solicitation or acceptance of, or agreement to accept a financial benefit from another person in exchange for having performed duties as an employee of SETRPC in favor of that person.
- D. No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of SETRPC as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

## **208 Gifts and Honoraria**

Employees may accept unsolicited gifts, not including money, whose value is not more than \$50, that conform to the reasonable ethical practices of the marketplace, including:

- Flowers, fruit baskets and other modest presents that commemorate a special occasion.
- Gift of nominal value, such as calendars, pens, mugs, caps and t-shirts (or other novelty, advertising or promotional items).

Employees may not accept compensation, honoraria or money of any amount from entities with whom the SETRPC does or may do business. Tangible gifts (including tickets to a sporting event or entertainment event) that have a market value greater than \$50 may not be accepted unless approval is obtained by the Executive Director.

## **209 Outside Employment**

- A. Upon approval by the Executive Director, employees may hold outside jobs as long as they meet the performance standards of their job with SETRPC. All employees will be judged by the same performance standards and will be subject to SETRPC's scheduling demands, regardless of any existing outside work requirements. Employees may not engage in any outside employment, activity, or enterprise determined by the executive director (1) to be inconsistent or incompatible with employment with SETRPC; or (2) to affect the employee's job performance adversely. An employee must have the advance approval of the Executive Director to engage in any outside employment, including self-employment.
- B. If SETRPC determines that an employee's outside work interferes with performance of the ability to meet the requirements of SETRPC as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with SETRPC.
- C. Outside employment that constitutes a Conflict of Interest, in accordance with Section 207, is strictly prohibited. Employees may not receive any income or material gain from individuals outside SETRPC for materials produced or services rendered while performing their jobs with SETRPC.
- D. SETRPC is not responsible in any way for any injury incurred by an SETRPC employee during employment outside of his or her SETRPC job. If an SETRPC employee is injured on the job in the course of employment outside the scope of his or her employment with SETRPC, the employee may not file a workers' compensation claim against SETRPC for benefits related to the injury, regardless of the fact that the Executive Director may have authorized the outside employment.

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## **210 Non-Disclosure**

The protection of confidential information is vital to the interests and the success of SETRPC. Such confidential information includes, but is not limited to:

- Compensation Data
- Financial Information
- Pending Projects and Proposals
- Client Information

Employees are required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use confidential information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

## **211 Disability Accommodations**

SETRPC is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed to provide persons with disabilities, meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures and position descriptions. Leave of all types will be available to all employees on an equal basis.

SETRPC is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. SETRPC will follow any state or local law that provides individuals, with disabilities, greater protection than the ADA.

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

### **212 Job Posting**

SETRPC provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although SETRPC reserves its discretionary right not to post a particular opening.

Job openings will be posted on the employee bulletin board and normally remain open for 3 days. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, job summary, essential duties, and qualifications (required skills and abilities).

To be eligible to apply for a posted job, employees must have performed competently for at least **90 calendar days** in their current position. Employees who have a written warning on file or are on probation or suspension within the last six months of the date of the posting are not eligible to apply for posted jobs. This can be appealed through the issuing Director and with the approval of the Executive Director, however. Eligible employees can only apply for those posted jobs for which they possess the required skills, competencies, and qualifications.

To apply for an open position, employees should submit a job posting application to the hiring department listing job-related skills and accomplishments. It should also describe how their current experience with SETRPC and prior work experience and/or education qualifies them for the position.

SETRPC recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the organization.

An applicant's supervisor may be contacted to verify performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the organization.

### **213 Political Activities**

The Federal Hatch Political Activities Act, as altered by Section 401 of the Federal Election Campaign Act Amendments of 1974, governs political activities of employees subject to its provisions. The Act covers officers and employees of a State or local agency if their principal employment is in connection with an activity, which is financed in whole or part by loans or grants made by the United States or a federal agency. Persons employed under these circumstances:



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### ***MAY NOT:***

Use their official authority for the purposes of interfering with or influencing the result of an election or nomination for office, coerce or command an employee to pay or contribute anything of value to a party or persons for political purpose, or be a candidate for elective office in a partisan election.

### ***MAY:***

Express his or her opinions on political subject and candidates and take an active part in political management and political campaigns. Employees should contact their Director regarding specific applications of this policy.

SETRPC AAA recognizes the role of the Ombudsman in system advocacy according to 45 CFR 1324.11 (e)(5)(i) and 26 TAC §88.302(a)(2)(A) and (B). The Managing Local Ombudsman is allowed to coordinate with the State Ombudsman on systems advocacy, responding to media or legislative inquiry through the Office of the State Long-Term Care Ombudsman and in coordination with SETRPC. Representatives of the Office may review and comment on existing or proposed laws, regulations, government policies regarding the interest of residents. The role may include speaking publicly in keeping with Federal Regulation.

## **214 Lobbying**

SETRPC employees, contractors and subcontractors to the programmatic activities administered by SETRPC, are prohibited from budgeting or expending funds made available through the State of Texas or the government of the United States for the direct influence of, passage of, repeal of, or defeat of any existing or pending legislation.

Nothing in these policies shall unduly restrict the abilities of SETRPC Ombudsman employees who may, from time to time, be required to conduct “advocacy” activities under the terms and conditions of particular federal or state grants and contracts when such activities are consistent with relevant underlying federal or state program regulations. Nothing in this section 2.14 prohibits an SETRPC Ombudsman employee from performing a function of the Ombudsman Program described in Title 26 TAC §88.302(a).

## **215 Criminal Background Checks**

All offers of employment are contingent upon criminal background checks for employees. Convictions listed in section 250.006 of the Texas Health and Safety Code will be barred from employment based upon the time frame listed in the section. The nature and gravity of the offense or conduct, the time that has passed since the offense or conduct and/or completion of the sentence and the nature of the job held or sought will be considered before employment is finalized. Applicants will be asked for authorization as a requirement for employment. Applicants will be given the opportunity to dispute any of the information included in the checks.

Volunteers that work directly with clients will be subject to the above background checks.

## **216 Records Retention**

The SETRPC has adopted and follows the Texas State Library Schedule GR C (Records Common to All Governments) Policy, unless otherwise dictated, per contract, with specific funding agencies.

### **301 Employment Categories**

**Regular Full-Time** - A regular full-time employee is employed in an authorized position that involves, on average, at least 40 work hours per week. Regular full-time employees are eligible for SETRPC's benefit package, subject to the terms, conditions, and limitations of each benefit program.

**Regular Part-Time** - A regular part-time employee is employed in an authorized position that involves, on average, fewer than 40 work hours per week. Regular part-time employees are eligible for some benefits sponsored by SETRPC, subject to the terms, conditions, and limitations of each benefit program.

**Temporary Full-Time** - A temporary full time employee is an employee who is hired to work an average of 40 hours per week, as an interim replacement to temporarily supplement the work force or to assist in the completion of a specific project, usually for a period expected to last no more than six months. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless notified of a change. All legally mandated benefits (Health Insurance, Medicare, Worker's Compensation Insurance, 457 Savings Plan) are provided to temporary employees, however, they are ineligible for all other benefits.

**Temporary Part-Time** - A temporary part-time employee is an employee who is hired to work an average of less than 40 hours per week, as an interim replacement to temporarily supplement the work force or to assist in the completion of a specific project, usually for a period expected to last no more than six months. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless notified of a change. All legally mandated benefits (Healthcare if working 30 hours or more per week, Medicare, Worker's Compensation Insurance, 457 Saving Plan) are provided to temporary employees, however, they are ineligible for all other benefits.

Employment is conditioned upon continued funding through various grant and contractual arrangement with outside funding sources. Each employee is subject to termination upon discontinuance of available funding for the employee's position. All employees are employed "at will".

Each employee is designated as either **NON-EXEMPT** or **EXEMPT** from federal and state wage and hour laws. **NON-EXEMPT** employees are entitled to overtime compensation under the specific provisions of federal and state laws (See Section 706 – Overtime). **EXEMPT** employees are excluded from specific provisions of federal and state wage and hour laws. An employee's **EXEMPT** or **NON-EXEMPT** classification may be changed only upon written notification by SETRPC management.

### **302 Access to Personnel Files**

SETRPC maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of

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performance appraisals and salary increases, and other employment records.

Personnel files are the property of SETRPC, and access to the information they contain is restricted. Only supervisors and management personnel of SETRPC who have a legitimate reason to review information in a file are allowed to do so. Files must be reviewed in the Human Resource Office and may not be taken from the HR office without written permission of the Human Resource Administrator, Director of Finance, or the Executive Director.

Employees who wish to review their own file should contact the Administrative Department. With reasonable advance notice, employees may review their own personnel files in SETRPC's Human Resource office and in the presence of an individual appointed by SETRPC to maintain the files. Files may not be taken from the office of the Human Resource office for viewing. Medical records such as workers compensation records, drug testing results, etc. will be kept in files separate from the personnel files. These records are restricted and may be accessed only on a "need-to-know" basis.

### **303 Employment Reference Checks**

To ensure that individuals who join SETRPC are well qualified and have a strong potential to be productive and successful, it is the policy of SETRPC to check the employment references of all applicants.

The Administrative Department will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, wage rates, position(s) held and eligibility for rehire.

### **304 Personnel Data Changes**

It is the responsibility of each employee to promptly notify SETRPC of any changes in personnel data. Personal mailing addresses, telephone numbers, number, names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Administrative Department.

### **305 Introductory Period**

SETRPC provides an introductory period intended to give new employees or those in new positions the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. SETRPC uses this period to evaluate employee capabilities, work habits, and overall performance. **All new and rehired employees work on an introductory/probationary basis for the first 90 calendar days after their date of hire.**

Employees transferring or promoting into a new position the first 90 days of employment will also be regarded as probationary employees.

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A performance evaluation should be conducted for any employee considered a probationary employee within 45 – 90 days of initial employment or employment in a new role.

### **306 Employment Applications**

SETRPC relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions within any of this information or data may result in SETRPC's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

### **307 Performance Evaluations**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance evaluations are conducted annually for all employees, existing and new [those within the first twelve (12) months of employment], to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

### **308 New Employee Orientation**

New employee orientation will be provided to new hires within their first 30 days of employment.

### **401 Employee Benefits**

Eligible employees at SETRPC are provided a wide range of benefits. A number of the programs (such as Medicare, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Human Resources can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- **Worker's Compensation Insurance**
- **Benefits Continuation (COBRA)**
- **Educational Assistance**
- **Health/Dental/Vision Insurance**
- **Life Insurance**
- **Retirement Plan (401a)**
- **Savings Plan (457)**
- **Supplemental Disability/Life Insurance**
- **Travel/Meal Allowances**
- **Auto Mileage**
- **Roth IRA**
- **Vacation Leave**
- **Sick Leave**
- **Family/Medical Leave**
- **Bereavement Leave**
- **Personal Leave**
- **Jury Duty Leave**
- **Emergency Leave**
- **Military Leave**
- **Educational Leave**
- **Pregnancy-Related Leave**
- **Holidays**

Some benefit programs require contributions from the employee, but most are fully paid by SETRPC.

### **402 Workers' Compensation Insurance**

SETRPC provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. Neither SETRPC nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by SETRPC.

### **403 Benefits Continuation (COBRA)**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under SETRPC's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee;

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a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirement.

Under COBRA, the employee or beneficiary pays the full cost of coverage at SETRPC's group rates plus an administration fee. SETRPC provides each eligible employee with a written notice describing rights granted under COBRA as soon as SETRPC becomes aware that a qualifying event has occurred under SETRPC's health insurance plan. The notice contains important information about the employee's rights and obligations.

### **404 Educational Assistance**

SETRPC recognizes that the skills and knowledge of its employees are critical to the success of the organization. The educational assistance program encourages personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within SETRPC.

With the approval of the Executive Committee and within budgetary constraints, SETRPC will provide educational assistance to all eligible employees. To maintain eligibility employees must remain on the active payroll and be performing their job satisfactorily through completion of each course. Regular full-time employees are eligible for educational assistance.

The following guidelines will apply to Educational Assistance:

- Application for reimbursement must be made before SETRPC Budget Cycle begins.
- Information on Cost of Course(s) must be given at time of application to include itemized costs (tuition, books, fees, parking, etc).
- Application must include Degree Plan, School/University.
- Application must include Semesters for which reimbursement is being sought (Fall 20, Spring 21, etc.).
- Application must include brief explanation of how courses relate to current job duties or a foreseeable future position in the organization.
- A minimum grade of "B" must be obtained for reimbursement of fees & copy of grades must be presented with reimbursement request.
- No advance payments will be made.
- Reimbursement will be based on approved amount in SETRPC budgetary process.
- If classes are taken during core business hours, employees are expected to have a written and signed agreement with their director to make up the time away from the office. A schedule of time used and time made up should be attached. If all time taken cannot be made up during the semester, then employee must continue to work extra hours until he/she can account for all time used.

Individual courses or courses that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable-future position in the organization in order to be eligible for educational assistance. SETRPC has the sole discretion to determine whether a course relates to an employee's current job duties or a foreseeable-future position. Employees should contact the Administrative Department for more information or questions about educational assistance.

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While educational assistance is expected to enhance employee performance and professional abilities, SETRPC cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

SETRPC invests in educational assistance to employees with the expectation that the investment be returned through enhanced job performance. However, if an employee voluntarily separates from SETRPC's employment within one year of the last educational assistance payment, the FULL amount of education assistance will be considered a loan. Accordingly, the employee will be required to repay 100 percent of the educational assistance received to date.

### **405 Health Insurance**

SETRPC's health insurance plan provides employees and their dependents access to medical, vision and dental insurance benefits. **Regular Full-Time** and **Temporary Full-Time employees** are eligible to participate in the health insurance plan subject to all terms and conditions of the agreement between SETRPC and the insurance carrier.

Employees upon retirement employee may continue their individual health insurance coverage (health, dental, and retiree life) at their own expense until age 65. The cost of this insurance will be 185% of the premium of the health and 100% of the premium of dental and vision coverage, which would be paid at that time by SETRPC if they were employed and a stated amount for retiree life.

Premiums will be billed by and paid to the insurance carrier by the retired employee. Cost of coverage may change in January of each year and the retired employees will be informed of such change in cost. At age 65, the retired employees are required to covert their coverage to the supplemental medicare coverage offered by SETRPC's carrier or withdraw from the program.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Administrative Department for more information about health insurance benefits.

### **406 Life Insurance**

Life insurance offers you and your family important financial protection. SETRPC provides a basic life insurance plan for eligible employees. Additional supplemental and/or dependent life insurance coverage may also be purchased.

Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part



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of the basic life insurance plan. Regular (salaried) full-time employees are eligible to participate in the life insurance plan.

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between SETRPC and the insurance carrier. Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Administrative Department for more information about life insurance benefits.

### **407 Retirement Plan (401a)**

SETRPC has established a 401(a) Retirement Plan to provide employees the potential for future financial security for retirement.

To be eligible for the 401(a) Retirement Plan, you must be 21 years of age or older. You may join the plan only when employed as a regular full-time salaried employee of SETRPC. Eligible employees may participate in the 401(a) Plan subject to all terms and conditions of the Plan.

The 401(a) Retirement Plan allows you to contribute (currently 8% of gross salary) and direct the investment of your Plan account so you can tailor your own retirement package to meet your individual needs. SETRPC also contributes an additional matching amount (currently 8% of gross salary) to each employee's 401(a) contribution. Employees vest at the rate of 20% per year with 100% vestment at 5 years.

Contributions to the 401(a) Plan are automatically deducted before federal and state tax withholdings are calculated resulting in a lower taxable amount. While the amounts deducted generally will be taxed when they are distributed, favorable tax rules typically apply to 401(a) distributions.

Complete details of the 401(a) Retirement plan are described in the Summary Plan Description provided to eligible employees. Contact the Human Resource Administrator for more information.

### **408 Savings Plan (457)**

SETRPC provides for a 457 Deferred Compensation Plan. This Plan is optional and provides employees an opportunity to defer contributions through payroll deduction so taxes are reduced each pay period. SETRPC **does not** match contributions to this Plan. The Plan allows employees to increase, decrease, stop, and restart contributions as often as they wish, without fees or penalties. Contact the Human Resource Administrator for more information.

### **409 Roth IRA Plan (ROTH)**

SETRPC provides for a ROTH IRA Plan. This Plan is optional and provides employees an opportunity to make contributions post tax through payroll deductions. SETRPC **does not** match contributions to this Plan. The Plan allows employees to increase, decrease, stop, and restart

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contributions as often as they wish, without fees or penalties. Contact the Human Resource Administrator for more information.

## **501 Timekeeping**

Accurately recording time worked is the responsibility of every employee. Federal and state laws require SETRPC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employees' responsibility to sign their time records to certify the accuracy of all time recorded. The department head will review and then sign the time record before submitting it for payroll processing.

## **502 Paydays**

All employees are paid semi-monthly on the 15th and last day of each month. Each paycheck will include earnings for all work performed through the last day of the month and the 15<sup>th</sup> of the month. Paychecks will be available after 2:00 p.m. on payday for all employees not utilizing SETRPC's Direct Deposit Policy.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation unless the employee utilizes SETRPC's Direct Deposit Policy.

All pay compensation made to employees will be done via direct deposit, unless specifically authorized by the Executive Director.

## **503 Employment Termination**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Discharge - involuntary employment termination initiated by the organization.
- Layoff - involuntary employment termination initiated by the organization normally related to a need to reduce staffing levels.
- Retirement - voluntary employment termination initiated by the employee meeting the following age and length of service requirements, and in good standing with the organization.

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- Age 65 - Normal retirement.
- Age 55 and over - With ten (10) consecutive years of service prior to termination.
- Age 50 and over - With twenty (20) consecutive years of service prior to termination.

Employee benefits will be affected by employment termination in the following manner. All accrued and/or vested benefits that are due and payable at termination will be paid on the next regularly scheduled payday following the effective date of termination. Some benefits may be continued at the employee's expense if the employee so chooses (i.e., health insurance). The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

### **504 Pay Advances**

SETRPC does not provide pay advances on unearned wages to employees.

### **505 Administrative Pay Corrections**

SETRPC takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error, the employee should promptly bring the discrepancy to the attention of the Director of Finance so that corrections can be made as quickly as possible.

### **506 Pay Deductions and Setoffs**

The law requires that SETRPC make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. SETRPC also must deduct Medicare taxes on each covered employee's earnings up to a specified limit that is called the Medicare "wage base." SETRPC matches the amount of Medicare taxes paid by each covered employee.

SETRPC offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. Pay setoffs are pay deductions taken by SETRPC, usually to help pay off a debt or obligation to SETRPC or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered.

### **507 Base Salary Adjustment Increases**

If a base salary adjustment increase is approved by the Executive Committee, then increase will be in the form of a percentage or a flat dollar amount, or a combination thereof. When this is done, an employee's salary is adjusted by the authorized percentage of flat dollar increase. Base salary adjustments are granted based on a current performance evaluation of the employee.

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New employees [those within their first twelve (12) months of employment] are not eligible for pay increases.

### **508 Earned Incentive Pay**

Any year the Executive Committee sets aside funds for earned incentive pay, that pay will be granted for exceptional performance based on a current performance evaluation of the employee for accomplishments that exceed the routine scope of work of a position.

Earned incentive pay is not used to recognize increased duties and responsibilities (a promotion) and is granted without regard to cost-of-living factors and is granted based on a current performance evaluation of the employee.

The method of providing earned incentive pay will be determined by the SETRPC Executive Committee depending on budgetary considerations and may be done as an increase in the permanent salary of the position or as a onetime annual payment.

New employees [those within their first twelve (12) months of employment] are not eligible for pay increases.

## 601 Holidays

SETRPC will grant holiday time off to all employees on the observed holidays listed below:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Texas Independence Day
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day
- Day After Christmas

SETRPC will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday). Eligible employee classification(s):

- Regular and temporary full-time employees
- Regular part-time employees

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

## 602 Vacation Leave

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular full-time employees
- Regular part-time employees
- Temporary full-time employees

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The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule:

- Upon initial eligibility, the employee is entitled to 10 vacation days each year, accrued semi-monthly at the rate of 3.33 hours per pay period.
- After 5 years of eligible service, the employee is entitled to 15 vacation days each year, accrued semi-monthly at the rate of 5 hrs per pay period.
- After 10 years of eligible service, the employee is entitled to 20 vacation days each year, accrued semi-monthly at the rate of 6.667 hrs per pay period.

The length of eligible service is calculated from the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. They can request use of vacation time after it is earned. A new employee must work at least two weeks to earn vacation time.

Paid vacation time can be used in minimum increments of one-half hour. To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, employees may carry unused time forward to the next benefit year.

An employee will not be allowed to accumulate vacation leave in excess of what might normally be accumulated in two full years. Vacation leave balances exceeding this maximum will be reduced without compensation to the maximum allowable amount of accrual each December 31, unless otherwise approved by the Executive Director on a case by case basis. The Executive Director has final authority for approving the timing and length of vacation leave taken by all employees.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

### **603 Sick Leave Benefits**

SETRPC provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- Regular full-time employees

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- Regular part-time employees

Eligible employees will accrue sick leave benefits at the rate of 15 days per year (5 hrs per pay period). **New SETRPC employees start accruing sick leave benefits immediately, but will not be permitted to access this benefit until after their 90 day probationary period has ended. (See Section 305).** If an emergency situation arises within this 90-day period, a new employee may utilize any vacation time accrued. Any other time off must be approved by the Executive Director.

The SETRPC fiscal year begins October 1. At the beginning of each new fiscal year, once an employee has requested 64 hours of accrued sick leave, **AND** has less than 40 hours of accrued sick time recorded/banked, the employee will be required to have a doctor's excuse or "return to work" slip for any sick related absence. A doctor's excuse is required for sick related absences for the first 6 months of employment or until the 40-hour threshold is met.

The 64 hour rule also applies for sick time being used to care for an immediate family member. An acknowledgement from the **day care/school/doctor** will be required.

A mid-year evaluation of the sick leave policy will be made to assure compliance with budgeted fringe benefit rates. Continued/repeated violations of thresholds can lead to disciplinary action.

Anything outside of policy must be approved by the Executive Director.

Paid sick leave can be used in minimum increments of one-half hour. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a member of the employee's "immediate family." SETRPC defines "immediate family" as the employee's spouse, parent, child, sibling, grandparent or grandchild; the spouse's parent, child, sibling, grandparent or grandchild. Eligible employees using sick leave benefits for a member of the employee's "immediate family," may be requested to provide written justification.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence.

If an employee is absent for more than 3 workdays, the employee may be requested to bring a physician's verification that he or she may safely return to work. Eligible employees using sick leave benefits for a member of the employee's "immediate family," may be requested to provide written justification.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 120- calendar day's worth of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.



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Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

### **604 Bereavement Leave**

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Up to 3 days of paid bereavement, leave will be provided to eligible employees in the following classification(s):

- Regular full-time employees
- Regular part-time employees

The three days are intended as a maximum, and the appropriate amount of time off will be determined by the individual circumstances (distance to the funeral, closeness of the employee to the deceased, the employee's responsibilities relating to the funeral arrangements, and other pertinent facts).

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may with their supervisors' approval, use any available paid leave for additional time off as necessary.

SETRPC defines "immediate family" as the employee's spouse, parent, child, sibling, grandparent or grandchild; the spouse's parent, child, sibling, grandparent or grandchild.

### **605 Family/Medical Leave**

SETRPC provides family/medical leaves of absence with or without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability or wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider; incapacity due to pregnancy, or for prenatal care; incapacity due to chronic serious health conditions, etc.

Employees in the following employment classifications are eligible to request family leave as described in this policy:

- Regular full-time employees
- Regular part-time employees

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Eligible employees may request family leave only after having worked for SETRPC at least 12-months; and, have worked at least 1,250 hours during the 12-months prior to the start of the FMLA leave.

Eligible employees should make requests for family/medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

Employees requesting family/medical leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates, and the estimated time required.

Eligible employees may request up to a maximum of 12 weeks of family/medical leave within any 12-month period. Leave qualifying as FMLA will be counted as such and the clock on the employee's allocated 12 weeks under FMLA will begin. An employee may elect to be paid using their vacation or sick leave during this time but cannot delay the taking of FMLA until after paid leave has been exhausted. Accrual of vacation and sick time will continue if paid leave is utilized. FMLA leave time will also run concurrently with time off for work related injuries. SETRPC will use a "rolling" 12 month period measured backward from the last date on which an employee used FMLA leave. Each time an employee takes FMLA leave, the remaining leave entitlement equals the balance of the 12 weeks not used during the preceding 12 months. (For example, if an employee takes three weeks off for surgery in March and then requests FMLA leave in December to care for a sick family member, the leave will roll back to begin on March 1 – the date the employee took off for a qualifying event).

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be maintained by SETRPC for the duration of the leave time. An employee on unpaid FMLA leave must arrange to pay his or her normal portion of insurance premiums **(disability/optional life/dependent, etc.)**. Such payments may be made under any arrangement voluntarily agreed to by the employer and employee.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on family/medical leave is requested to provide SETRPC with at least two days advance notice of the date the employee intends to return to work. When family/medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date, SETRPC will assume that the employee has resigned.

### 606 Personal Leave Without Pay

SETRPC provides leaves of absence **without pay** to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy:

- Regular full-time employees
- Regular part-time employees

Eligible employees may request personal leave **without pay** only after having completed 90 calendar days of service, **OR**, with approval from the Executive Director. As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor.

Personal leave may be granted for a period of up to 5 calendar days every 1-year. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 5 calendar days. Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, SETRPC will continue to provide health insurance benefits for the full period of the approved personal leave.

**Benefit accruals, such as vacation, sick leave or holiday benefits, will be suspended during the approved personal leave period and will resume upon return to active employment.**

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, SETRPC cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, SETRPC will assume the employee has resigned.

### 607 Jury Duty

SETRPC encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request up to 2 weeks of paid jury duty leave over any 1-year period.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees
- Regular part-time employees

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If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off (for example, vacation benefits) or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may arrange to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either SETRPC or the employee may request an excuse from jury duty if, in SETRPC's judgment, the employee's absence would create serious operational difficulties.

SETRPC will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave, and holiday benefits will continue to accrue during unpaid jury duty leave.

### **608 Witness Duty**

SETRPC allows employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by SETRPC, they will receive paid time off for the entire period of witness duty.

Employees will be granted a maximum of 8 hours of paid time off to appear in court as a witness at the request of a party other than SETRPC. Employees will be paid at their base rate and are free to use any remaining paid leave benefits (such as vacation leave) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

### **609 Emergency Leave**

Time off with pay may be granted at the discretion of the Executive Director for pressing personal reasons, not covered elsewhere in this policy manual, as determined by the Executive Director. Emergency leave is limited to three days.

### **610 Military Leave**

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

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Employees will continue to receive **full pay while on leave for two-week training assignments** and shorter absences. The portion of any military leaves of absence in **excess of two weeks will be unpaid**. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

Vacation, sick leave, and holiday benefits will continue to accrue during a paid military leave of absence.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Administrative Department for more information or questions about military leave.

### **611 Educational Leave**

SETRPC provides educational leaves of absence **without** pay to eligible employees who wish to take time off from work duties to pursue educational goals. Employees in the following employment classification(s) are eligible to request educational leave as described in this policy:

- Regular full-time employees
- Regular part-time employees

Eligible employees who have completed 90 calendar days of service may request educational leave for a period of up to one-half months every 1-year. Requests will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, SETRPC will continue to provide health insurance benefits for the full period of the approved educational leave.

Vacation, sick leave, and holiday benefits will continue to accrue during the approved educational leave.

When an educational leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, SETRPC cannot guarantee reinstatement in all cases.

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If an employee fails to report to work at the end of the approved leave period, SETRPC will assume that the employee has resigned.

### **612 Pregnancy-Related Leave**

SETRPC will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy. Such leave requests will be evaluated according to the medical leave policy provisions outlined in this handbook and all applicable federal and state laws.

Requests for time off associated with pregnancy and/or childbirth, such as bonding and childcare, not related to medical disabilities for those conditions will be considered in the same manner as other requests for **unpaid** family or personal leave.

### **613 Administrative Leave**

The Executive Director may authorize administrative leave, with or without pay, when warranted by unexpected or extraordinary circumstances not otherwise provided for in these policies.

# **PERSONNEL POLICY MANUAL**

## **701 Safety**

To assist in providing a safe and healthful work environment for employees, customers, and visitors, SETRPC has established a workplace safety program. This program is a top priority for SETRPC. Its success depends on the alertness and personal commitment of all.

SETRPC provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition(s) to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report, or where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor and complete the necessary paperwork. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

## **702 Work Schedules**

The normal work schedule for all employees is 8 hours a day, 5 days a week. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

## **703 Use of Phone and Mail Systems**

SETRPC's telephone system is essential to the effective and efficient operation of our office. Accordingly, the telephone system is to be used principally for official agency business, and personal usage must be minimized.

Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse SETRPC for any charges resulting from their personal use of the telephone, including cellular equipment.

Under no circumstances should personal telephone calls be made from the switchboard or reception area. If switchboard personnel need to make a personal call while on duty, relief personnel should be summoned to handle the switchboard while the personal call is placed from another location.

The use of SETRPC-paid postage for personal correspondence is not permitted.

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To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

### **704 Smoking**

In keeping with SETRPC's intent to provide a safe and healthful work environment, smoking in the workplace is prohibited except in those locations that have been specifically designated as smoking areas. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail.

This policy applies equally to all employees, customers, and visitors.

### **705 Meal Periods**

All full-time regular employees are provided with one meal period of 60 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

### **706 Overtime**

The South East Texas Regional Planning Commission (SETRPC) **Executive Director**, all **Program Directors** and designated employees who qualify under the FLSA “**Administrative**” Exemption and **Information Technology** personnel are classified **EXEMPT** and will receive **NO** compensatory time off (comp time) under the FLSA regulations.

SETRPC provides **NON-EXEMPT** employee’s compensatory time off (comp time) for overtime hours. Comp time is earned at a rate of one-and-a-half-for-one for nonexempt employees. All comp time earned from the 1<sup>st</sup> through the 15<sup>th</sup> of each month must be taken by the 15<sup>th</sup> of the next month. All comp time earned from the 16<sup>th</sup> through the end of the month must be taken by the end of the next month. SETRPC, as a governmental agency, is exempt from paying a monetary amount for overtime. All comp time is subject to grant specifications. Employees **will not** be paid for unused comp time.

When operating requirements or other needs cannot be met during regular working hours, employees may be utilized to work overtime hours. All overtime work must receive a department director’s prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Overtime is based on actual hours worked over a 40-hour week, starting at 12:00 am Sunday and ending at 11:59 pm Saturday seven calendar days later.

Time off on sick leave, vacation leave or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.



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Comp time earned and taken will be noted on the employee's timesheet with department director approval, and will be tracked at the department level. The employee's department director shall approve all comp time leave in advance.

In the event of extreme extenuating circumstances beyond the control of the employee, as related to the timely use of comp time, exceptions to this comp time policy may be considered **with the approval of the Executive Director.**

### **707 Use of Equipment**

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, or tools appear to be damaged, defective, or need repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in disciplinary action, up to and including termination of employment.

### **708 Emergency Closings**

At times, unexpected and extraordinary circumstances can disrupt SETRPC operations. In extreme cases, these circumstances may require the closing of the SETRPC offices.

When the decision is made to close the SETRPC offices, employees will receive official notification from their immediate supervisor or from the Executive Director or his designee. In these situations, time off from scheduled work will be paid. **In an emergency closing when the employee has already arranged time away for vacation or other events, that time shall be charged as previously arranged.** Employees in essential operations may be asked to work on a day when operations are officially closed.

### **709 Business Travel Expenses**

SETRPC will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. The Director of each Department must approve all business travel in advance.

**A. Out of region travel expenses that generally will be reimbursed include the following:  
(Receipts required except as otherwise noted)**

- Airfare, bus fare or train fare.
- Car rental fees and fuel costs.

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- Fares for shuttle or airport bus service, where available. Costs of public or network transportation for ground travel.
- Mileage costs at state set per diem allowances for use of personal cars.
- Parking or toll fees.
- Cost of standard accommodations subject to state set per diem allowances, except in hotel where conference occurs.
- Out of state travel is subject to federal per diem guidelines except for hotel accommodations where conference occurs.
- Cost of meals subject to state set per diem allowances for in-state travel, and subject to federal guidelines for out-of- state travel (75% first and last day travel rule do not apply). Meal receipts are not required.
- Charges for services required for business purposes (ie – fax, wi-fi, etc.)
- Training/Conference registration fees.

All travel reimbursements are subject to grantor guidelines.

Expenses for the Executive Director, or his designee, and for SETRPC Officers will be reimbursed, in accordance to state and federal guidelines, to include the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by SETRPC may not be used for personal use without prior approval.

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their supervisor when travel advances are needed.

With prior approval, employees on business travel may be accompanied by a family member or friend (at their own expense), when the presence of a companion will not interfere with successful completion of business objectives. Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

When travel is completed, employees should submit completed travel expense reports within 15 days. Any cash advances not fully required during the trip must be returned with the expense report.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

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### **B. In-Region Day Travel Expenses that generally will be reimbursed include the following:**

- Mileage costs at state set per diem allowances for use of personal cars.

Employees may submit mileage reimbursement form monthly.

In certain circumstances, employees may request a monthly car allowance in lieu of mileage reimbursement. Requests for a car allowance are reviewed and approved by the Executive Director and Executive Committee. Car allowances are a benefit subject to applicable IRS laws and regulations.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased or rented by SETRPC may not be used for personal use without prior approval.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

### **710 Visitors in the Workplace**

To provide for the safety and security of employees and the facilities at SETRPC, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors, helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter SETRPC at the lobby. Authorized visitors should be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on SETRPC's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the lobby.

### **711 Computer and E-mail Usage**

Computers, computer files, the e-mail system, and software furnished to employees are SETRPC property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization.

SETRPC strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, SETRPC prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-

## **PERSONNEL POLICY MANUAL**

color jokes, or anything that may be construed as harassment or showing disrespect for others.

Employees should notify their immediate supervisor, the Administrative Department, or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

### **712 Internet Usage**

Internet access to global electronic information resources on the World Wide Web is provided by SETRPC to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of SETRPC and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of SETRPC. As such, SETRPC reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer system.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by SETRPC in violation of law or SETRPC policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy.

### **713 Workplace Monitoring**

Workplace monitoring may be conducted by SETRPC to ensure quality control, employee safety, security, and customer satisfaction.

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Employees who regularly communicate with customers may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training.

Improved job performance enhances our customers' image of SETRPC as well as their satisfaction with our service.

Computers furnished to employees are the property of SETRPC. As such, computer usage and files may be monitored or accessed.

Employees can request access to information gathered through workplace monitoring that may affect employment decisions. Access will be granted unless there is a legitimate business reason to protect confidentiality or an ongoing investigation.

Because SETRPC is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

### **714 Telecommuting**

Telecommuting is the practice of working at home or at a site near the home instead of physically traveling to a central workplace. SETRPC may offer a work alternative to some employees when it would benefit both the organization and the employee.

Employees who believe telecommuting can enhance their ability to get the job done should submit a written request to their managers proposing how it will benefit SETRPC and themselves. The request should explain how they would be accountable and responsible, what equipment is necessary, and how communication barriers will be overcome.

The decision to approve a telecommuting arrangement will be based on factors such as position and job duties, performance history, related work skills, and the impact on the organization.

The employee's compensation, benefits, work status, work responsibilities, and the amount of time the employee is expected to work per day or per pay period will not change due to participation in the telecommuting program (unless otherwise agreed upon in writing).

The employee's at-home work hours will conform to a schedule agreed upon by the employee and his or her supervisor. If such a schedule has not been agreed upon, the employee's work hours will be the same as they were before the employee began telecommuting. Changes to this schedule must be reviewed and approved in advance by the employee's supervisor.

Telecommuting is an alternative method of meeting the needs of the organization and is not a universal employee benefit. As such, SETRPC has the right to refuse to make telecommuting available to an employee and to terminate a telecommuting arrangement at any time.

### **715 Workplace Violence Prevention**

SETRPC is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, SETRPC has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

SETRPC will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical.

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

SETRPC encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Executive Director before the situation escalates into potential violence. SETRPC is eager to assist in the resolution of employee disputes. No disciplinary action will be taken with employees for raising such concerns.

### **716 Social Media**

SETRPC recognizes the importance social media for its employees. However, use of social media by employees may become a problem if it interferes with the employee's work, is used to harass co-workers or customers, creates a hostile work environment, or harms the goodwill and reputation of SETRPC among its customers or the community at large. SETRPC encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.

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**NOTE:** As used in this policy, 'social media' refers to blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn and YouTube, among others.

- SETRPC expects all employees will exercise good professional judgment in any use of social media. Only staff authorized by the Executive Director will be allowed to create a social media presence for SETRPC.
- If your posts on social media mention SETRPC, its products or services, employees, customers, and/or competitors, make clear that you are an employee of SETRPC and that the views posted are yours alone and do not represent the views of SETRPC.
- Do not mention names of SETRPC employees, clients, customers, or partners without their expressed consent. Employees who wish for their names or photos to be excluded from SETRPC social media activities need to notify IT.
- Do not defame or otherwise discredit SETRPC, its employees, clients, customers or partners.
- Social media activities should not interfere with your duties at work. Please limit use during work hours. SETRPC reserves the right to monitor its facilities to ensure compliance with this restriction.
- Be a scout for compliments and criticism. If you come across positive or negative remarks about SETRPC that you believe are important, consider forwarding them on to the HR Manager or your Division Director.
- Do not link to SETRPC's website, use its logo, or post company material on a social media site without written permission obtained from your Division Director or the Executive Director.
- If you list SETRPC as your employer, you are prohibited from posting, following, or liking content of the following nature: sexual, racist, derogatory, discriminatory, promotes illegal activity, compromises safety or violates legal ownership.
- You are responsible for your actions. Anything you post that can potentially tarnish SETRPC's reputation will ultimately be your responsibility. We support the use of social media, but encourage you to do so properly, exercising sound judgment and common sense.
- Violation of this policy may lead to disciplinary action up to and including immediate termination of employment.

### **801 Employee Conduct and Work Rules**

To ensure orderly operations and provide the best possible work environment, SETRPC expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty or while operating employer-owned vehicles or equipment
- Sectarian, religious or anti-religious activity
- Fighting or threatening violence in the workplace
- Insubordination or other disrespectful conduct
- Sexual or other unlawful or unwelcome harassment
- Excessive absenteeism or any absence without notice
- Violation of personnel policies
- Unsatisfactory performance or conduct

### **802 Drug and Alcohol Use**

It is SETRPC's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on SETRPC premises and while conducting business-related activities off SETRPC premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner, that does not endanger other individuals in the workplace.

SETRPC reserves the right to test for alcohol and/or drug use if there is reasonable suspicion of their use or the effects of their use on its premises or during working hours. Failure to take a timely test, requested by an employee's supervisor, will be perceived as a positive test result. Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Executive Director to receive assistance or referrals to appropriate resources in the community.



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Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may participate in a rehabilitation or treatment program through SETRPC's health insurance benefit coverage.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify SETRPC of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Executive Director without fear of reprisal.

### **803 Sexual and Other Unlawful Harassment**

SETRPC is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct. This conduct is demeaning to another person and undermines the integrity of the employment relationship and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Executive Director or any other member of management. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Executive Director or any member of management who will handle the matter in a timely and confidential manner.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

### **804 Attendance and Punctuality**

To maintain a safe and productive work environment, SETRPC expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on SETRPC. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

### **805 Professional Appearance**

Employees of the SETRPC are hired to provide services to its citizens and to perform specific tasks in a professional manner. As representatives of the SETRPC, employees are expected to set and meet high standards both in performing quality work and in presenting a professional personal image to the public. At all times, employees must use good hygiene that includes dress, grooming and personal cleanliness.

Appropriate neat and clean clothing should be worn to work each day and at all times when representing SETRPC at meetings and conferences. Appropriate office dress is designated as business casual attire or smart casual attire. Attire considered inappropriate includes, but is not limited to faded, torn and/or dirty jeans, shorts, sweat suits, t-shirts, sheer, tight or overly revealing clothing, spaghetti straps, tennis shoes or slides/flip flops suitable for the beach. Friday's and/or other days or other special days are designated as casual days. On these days the wearing of appropriate jeans, t-shirts and tennis shoes are permitted. Additional exceptions may be made by department directors for days in which special work activity requires such.

If an employee has questions about the appropriateness of a particular outfit, he or she should seek advice from a supervisor before wearing it to work.

### **806 Return of Property**

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

### **807 Resignation**

Resignation is a voluntary act initiated by the employee to terminate employment with SETRPC. Although advance notice is not required, SETRPC requests at least 2 weeks written resignation notice from all employees.

### **808 Solicitations**

In an effort to ensure a productive and harmonious work environment, persons not employed by SETRPC may not solicit or distribute literature in the workplace at any time for any purpose.

SETRPC recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

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In addition, the posting of written solicitations on company bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for:

- Employee announcements
- Job openings
- Organization announcements
- Workers' compensation insurance information

If employees have a message of interest to the workplace, they may submit it to the Executive Director for approval. The Executive Director will post all approved messages.

### **809 Progressive Discipline**

The purpose of this policy is to state SETRPC's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

SETRPC's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with SETRPC is based on mutual consent and both the employee and SETRPC have the right to terminate employment at will, with or without cause or advance notice, SETRPC may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

SETRPC recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and SETRPC.

## **810 Problem Resolution**

SETRPC is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from SETRPC supervisors and management.

SETRPC strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with SETRPC in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step. In addition, the employee may be represented by an attorney or other person at the employee's expense at any point during this procedure and has the right to present any personnel decision to SETRPC Executive Committee members upon request by the employee.

- 1) Employee presents problem to immediate supervisor after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to Executive Director.
- 2) Supervisor responds to problem during discussion or after consulting with appropriate management, when necessary. Supervisor documents discussion.
- 3) Employee presents problem to Executive Director's designee if problem is unresolved in five working days.
- 4) Executive Director's designee counsels and advises employee, assists in putting problem in writing, visits with employee's manager(s).
- 5) Employee presents problem to Executive Director in writing.
- 6) Executive Director reviews and considers problem. Executive Director's designee informs employee of decision and forwards copy of written response to Executive Director for employee's file. The Executive Director has full authority to make any adjustment deemed appropriate to resolve the problem.

Not every problem can be resolved to everyone's total satisfaction. However, through understanding and discussion of mutual problems, employees and management can develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment and helps to ensure everyone's effectiveness as a member of the SETRPC team.

## **811 Workplace Etiquette**

SETRPC strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. SETRPC encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

## **812 Sectarian Activity**

No funds received by Subrecipient shall be used, either directly or indirectly, to support any religious or anti-religious activity.

## **813 Whistleblowing**

Employees are encouraged to report improper activities in the workplace. SETRPC does not directly, indirectly, or through contractual agreement, subject an individual to discrimination because the individual reports a violation of any of SETRPC's funding source contracts, law, or regulation to any supervisory authority, or to any appropriate regulatory or law enforcement authority, if the report is made in good faith. Employees who whistle blow can do so without fear of retaliation.

Employees have the duty to comply with all applicable laws and to assist the SETRPC to ensure legal compliance. An employee who suspects a problem with legal compliance is required to report the situation(s) to their supervisor or other appropriate member of Administration, to include the Executive Director.

### **901 Life-Threatening Illnesses in the Workplace**

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. SETRPC supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, SETRPC will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially and maintained separately from employee personnel files. Access to these medical records is permitted strictly on a "need-to-know" basis and must be authorized by the Executive Director or his designee. SETRPC will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

### **902 Employee Commute Options**

SETRPC recognizes that traffic congestion contributes to air pollution and energy waste. To help reduce congestion and improve air quality, SETRPC encourages employee commute options. Finding alternatives for driving alone to work benefits both employees and the environment.

Public transportation is a commute option that reduces traffic and air pollution. Transit riders eliminate the stress of driving and may even have time to read, sleep, or write while commuting.

Carpooling is a convenient option that saves money on commute costs, reduces the stress of driving every day in traffic, and encourages communication with co-workers.

A carpool consists of two or more individuals who share a ride to work. The number of riders may vary, the days the carpool operates may change, the drivers may rotate, and riders may share expenses. The ride sharers determine the rules.

Contact the Executive Director for more information and assistance with employee commute options.

### **903 Suggestion Program**

As employees of SETRPC, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

All regular employees are eligible to participate in the suggestion program.

## ***PERSONNEL POLICY MANUAL***

A suggestion is an idea that will benefit SETRPC by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making SETRPC, a better or safer place to work! Statements of problems without accompanying solutions, or recommendations concerning co-workers and management are not appropriate suggestions.

All suggestions should contain a description of the problem or condition to be improved, a detailed explanation of the proposed solution or improvement, and the reasons why it should be implemented. If you have questions or need advice about your idea, contact your supervisor for help.

Submit suggestions to the Executive Director. As soon as possible, you will be notified of the adoption or rejection of your suggestion.

Special recognition will be given to employees who submit a suggestion that is implemented.