

HOUSING AUTHORITY OF THE CITY OF CHARLOTTE PERSONNEL MANUAL

TABLE OF CONTENTS

Policy Administration	Section 1
Policy Statement	Page 3
Purpose of the Policy Manual	Page 3
Employment Administration	Section 2
At Will Employment	Page 4
Equal Employment Opportunity	Page 4
Sexual Harassment	Page 5
Other Harassment	Page 5
Disability Policy	Page 6
Employment of Relatives	Page 6
Employment of Minors	Page 6
Immigration Reform and Control Act	Page 6
Hatch Act – Political Activity	Page 7
Position Management	Section 3
Position Status	Page 8
Request for Personnel	Page 9
Recruitment and Selection	Page 10
Orientation of New Employees	Page 11
Outside Employment	Page 12
Employee Development	Section 4
Performance Appraisal	Page 13
Job Evaluation	Page 14
Pay Rates and Ranges	Page 14
Wage and Salary Increases	Page 15
Promotions and Transfers	Page 15
Layoff and Recall	Page 17
Recording Hours of Work	Page 17
Leave Time	Page 18
Payroll Deductions	Page 18
Work Hours	Page 19
Overtime	Page 20
Wage Garnishments	Page 21
Compensatory Leave for Exempt Employees	Page 21
Employee Benefits and Services	Section 5
Eligibility for Benefits	Page 22
Health Insurance Benefits	Page 22
Short and Long Term Disability	Page 22
Retirement Plan	Page 22
Educational Assistance	Page 23
Employee Assistance Program (EAP)	Page 24
Paid Leave Benefits (Annual)	Page 25
Bereavement Leave	Page 26

Jury Leave and Court Participation	Page 27
Educational Initiative/Volunteer Pay	Page 27
Holidays	Page 28
Military Leave	Page 28
Sick Leave	Page 29
Voting Time	Page 30
Family and Medical Leave Act (FMLA)	Page 30
Juvenile Leave	Page 32
Adverse Weather Conditions	Page 33
Attendance and Absenteeism	Page 34
Employee Relations	Section 6
Rules of Conduct	Page 37
Personal Appearance (dress code)	Page 37
Personal Conduct	Page 38
Personal Property	Page 38
Gambling	Page 39
Civil Arrests	Page 39
Use of Equipment and Property	Page 39
Workplace Smoking	Page 40
Insubordination	Page 40
Solicitation and Distribution	Page 41
Electronic Mail Policy	Page 41
Internet Policy	Page 42
Positive Performance/Discipline Program	Page 44
Crisis Suspension	Page 45
Complaint Procedure	Page 45
Confidential Information and Falsification	Page 46
Patents, Inventions and Copyrights	Page 47
Personnel Files	Page 47
Visitors	Page 48
Safety and Health Administration	Section 7
General Rules	Page 49
Occupational Safety and Health Act (OSHA)	Page 50
Bloodborne Diseases	Page 50
Workplace Violence	Page 51
Use of Authority Vehicles	Page 51
Worker's Compensation	Page 53
Separation from Employment	Page 53
Exit Interview	Page 54
Drug Free Workplace	Section 8
Drug Free Workplace Policy	Page 55
Substance Abuse Policy Dissemination	Page 55
Substance Abuse Definitions	Page 55
Drug Use Prohibitions	Page 56
Alcohol Use Prohibitions	Page 57
Testing	Page 57
Drug Free Awareness Trainings	Page 59
Investigation	Page 61
Arrest or Conviction for Drug Related Crime	Page 61
Confidentiality	Page 61
Alphabetical Index	Page 62

POLICY ADMINISTRATION – SECTION 1

POLICY STATEMENT

This Personnel Manual (“Manual”) contains the personnel policies and procedures of the Housing Authority of the City of Charlotte (“HACC” or “the Authority”). It is designed to be a working guide for all employees in the daily administration of HACC business.

PURPOSE

These written policies are designed to increase understanding and help to ensure uniformity throughout the organization. Every member of management is responsible for administering these policies in a consistent and impartial manner.

The HACC may change the policies at any time. If there are any questions about any policies or procedures or methods by which to implement them, employees should contact the Human Resources Director.

EMPLOYMENT ADMINISTRATION – SECTION 2
BASIC PRINCIPLES

AT-WILL EMPLOYMENT

The policies in this Manual do not constitute a contract with any employee. Nothing in this Manual alters an employee's status as an at-will employee. The employment relationship with all employees may be terminated at any time by the HACC or the individual employee.

No manager or supervisor in the organization, other than the President/CEO of the HACC, is authorized to enter into an employment contract (written or oral) with any employee.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the HACC to provide equal employment opportunity (EEO) without regard to race, color, creed, religion, sex, age, national origin, disability, or veteran status.

- A. All employees and job applicants will be granted equal employment opportunities. HACC will not discriminate against any employee or applicant on the basis of race, color, creed, religion, sex, age, national origin, disability, military or veteran status. All employment decisions will be based solely on the candidate's job-related qualifications and abilities to perform the essential job functions.
- B. All personnel policies and practices including compensation, benefits, discipline, and safety and health programs, as well as social and recreational activities, will be administered and conducted without regard to an individual's race, color, creed, religion, sex, age, national origin, disability, military or veteran status.
- C. Employees who have EEO-related questions should direct their questions to their immediate supervisor or the Human Resources Director. Employees who have an EEO-related complaint may pursue their complaint through the HACC's formal Complaint Procedure.
- D. All personnel of the HACC will be trained in the principles of EEO/Affirmative Action within the first six (6) months of hire and promotion, during their orientation process. Supervisors will be held accountable for the implementation of this policy.

SEXUAL HARASSMENT

It is illegal and against the policies of the HACC for any employee, male or female, to sexually harass another employee by making unwelcome sexual advances or requests, or through other verbal or physical conduct of a sexual or gender-based nature, or to make submission to such conduct a term or condition of employment; by using submission to or rejection of such conduct as the basis for, or a factor in any employment decision affecting the individual; or by creating an intimidating, hostile, or offensive work environment by engaging in such conduct. All employees will be subject to discipline, up to and including termination, for any sexually harassing behavior. Pursuant to the guidelines on sex discrimination issued by the Equal Employment Opportunity Commission, and in compliance with Title VII of the Civil Rights Act of 1964, it is the policy of HACC to provide an environment free of sexual harassment.

- A. The creation of an intimidating, hostile, or offensive work environment may include but is not limited to such actions as: comments regarding an employee's sexual activities, inappropriate verbal or physical actions, the display of obscene or sexually oriented photographs or drawings, telling of sexually-related or gender-based jokes or circulation of pictures, or remarks that intimidate, ridicule, or maliciously demean the status of an individual's gender. The HACC will determine whether certain conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation.
- B. Because the HACC cannot correct misconduct of which it is not aware, any employee who feels victimized should immediately report this, in writing, to his or her supervisor, to the Human Resources Director, or to the Executive Director. No employee will be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint, or for assisting with or participating in an investigation, proceeding or hearing under this policy.
- C. Complaints will be thoroughly and promptly investigated. Employees who may have knowledge of the incident may be questioned. Accurate and complete documentation will be kept. Please note that all charges of sexual harassment brought to the attention of management and/or Human Resources will be investigated and may not be held 'in confidence' or 'off the record.'
- D. If employees are dissatisfied with the investigation and resolution of a complaint, they may avail themselves of the HACC's Complaint Procedure.

OTHER HARASSMENT

It is also against the policy of HACC to harass another employee on the basis of race, color, national origin, sexual orientation, age, disability, gender identity, political affiliation, military or veteran status or marital status. Prohibited harassment includes, but is not limited to, slurs, jokes, and offensive or derogatory remarks which create an intimidating, hostile or offensive work environment, or unreasonably interferes with an employee's work performance. Complaints of such harassment will be investigated, and employees will be subject to discipline up to and including termination for such harassing behavior.

DISABILITY POLICY

The HACC does not discriminate against disabled individuals with respect to hiring and terms, conditions and privileges of their employment. The HACC will make reasonable accommodations for known, medically certified, disabilities of qualified applicants or employees who have a disability under the Americans with Disabilities Act (ADA), and who can perform the essential functions of the position with or without reasonable accommodation.

EMPLOYMENT OF RELATIVES

No two (2) members of an immediate family or any other member of the same household (related or not related) shall be employed within the same department, or where there is a direct reporting relationship between the two (2) persons.

The term "immediate family" includes the following: wife, husband, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent(s), grandchildren, stepparent(s), legal or recognized guardian, and stepchildren. Immediate family will also include others living within the same household or otherwise so closely identified with each other.

In the event of marriage between two employees that creates a situation as described above, the employees involved may post and compete for other positions for which they feel qualified and which may be available within the HACC. Should no position be successfully obtained within three (3) months (ninety days) of the new marital status, the marital couple will decide among themselves which one will voluntarily relinquish their position with the HACC. Only one three month period will be allowed per couple. Should the employees fail to make a decision within this three (3) month (ninety day) period or fail to find other employment within the HACC the least senior employee will be terminated on the ninety-first day. As a result of this possible conflict, employees are required to report all situations which may give rise to the above situation. All situations not reported, but subsequently brought to the attention of management will be treated as per policy. This means that should a situation be found beyond day ninety, the least senior employee will be immediately terminated.

EMPLOYMENT OF MINORS

It is the policy of the HACC that individuals under the age of 18 years will not be considered for regular employment at the HACC. In the event that minors are employed on a temporary or part-time basis for jobs that are not considered hazardous, such employee must provide proof of age in the form of a birth certificate, baptismal record, state ID, or driver's license. A state issued work permit must also be obtained and presented to the HACC prior to hire.

IMMIGRATION REFORM AND CONTROL ACT

In accordance with the Immigration Reform and Control Act of 1986, it is the policy of the HACC to hire only those individuals who are authorized to work in the United States. Pursuant to this law, all

individuals who are offered employment at HACC will be required to submit documentary proof of their identity and employment authorization.

HATCH ACT

Section 12(a) of the Hatch Act restricts the political activities of local officers and employees if their principal employment is in connection with an activity of the agency which is financed in whole or in part by federal funds. These restrictions are enforced by the U.S. Civil Service Commission. The restrictions prohibit, in part, (1) the use of official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office, (2) directly or indirectly coercing, attempting to coerce, commanding or advising any other officer or employee to pay, lend, or contribute anything of value to any party, committee, organization, agency or person for political purposes, and (3) acting as a candidate for public office in a partisan election. For questions regarding the Hatch Act, please see the Human Resources Director.

POSITION MANAGEMENT – SECTION 3

POSITION STATUS

It is the policy of the HACC to establish position status definitions and classifications in accordance with applicable federal and state laws.

- A. **Introductory EMPLOYEES:** Newly hired employees are considered introductory for a period after initial employment. Non-exempt employees will have a three (3) month introductory period and exempt employees will have a six (6) month introductory period. Nothing in this policy shall be construed as a guarantee of employment for this period. During this period and beyond, all employees are considered to be ‘at will’ employees.
- B. **REGULAR FULL-TIME and PART-TIME POSITIONS:** Employees are considered regular employees upon satisfactory completion of the designated introductory period. Full time positions are those scheduled to work a minimum of thirty (30) hours per week. Employees in this classification are entitled to full benefits, prorated to the number of hours worked between thirty and forty per week. Regular Part time positions are scheduled to work less than thirty (30) hours per week and receive pro-rated benefits only after working 1,050 hours (“Service Requirement”). Regular Part time employees are then eligible for health (medical and dental) insurance, retirement, pro-rated annual and sick leave based on years of service, pro-rated bereavement leave and pro-rated holiday pay. This status also requires that an employee is hired for a period which is expected to exceed six months and the position requisition must have been approved as regular, part time by the President/CEO.
- C. **TEMPORARY POSITIONS:** It is the policy of HACC to supplement the regular work force with temporary HACC employees when necessitated by periods of peak work load, employee absences, or other situations as may be determined by management. Employees in temporary positions may be exempt or non-exempt and are required to work as specified in the temporary employment agreement for a period which is not expected to exceed six (6) months. Employees in this classification are not eligible for paid leave and holidays except those required by law (health insurance and retirement after working 1,050 hours). Any employment of temporary employees beyond the six month period requires the approval of the Division Head.
- D. In the case of grant funded positions, the employment of the incumbent terminates with the end of the grant, unless terminated sooner by HACC or the employee. Employees in grant funded positions may post for other HACC positions prior to grant end and, if successful in attaining a position, will be transferred into the new position. In no instance will employment in a grant funded position extend beyond the end of the grant.

- E. Employees shall not be eligible for paid absences, or other employee benefits, except those required by law (specifically, military or civic duty) until they have completed ninety (90) days of employment. Other exceptions shall be payment for official Authority holidays and bereavement leave.
- F. Employees who do not complete the introductory period, or who leave within one pay period (10 working days) of completion of the introductory period, are not entitled to payment for any accrued annual or sick leave benefits.

REQUEST FOR PERSONNEL

It is the policy of the HACC to consider the request for replacement and additional personnel when made by authorized management.

- A. Persons responsible for requesting replacement or additional employees must complete a Position Requisition form (*HR form 320-01*) with justification for the request. Some reasons might be promotion, replacement, increased workload or excessive overtime. Responsibility for determining budget availability and processing of any required budget adjustments is that of the requestor.
- B. The following information must be provided:
 - 1) Number of employees needed
 - 2) Position Classification (Job Title)
 - 3) Department, Site or Property
 - 4) Date Needed
 - 5) Type of employment (Full-time, Part-time, Temporary). If temporary or part-time, indicate hours or period involved
 - 6) Salary, wage or rate of pay, financial account number or labor code
 - 7) Minimum and maximum salary or wage to be offered
 - 8) Qualifications required in terms of necessary education, training, experience, and essential job elements
- C. The Position Requisition form must be signed by the Department Head and submitted to Finance for verification of funding availability and to the Human Resources Department for approval processing.
- D. The Human Resources Director must verify the need for the position and the funding source. Approval must be obtained by the Division Head, the Budget Director and/or CFO and the Human Resources Director. The recruitment process will begin only upon receipt of all signatures.

RECRUITMENT & SELECTION

The primary goal of HACC's recruitment policy is to fill vacancies with applicants who best fit the organization's needs. In pursuing this goal, HACC will adhere to the principles of Equal Employment Opportunity which dictate that all qualified applicants will receive consideration for employment regardless of their race, color, creed, religion, sex, national origin, age, disability, military or veteran status.

Employees who apply for a promotion or transfer will be given equal consideration. When a job vacancy exists, the qualifications of an incumbent candidate for a promotion or transfer will be assessed solely on the basis of an individual's ability to perform the essential job functions, merit, and length of service when applicable.

HACC management will monitor all recruitment and selection activities to ensure that all laws, policies and other requirements are met. The Human Resources Director is available for consultation on all activities. All final recruitment offers must have the approval of the Human Resources Director.

A. Application Process

1. Office receptionists will be responsible for distributing employment applications and receiving and checking completed forms. The Applicant Flow information must be recorded for each posted position.
2. Applicants will be notified that application forms are maintained on active file for six (6) months and that they will need to submit a new employment application form every six (6) months if they wish to continue under consideration for employment by HACC. Applicants may apply for subsequent positions within the six month period by indicating in writing the position for which they wish consideration and the position for which they previously applied. Applicants must apply for each position for which they seek consideration.
3. Applications received after the closing date of the job announcement will not be considered.
4. The HACC will post external job announcements for a minimum of ten days. Applicants must meet the minimum qualifications for the listed position for consideration. HACC will utilize a variety of techniques, including - but not limited to - classified advertisements, employment agencies, former employees, Employment Security Commission, minority group organizations, and school and college placement offices. Recruitment of applicants through private agencies requires the prior approval of the President/CEO, along with the necessary budgetary approvals for any agreed upon agency payment.
5. Current employees are encouraged to refer qualified individuals for consideration as possible candidates for existing job vacancies. Employee referrals should be made to the Human Resources Department. All individuals referred by employees will receive the same employment consideration as applicants from other sources.

6. Application forms, interviews, tests, and reference checks will conform to applicable federal, state, and local laws governing employee-selection practices.
7. Former employees who left in good standing may be considered for re-employment after one year has passed from the date of termination. Former employees who quit without adequate notice or who were dismissed, normally will not be considered for re-employment.
8. Department Directors have the option to promote from within their department prior to posting a position externally. In this instance, the position vacated by the successful employee may then be posted. The Department Director may first post the position within the department only to provide opportunity for internal candidates. In all cases, any employee considered must meet the minimum qualifications noted on the position description. In the case of departmental postings, department employees who meet the minimum qualifications for the position may submit a letter of interest or HR form 320-02 to the Director by the date noted on the posting. Applications received after the closing date will not be considered. When positions become available, supervisors are encouraged to first consider whether there are employees internal to the department qualified for the position. This procedure is so for all positions up to the management level. Management level positions must be posted both internally and externally.
9. Should the director post the position outside of the department, but internal to the HACC, employees who meet the minimum listed requirements and have been in their current position for one year may post for the position. If the decision is reached to post the position generally, then both internal employees who meet minimum requirements and have been in their current position for one year and external applicants who are not former employees who have already been once re-employed and who meet the one year requirement for reapplication, may post for the position. Applications received after the closing date will not be considered.

ORIENTATION OF NEW EMPLOYEES

All newly hired employees will undergo an orientation that is designed to provide them with basic information to understand Authority operation. It is our policy to ensure that all new employees are properly introduced to their supervisors and co-workers, their job duties and responsibilities, and the policies and practices of the HACC.

It is the responsibility of the Human Resources Department to arrange and conduct the initial orientation sessions. New employee orientation sessions will be conducted as needed based on level of recruitment. Orientation will include, but not be limited to discussion on the following: overview of the HACC organization and operations, hours of work and attendance policy; salary, tax withholding, and other payroll deductions; benefit plan eligibility; introductory procedures and rules; work rules and regulations, and performance evaluation procedures. Where necessary, orientation will also include training for newly hired supervisors, acquainting them with management policies and may also include computer orientation, which will be conducted by the MIS department.

All new employees will be provided with a copy of the HACC Personnel Manual during the orientation session. The employee will be required to sign for receipt of the manual, and will be expected to read and understand the information contained therein.

The manager or supervisor will be responsible for ensuring that the new employee has met their fellow employees, knows the locations of their assigned work area, rest rooms, break room, employee bulletin boards, etc.

It is the responsibility of the manager or supervisor to schedule an orientation training schedule for the new hire including but not limited to:

1. Clear description of the job.
2. Expected performance standards to be reviewed at the end of the designated introductory period.
3. To review the expected rules and behaviors of the department.
4. Departmental operations and special requirements.

OUTSIDE EMPLOYMENT

All employees are expressly prohibited from engaging in any activity away from the job that compromises the HACC's interests or adversely affects the employee's job performance and ability to fulfill all responsibilities to the Authority. Outside employment for full-time employees is not encouraged since the demands and requirements of the employee's job at HACC are considered primary; however, the HACC may allow its employees to hold second jobs subject to the restrictions outlined in this policy.

- A. Employees are cautioned to consider carefully the demands that such additional employment will create. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, early departures, refusal to travel, or refusal to work overtime or different hours. If such incidents occur, the employee will be subject to disciplinary action up to and including termination.

Employees who have accepted outside employment are not eligible for paid sick leave when the leave is used to work on the outside job or is the result of an injury sustained on the second job.

EMPLOYEE DEVELOPMENT – SECTION 4

PERFORMANCE APPRAISAL SYSTEM

It is the policy of the HACC to administer a two tiered performance review system, which includes an optional semi-annual employee self-appraisal and a required annual performance review with all employees. Employee performance will be measured on employee ability to meet the established performance standards for their designated position. It is the overall responsibility of management, under guidance from the Human Resources Department, to administer the evaluation schedule and to ensure that measuring tools are in place to equitably apply the standards to the appropriate employee. These performance appraisals will be utilized in determining pay-increases, performance improvement counseling efforts, and training needs. In addition, all employees will be required to complete an employee development plan for use in training and development purposes, after completion of six months of employment with the HACC.

The HACC has established the following annual review schedule for all employees:

NEW HIRES: At the successful completion of the introductory period, the supervisor is to review the employee's progress to date. Employees hired October 1st or later of any fiscal year are not eligible for the annual merit cycle in the following year.

REGULAR STAFF: Appraisal cover sheets or standard forms will be sent out by Human Resources at the end of the fiscal year and are due back to Human Resources, issued and signed by the employee, by the end of May. Any increase budgeted for the year and arising from the appraisal will be effective after the first full payroll in July.

TRANSFERS AND PROMOTIONS: Employees transferred or promoted prior to October 1st of any year are to be reviewed during the regular review cycle. Employees transferred or promoted on or after October 1st are not eligible for the annual merit cycle if they received an increase at the time of their transfer/promotion, unless written exception due to extenuating circumstances has been requested at the time of the transfer/promotion and approved in writing by the President/CEO. The next eligible date for increase will be in the merit cycle for the following year.

- A. Department managers and supervisors will be responsible for establishing the performance standards for each function performed in their assigned division.

- B. Employees in departments where supervision has determined to utilize semi-annual appraisals, or who individually wish to complete a self-appraisal instrument/work-plan, must do so by September 15th of each year and schedule a meeting with their supervisor by October 15th. Any changes or corrections to the appraisal should be made at this time. All self appraisals, signed by the employee and the supervisor, are due in Human Resources by October 31st.
- C. The completed and signed annual Performance Appraisal form must be submitted to Human Resources for determination of the employee's merit increase where applicable. This determination will then be presented to the supervisor to be shared with the employee.
- D. Appeal of Performance Appraisal

Should an employee disagree with his/her performance appraisal, he/she may file an appeal and request an investigation of the results of the appraisal. Employees who wish to file an appeal of their Performance Appraisal should contact the next level of supervision beyond those indicated on the signed form. An appeal may be made through the supervisory chain up to the President/CEO or his/her designee. All appeals must be in writing, specifically stating what section(s) of the appraisal is being appealed and providing substantiating information. This appeal of the appraisal must be submitted in writing within ten days of receipt of the initial appraisal and within five days of the receipt of any appeal decision. Supervision at all levels should respond to the appeal within ten days of receipt of the appeal. Appeal forms (*HR form 320-03*) may be obtained from the Human Resources Department.

JOB EVALUATION

The HACC has implemented and will maintain a Job Evaluation System for all positions in the Authority, designed to provide a rational, consistent method for measuring the relative worth of jobs in the organization.

The Human Resources Director will have the responsibility for conducting job evaluations and will be responsible for administering the procedures to maintain an ongoing job evaluation effort for the HACC.

Employees are encouraged to raise any questions they may have about the job evaluation program with their immediate supervisor or Director of Human Resources.

PAY RATES AND RANGES

The HACC strives to pay its employees competitive wages and salaries that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in compatible organizations in the market area.

- A. Each job in the organization will be placed in a pay grade, based on its job-evaluation ranking. Each grade will have at least minimum, midpoint, and maximum pay rates, with the distance between the minimum and maximum rates constituting the grade's range. The dollar limits specified for different grade ranges will reflect both job-evaluation results and survey data on the pay practices of other companies.

- B. The Director of Human Resources and the employee supervisor will determine the appropriate in-grade pay rate for employees based on background/knowledge at hiring, and thereafter based on an objective review of each employee's job-related knowledge, experience, performance (indicated by the performance appraisal) and on available budget authority.

- C. Through the use of periodic wage and salary surveys and continuing job-evaluation reviews and procedures, the HACC will monitor its pay rates, ranges, and practices to keep them updated, equitable, competitive, and consistent. Employees should bring their pay-related questions or complaints to the attention of their supervisor.

WAGE AND SALARY INCREASES

Consistent with the established pay structure and subject to economic resources and budgetary availability, the HACC will ensure that employees' pay rates are administered in a fair and consistent fashion and that pay increases serve primarily to reward and encourage high performance. The HACC reserves the right to review pay rates and grant special increases in order to correct inequities.

- A. The primary means by which employees progress through the pay ranges established for their jobs is to receive merit increases that reflect standard performance and above, as measured by the performance appraisal.

- B. Merit increase decisions will be based on the results of an annual performance appraisal conducted by the supervisor.

- C. Employees paid below the minimum of their pay range will be eligible for an increase to the minimum during the annual merit review cycle within budgetary restrictions.

- D. Supervisors will be responsible for approving all pay increases for employees in their department.

PROMOTIONS AND TRANSFERS

Promotions are defined as an upward advance move to a higher position usually with added salary, status and authority. Transfers will refer to demotions, a shift to a lower position requiring reduction in salary or to lateral moves; from one position to another at the same level, usually with no change in

salary. The goal of the HACC's promotion and transfer policy is to identify employees who have the skills needed for advancement to higher positions and to give qualified employees an opportunity to be considered for promotional opportunities; or to address employees who might achieve better performance at a lower level of the organization.

- A. Current employees who apply following a position posting and who have been in their current position for a minimum of one year will be given consideration for job vacancies, however, the Authority reserves the right to recruit outside candidates who have the skills or experiences needed for certain jobs.
- B. The supervisor/manager in whose department the vacancy occurs normally will be the person responsible for making a promotion decision. While in-house candidates receive consideration for job openings, promotions are never guaranteed. Employees may prepare themselves for promotional opportunities by participating in employer-sponsored training programs and by pursuing their employee development plan objectives, such as outside educational and training programs.
- C. In those instances where a supervisor posts a position, but wishes to consider all qualified employees internal to the HACC prior to any outside posting, a notice announcing each job vacancy will be posted on employee bulletin boards for a period of at least five (5) consecutive days. Interested employees who meet the minimum qualifications may apply for these positions by notifying the Human Resources Department in writing and completing the appropriate form (*HR form 320-02*). Employees must complete one year of employment with the HACC to be eligible to apply for promotions or transfers and must have been in their current position for a minimum of one year.
- D. The primary factors taken into account in all promotion decisions will be relative ability and merit.
- E. The HACC reserves the right to transfer employees to different positions when deemed necessary to maintain efficient operations or production. Employees who are permanently transferred to a lower-paying job will receive the lower rate of pay, effective with the start of the first full pay period in which they are employed in the new position.
- F. Employees can request a formal transfer outside of their department only through the posting system. Temporary and introductory employees are not eligible for transfers.
- G. Promotional increases shall be determined based on budget availability each fiscal year and will be calculated based on the individual's placement into the new salary grade using the minimum of the new salary grade as a guide. The recommendation for the increase will be made by the Director of Human Resources and the employee supervisor, based on these factors.
- H. An employee promoted on or after October 1st of any year would not be eligible for a merit increase for that same fiscal year. Employees who cannot perform satisfactorily after receiving proper training may be demoted to a lesser position.

1. Promoted or transferred employees are considered introductory employees in their new position. Those who fail to perform their duties adequately in their new position may be returned to their previous job, or to a comparable position within their former or new department, if one is available. If no position is available, the employee is subject to termination for failure to pass the introductory period in the new position.
2. An employee subject to demotion must be qualified to perform the lesser position with a minimum of instruction.
3. When an employee's current wage/salary falls within the wage/salary range of the lower level job, it may remain the same or be reduced to any step within the wage/salary range of the lower level job at the discretion of the supervisor and the Director of Human Resources, based on budgetary restrictions.
4. An employee refusing a job or any vacant position due to demotion will be terminated.

LAYOFF AND RECALL

A layoff may occur due to downsizing or overall elimination of particular functions within the HACC operations. The HACC will provide as much notice as is practicable, but no less than two weeks' notice, or two weeks' payment in lieu of notice, to any employee who may be affected by a layoff. It is the policy of the HACC that ability, competency and length of service are the primary considerations in determining whom within a particular job function or department is laid off. Impacted employees are given consideration for any open position for which they post and are qualified; however, the HACC reserves the right to recruit other candidates.

- A. Any severance or benefit payment for those persons impacted by layoff is at the discretion of the President/CEO.
- B. There are no recall rights to HACC positions impacted by layoff. Laid off employees are exempt from the one year requirement for reapplying for HACC positions.

RECORDING OF HOURS OF WORK

All HACC employees, supervisors and department managers are responsible for submitting completed time records of the hours worked, leave requested, and absences of each employee on a bi-weekly basis through the payroll system.

- A. Time worked is to be entered by the employee through the Payroll system every two weeks and approved by the manager. For site maintenance positions, back-up manual time sheets signed by the employee and the supervisor must be submitted for each pay period to the Financial Administrator.

- B. Time records are to reflect the daily hours worked, authorized leave taken, and compensable time off given to an employee during each pay period.
- C. Pay may not be advanced and paychecks may not be issued prior to the normal payday with the exception of scheduled vacation or other leave. All pay advances require the approval of the Chief Financial Officer.

LEAVE TIME

Verification of leave taken and compensable time off must be maintained in an electronic record or must accompany all time sheets. For manual records, management is required to forward the white copy of the HACC leave request form to the Finance Administrator immediately upon approving this leave or prior to the end of the pay period. The Administrator will forward this form to the Human Resources department.

Every pay period, the Leave Balance Register will be updated in the time sheet system for review by Division/Department Directors, Managers, and Supervisors. It is the responsibility of the supervisor to ensure that the requested hours are shown on the leave balance register prior to approval.

Job injury leave requires a leave request form or notation in the electronic records and should be brought to the attention of and approved by supervision and by Human Resources in accordance with the HACC's worker's compensation plan.

OVERTIME AND COMPENSATORY TIME

Non-Exempt staff must record all authorized overtime on their timesheets.

Exempt staff, through the manager level, may either maintain the compensatory time form (*HR form 320-04*) with appropriate supervisor's approval, so that time entered through the payroll system may be verified by the supervisor; or at the supervisor's discretion may enter information in the time system.

PAYROLL DEDUCTIONS

All discretionary payroll deduction requests or cancellations should be entered by the employee through the electronic payroll system, which will be forwarded to Human Resources for approval, or forwarded in writing to Human Resources for processing. This includes items such as United Way, HACC Scholarship Fund, Employee Association, Credit Union, etc. that are a part of the fringe benefit plan for all HACC employees.

WORK HOURS

The HACC work week is defined as 40 hours. The regularly scheduled work day begins at 8:00 am and ends at 5:00 pm, with a one (1) hour unpaid lunch break each workday. There are various alternative work schedule options available to employees. The options include:

- Flex-time, which is a block of time at the start and end of traditional eight hour shifts during which employees may report and complete their required hours of work.
- Ten-hour day, four-day workweek, in which an employee works ten hours per workday, reducing the workweek to four days a week. Employees are required to take a lunch break of either one half hour or one hour, dependant on department needs and will receive holiday pay as outlined in the holiday pay policy. An employee may not work through lunch to shorten their workday unless approved by the department head.
- Job sharing is defined as two part time employees assigned to the same job equivalent as one full time employee. Should this option be considered, the participants as well as the department head must ensure the continuity of the work being done at the same work station, with two individuals working as a team to accomplish one full time position's duties.
- Tele-working is defined as an employee working any of the above schedules, with one day scheduled from home. The normal tele-work schedule is defined as a forty hour work week, with one eight hour schedule worked from home. Any tele-work agreement requires the approval of the President/CEO. All employees engaging in this arrangement would be required to sign an agreement, indicating their commitment to the tele-working arrangement and their understanding that any found violation of the work agreement would result in immediate termination. The employee must possess all necessary equipment (in most cases computer and phone) which will allow them to utilize this option. Department heads would be responsible for monitoring work performance and production with this arrangement. The employee must be aware that in the event of any safety related accident they would be required to rely on their homeowner's insurance as a first defense, prior to utilization of company provided insurance.

The department head, with division approval, is responsible for identifying if any of the aforementioned staffing options are workable within his or her department. This includes determining if the entire department must convert to one of the above alternative scheduling options. To determine whether it would be appropriate, the department head must assess the impact and outcome in terms of customer service, department effectiveness, efficiency, quality and absenteeism, and whether one or a combination of the above is in the best interests of the department, HACC and the employee. In addition, once a decision is reached on utilizing an alternative schedule, the department head must then determine, on a case by case basis, whether that schedule would be most effective for each particular employee within the department. Employees should submit **HR form 320-05** to their supervisor for consideration. Movement to an alternative schedule does not imply automatic approval for all employees within that department. That determination would rest, on an individual basis, with the department head; who must then receive final approval from the division head. In addition, all tele-work schedules must be approved by both the Division Head and the President/CEO. Finally, employees should be aware that holidays/company paid leave days will be paid on an eight (8) hour basis, as currently exists. Employees

may choose to utilize additional personal leave hours, if needed, to complete their work day on an extended schedule.

Implementation and determination of potential schedules must be approved with the consent of the Human Resources Director to assess overall feasibility. All departments entering into an alternative schedule must undergo a trial operation of three months before permanent implementation.

The Human Resources Director has the general responsibility of overseeing the day to day implementation of this policy in accordance with payroll and legal requirements. Any requests for exceptions to this policy must be made in writing to the Human Resources Director for review, who will then forward them to the President/CEO for final approval.

OVERTIME

It is the policy of the HACC to compensate non-exempt employees for overtime in accordance with Federal and State regulations, making every effort to carefully plan overtime with due regard for the impact on employees and the needs of the customers.

- A. Overtime is paid to nonexempt employees for authorized hours worked in excess of (forty) 40 hours in a work week at the rate of 1 1/2 times the base rate of pay. Supervision may schedule time off for the employee in the week in which the employee works overtime so as to avoid an overtime situation in that work week, at the supervision's discretion. Nonexempt employees are employees who are subject to the overtime provisions of the Fair Labor Standards Act.

Work performed by nonexempt employees in excess of forty (40) hours must be approved by supervision prior to performing the work. Failure to obtain such approval will subject the employee to disciplinary action up to and including discharge.

- B. For purposes of calculating the employee's overtime pay, no portion of the employee's hours attributable to paid leave shall be counted.
- C. The HACC may elect to provide pay to exempt employees in special situations (refer to Compensatory Leave for Exempt Employees Policy). Exempt employees are not subject to the overtime provisions of the Fair Labor Standards Act. The HACC does not provide Compensatory Leave to nonexempt employees.
- D. The HACC will pay overtime for pre-approved work on Saturdays, Sundays or Holidays by non-exempt employees, provided the total actual hours worked within that work week exceed (forty) 40 and no accommodation has been made to include Saturday or Sunday work within the regular work hours.

WAGE GARNISHMENTS

The HACC will comply with all applicable laws governing the garnishment of wages. Court-ordered garnishments will be accepted and handled as required by law. An Employee Assistance Program (EAP) is also available to counsel employees who request assistance.

Under federal law, no employee will be disciplined or discharged on the basis of a garnishment, regardless of its nature.

COMPENSATORY LEAVE FOR EXEMPT EMPLOYEES

Compensatory leave may be taken by exempt employees in the event that special required assignments beyond the normal routine must be completed and where the employee receives prior approval.

- A. In the discretion of the Authority, the Authority may provide pre-approved compensatory leave to employees exempt from the overtime provision of the FLSA positions when work is required beyond the normal working hours.
- B. Compensatory leave will be calculated hour for hour.
- C. Exempt employees may be awarded one hour of compensatory time-off for every hour over 40 hours in a week. Compensatory leave must be taken in no more than three (3) consecutive days at one time and should be taken no later than ninety (90) days after the time was accrued. Any carryover balance of compensatory leave not taken after ninety (90) days will be forfeited. Compensatory leave may not be utilized to accomplish normal job assignments which are not completed during the work day.
- D. Employees must receive prior approval from their supervisor and/or Department Director to receive compensatory leave.
- E. Exempt employees are entitled to payment for up to 40 total hours of currently available unused/accrued compensatory time earned upon terminating employment with the HACC.
- F. It is the responsibility of the employee to obtain approval of the supervisor prior to performing work beyond the normal 40 hour work week.

EMPLOYEE BENEFITS AND SERVICES – SECTION 5

ELIGIBILITY FOR BENEFITS

All Regular employees, full-time and part-time, that meet the eligibility criteria are entitled to fringe benefit plans available for their status, prorated based on hours worked. The type, level, eligibility and cost of the benefit plans are subject to change at any time at the sole discretion of the HACC.

Any inconsistencies between the provisions in this policy and the plan documents are governed by the plan documents.

ELIGIBILITY REQUIREMENTS

HACC employees hired on regular full-time status (40 hours per week) are entitled to the complete benefit package. Those working on a reduced full time status (30 – 39 hours per week) will be entitled to the complete benefit package, prorated based on hours worked, including health insurance coverage, retirement plan and leave package. Part time employees working over 1,050 hours in a calendar year will be entitled to pro-rated benefits after completing 1,050 hours (i.e. an employee working 50% of time would be entitled to 50% benefit pay on holidays, vacation, leave and sick accrual and health benefit allowance). Temporary employees are entitled to only those fringe benefits that are mandated by law.

The eligibility date varies with each benefit as indicated below.

HEALTH INSURANCE BENEFITS

HACC employees meeting the eligibility requirements are eligible to obtain the available health insurance package (medical, dental, vision and life) on the thirty-first day of continuous employment with the HACC or as indicated under the current HACC benefit plan contract.

SHORT AND LONG TERM DISABILITY

HACC employees currently are eligible to obtain both short and long term disability coverage after they have completed six months of continuous employment with the HACC. Employees must meet all requirements of the disability carrier to be eligible under the plan.

RETIREMENT PLAN

HACC employees are required to participate in the retirement plan after completing six (6) months of employment. The HACC retirement plan is a tax deferred plan. The employee currently contributes 5.5% and the HACC currently contributes 5.5% into the plan. Participating employees become vested in the retirement plan based on the following schedule.

Full years of Continuous Participation In the Plan	Percentage Vested In the Plan
Less than 1	0%
1 but less than 2	20%
2 but less than 3	40%
3 but less than 4	60%
4 but less than 5	80%
5 or more	100%

HACC reserves the right to make changes to this plan at any time; in which case employees will be subject to the terms of the plan then in effect.

EDUCATIONAL ASSISTANCE

The HACC is committed to assisting its employees in furthering their education and training through offering a Tuition Refund program to employees attending courses at an accredited college, university, or technical institution.

A. ELIGIBILITY

1. All regular full-time employees completing one year of continuous employment are eligible to participate in the Educational Assistance program. All requests must be approved in advance by the Department Director and Human Resources Director. (Use ***HR form 320-06***).
2. College courses for degrees, certifications, and licenses related to the employee's career with the HACC will be approved on a first come first served basis, subject to budgetary constraints. All employees must reapply for educational assistance at the start of every semester prior to enrollment, to ensure budgetary allowance for the amount applied for.
3. Other courses of instruction may be approved under the following conditions:
 - a. Courses taken for the purpose of improving job skills or knowledge required of the employee at work.
 - b. Courses taken to help qualify the employee for assuming greater responsibilities in jobs related to the present job or to help the employee qualify for the next job in the promotion sequence.

4. The HACC will reimburse the employee upon receipt of *HR form 320-07*, a transcript documenting successful completion of the course, based on grade received and of proof of payment of the course. "Successful completion" means receiving a grade of "C" or better or the equivalent thereof.
5. Employees who receive either educational assistance funds or attend Authority paid training of an amount greater than the Authority set reimbursement rate of two undergraduate courses per year that voluntarily terminate employment within one year of receipt of funds will be required to repay the funds to the HACC.

TUITION REFUND PROGRAM

Educational assistance will not be awarded if tuition and fees are covered by other sources such as scholarships, grants, etc. The Human Resources Director will compute an average rate for reimbursement per 3 credit hour undergraduate and graduate course annually.

Upon completion of the course(s) at the end of each semester (or quarter), the employee will be reimbursed accordingly once the transcript, receipt and *HR form 320-07* have been submitted to their supervisor and to Human Resources:

<u>GRADE</u>	<u>REIMBURSEMENT ELIGIBILITY</u>
A	100%
B	90%
C	80%

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The HACC recognizes that a wide range of problems, not directly associated with one's job, can have a negative effect on job performance and create personal hardships as well. In the interest of the employee, the employee's family and the HACC, it is HACC's policy to make available to its employees an Employee Assistance Program (EAP) to assist employees with such problems.

- A. It will be the responsibility of the employee to comply with a mandatory referral to EAP and to cooperate with the prescribed treatment. An employee's refusal to comply will result in disciplinary action up to and including termination.
- B. Any health or personal problem treated through the EAP may qualify for related benefits that are available under the HACC's group insurance program.
- C. The Human Resources Department will be responsible for implementation of this program. It will be the role of the Human Resources Director to promote growth of the program, confidentiality of cases, and provide educational materials designed to make all employees aware of this program.

PAID LEAVE BENEFITS

All regular full-time HACC employees successfully completing three months of employment become eligible for paid leave benefits (exceptions: official Authority holidays and bereavement leave). To recognize an employee's length of service and so that each employee may benefit mentally and physically by a period of rest and relaxation during the year, employees of HACC are entitled to paid leaves based upon type of leave and length of service.

A. ANNUAL LEAVE

Regular full-time employees (40 hours) accrue annual leave at the beginning of each month, determined by length of service with the HACC. For regular employees working 30 – 39 hours per week, the monthly accrual hours are pro-rated:

Length of Continuous Service (Years)	Annual Accrual (Days)	Monthly Accruals (Hours)
1, but less than 5	12	8
5, but less than 10	15	10
10, but less than 15	18	12
15 or more	20	14

1. Unused annual leave may be accrued, but no more than 240 hours may be carried over from one calendar year to the next. If an employee accrues annual leave in excess of 240 hours (30 days; pro-rated for regular employees working 30 – 39 hours per week), he/she will be allowed to cash-in up to 40 hours of accrued annual leave in excess of 240 hours, provided he/she has used 40 hours of annual leave for that calendar year. All leave in excess of 240 hours (after the buyback) as of 12/31 of each year will be forfeited.
2. Annual leave may not be taken in units of less than one (1) hour.
3. Annual leave pay will be computed on the basis of an employee's regular wage or salary for a comparable work period.
4. Employees should inform their immediate supervisor of their scheduling requests. All leave requires supervisory approval to avoid disciplinary action and to receive payment for said leave. Supervisors will try to comply with employee's request as long as the organization's productivity and staffing needs are met. In the event that a supervisor cannot grant requests for the same annual leave filed by two or more employees, the employee who has the greater length of service with the HACC will be given priority consideration.

5. Employees may elect to use earned annual leave days for illness if sick leave has been exhausted.
6. Employees must accrue annual leave prior to taking it. The Authority does not advance annual leave unless approved by the President/CEO.
7. Regular part-time employees who have met the Service Requirements accrue annual leave on a monthly basis in accordance with the regularly scheduled hours. Example; a part-time employee regularly scheduled to work 4 hours per day earns 4 hours per month.

B. BEREAVEMENT LEAVE

Employees bereaved by the death of an immediate family member will be granted time off from work without loss of pay according to the following:

1. When a death occurs in an employee's immediate family, the employee will be compensated for time lost from his/her regularly scheduled work on the day of the death and the days following it, up to and including the day of the funeral, but not to exceed five (5) working days.
2. Immediate family members for the purpose of this policy shall include the employee's spouse, mother, father, mother-in-law, father-in-law, children, brother, sister, stepmother, stepfather, stepson, stepdaughter, grandmother, grandfather or grandchild, a person who is deemed the employee's legal guardian, or a person over whom the employee has legal guardianship.
3. One day of paid leave will be granted to attend funeral services for the death of legally related family members, such as cousins, aunts, uncles, nieces or nephews who are not "immediate family members" with the approval of the employee's supervisor.
4. An employee should contact their immediate supervisor as soon as possible to notify them of a death in the family and indicate to the supervisor how much time off is needed. If time off is needed in addition to the time awarded under this Bereavement Leave policy, employees may request use of available annual leave or compensatory time, if applicable.
5. Employees will be paid only for normally scheduled work days at the leave rate of eight hours per day.

C. JURY LEAVE AND COURT PARTICIPATION

It is the policy of the HACC to encourage employees to accept and fulfill their civic duty in their community free from the worry of job and/or financial loss. Accordingly, the HACC will compensate full-time employees for the actual time they are required to devote to jury duty up to a maximum of fifteen days per year. Time beyond this period must be approved by the President/CEO.

1. An employee subpoenaed to serve on jury duty shall submit a copy of the subpoena to his/her supervisor as soon as he/she receives it from the court. Additionally, the employee should submit a "Request for Leave" form which should be approved by the supervisor and together with a copy of the subpoena, be sent from the supervisor to the Finance Administrator. Upon completion of jury duty, the employee is to submit a certification from the Clerk of Court indicating the actual time required to be available for jury duty.
2. An employee serving on jury duty will be paid the normal straight time (eight hours per day) pay. This will be paid for a maximum of 15 days per year.
3. No leave is required for an employee attending court at the request of the HACC. He/she will receive regular pay. If an employee is required to attend court on HACC business on a day that he/she would normally be off, the time is considered working time and included in total hours worked per week.
4. When an employee is subpoenaed or directed by proper authority to appear as a witness on other than Authority business, the employee may take Leave Without Pay (LWP) or use annual leave for the period of required absence.

D. EDUCATIONAL INITIATIVE/VOLUNTEER PAY

All employees who have children or grandchildren for whom they are the legal guardian in daycare, public, or private school are eligible to receive six (6) hours of paid time per year for involvement in school activities. Leave requests should be submitted for approval in advance at least one week prior to the event or activity, whenever possible. Two (2) hours will be given per visit. If an employee has more than 3 children, the immediate supervisor can divide the six (6) hours paid time into one hour increments. Proof of attendance must be provided to supervision, if requested.

Employees without children may also use this benefit to perform volunteer work with schools. Proof of attendance must be provided to supervision, if requested.

E. HOLIDAYS

The HACC recognizes certain days of religious and historic importance as holidays, and pays regular, full-time employees and regular part time employees who have met the Service Requirement, for eleven (11) holidays. This is subject to change and employees will be notified.

HOLIDAYS OBSERVED:

New Year's Day	Floating Holiday*
Dr. Martin Luther King Jr.'s Birthday	Thanksgiving Day
Good Friday	Friday after Thanksgiving
Memorial Day	Christmas Day
Independence Day	Day after Christmas
Labor Day	

1. Whenever any of the holidays fall on a Saturday or Sunday, the preceding Friday or the following Monday, as determined by the HACC, will be recognized as a paid holiday.
2. Temporary employees or regular, part time employees who have not yet met the Service Requirements are not eligible to receive pay for the floating holiday. *Eligible employees must successfully complete the introductory period.
3. Should a holiday occur during an employee's vacation period, an additional day of vacation will be allowed. The day must be scheduled at the discretion of, and with the approval of, the immediate supervisor.
4. Holiday pay will not be considered as the equivalent of eight (8) hours worked in computing overtime for the week in which the holiday falls.

E. MILITARY LEAVE

The HACC will comply with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). An employee that is a member of the Armed Forces reserve organization or the National Guard shall be granted leave in accordance with USERRA.

Any employee of the HACC who must serve as a member of the United States Military reserves or National Guard will be required to show proof of military status. To seek a military leave of absence the employee must bring a copy of military orders to the Human Resources department and obtain approval.

1. Employees will be entitled to a military leave of absence without loss of annual or sick leave. If they choose to do so, employees may utilize their accrued annual leave to be paid during the absence.

2. For up to fifteen (15) working days of military leave in a calendar year, the Authority will pay the employee the difference between the military pay and the employee's regular Authority compensation. (Proof of military pay must be submitted.)
3. Upon completion of military service and timely notice of intent to return to work the employee will be reinstated to his/her job in accordance with USSERA.
4. Upon timely return to the HACC the employee retains any rights earned in the Authority's retirement plan. The time spent on leave will count as continuous for annual leave, length of service awards and the retirement plan.
5. For more information regarding military leave and USERRA, employees should contact the HACC's Human Resources Director.

G. SICK LEAVE

1. All regular full-time employees who have been continuously employed with the Authority are eligible for sick leave benefits for their own illness or disability or that of immediate family members, based on years of service.

<u>Years of Service</u>	<u>Monthly Accrual</u>	<u>Yearly Total</u>
1 - 4 years	8 hours	12 days
5 years or more	10 hours	15 days

Sick leave accrues without limit and can be accumulated from one year to the next. Sick leave is intended to provide income protection to employees that become ill and are not able to work.

2. Paid sick days are, by nature, designed to be used for illness, injury, or medical appointments. They are not to be used for vacation or to extend a holiday weekend. Paid sick time may not be taken in increments of less than one (1) hour.
3. Except in cases of sudden injury or illness, pre-notification is required prior to use of paid sick time. The pre-notification process requires the employee to notify the supervisor at least 24 hours in advance of his/her intention to use paid sick time. Failure to properly pre-notify may result in denial of payment.
4. Employees receiving payments under the North Carolina Worker's Compensation Act are eligible to utilize a percentage of their accrued sick leave to make up the difference between their full pay and worker's compensation payments. Employees requesting a medical leave of absence must use all available paid sick leave prior to approval of leave without pay (LWP). Employees receiving STD payments may utilize up to 32 hours per pay period of

paid sick leave benefits in order to supplement their disability pay. Those who request this must send written notice to Human Resources prior to leave commencement.

5. Supervisors are responsible for maintaining accurate records of an employee's use of sick leave days, as well as being conscious of suspicious patterns and/or employee abuse of sick leave.
6. Terminating employees, meeting service requirements, who comply with the advance notice requirements for resigning from their job will be paid for 25% sick leave they have earned but not used. No payment will be made for involuntary separations.

I. VOTING TIME

Every employee of the HACC has a civic duty to participate in the election process of public officials. It is the policy of the HACC to allow for paid time off from work for those employees whose work schedule creates a difficulty in fulfilling this duty.

1. Employees who cannot reach their polling place outside of work hours will be permitted time off to vote, either at the beginning or at the end of the shift, or for early voting in the weeks preceding the election (if work conditions will preclude employee from voting on Election Day) for a maximum of two hours.
2. Arrangements must be made with the immediate supervisor in the weeks preceding the election. Any employee not making proper arrangements will not be paid for time lost.

Evidence of voter registration and voting participation will be required.

J. FAMILY AND MEDICAL LEAVE (FMLA LEAVE)

In accordance with the Family and Medical Leave Act, the HACC provides eligible employees with the following leave ("FMLA Leave"):

1. Up to twelve weeks of unpaid leave in a 12-month period for the following reasons: (a) the birth of a child; (b) the placement of a child with the employee for adoption or foster care; (c) to care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition; (d) because of their own "serious health condition" as defined under the FMLA; or (e) because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation; and

2. A spouse, son, daughter, parent or next of kin may take up to 26 work weeks of leave during a 12-month period to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
3. Leave because of reasons 1(a) or 1(b) above must be completed within the 12 month period beginning on the date of birth or placement. In addition, spouses of employees also employed by the HACC, who also request leave because of reasons 1(a) or 1(b) above, may only take a combined total of 12 weeks during any 12 month period. The twelve-month period is defined as the 12-month period measured forward from the date the employee's first FMLA leave begins.
4. Notice of Leave - If the need for family/medical leave is foreseeable, the employee should give the HACC at least 30 days prior written notice. Failure to provide such notice may be grounds for delay of leave. Where the need for leave is not foreseeable, the employee is expected to notify the Human Resources Director within two (2) business days of learning of his/her need for FMLA Leave, except in extraordinary circumstances.
5. Medical Certification - If employees are requesting leave because of their own or a covered relation's serious health condition, the employee must supply appropriate medical certification. Medical Certification Forms are available from the Human Resources Department. When an employee requests leave, the HACC will notify him/her of the requirement for medical certification and when it is due. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The HACC, at its expense, may require an examination by a second health care provider designated by the HACC if it reasonably doubts the medical certification initially provided by the employee. If the second health care provider's opinion conflicts with the original medical certification, the HACC, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final binding opinion. The HACC may require subsequent medical recertification on a reasonable basis.
6. Reporting While on Leave - If an employee takes leave because of his/her own serious health condition or to care for a covered relation, the employee must contact the Authority on the first and third Tuesday of each month regarding the status of the condition and whether there is any change in his/her intent to return to work.
7. Leave is Unpaid – FMLA Leave is unpaid leave, though HACC policy allows that the employee may exhaust his/her accrued paid leave when excused for FMLA Leave. The employee may also be eligible for short or long-term disability payments and/or worker's compensation benefits under HACC insurance plans if absent for their own illness. Any paid leave will run concurrently with the FMLA leave.

8. Medical and Other Benefits - During an approved FMLA leave, the HACC will maintain the employee's health benefits, as if he/she had continued to be actively employed. While paid leave is available, the HACC will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's leave is unpaid, the employee must pay his/her portion of the premium through check or money order to the HACC. The employee's health care coverage will cease if the premium payment is more than ten (10) days late. If the employee elects not to return to work at the end of the leave period, he/she will be required to reimburse the HACC for the costs of premiums paid by the Authority for maintaining coverage during his/her leave, unless the employee cannot return to work because of a serious health condition or circumstances beyond his/her control.
9. Intermittent and Reduced Schedule Leave - Leave because of a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours the employee works in each work week or work day) if medically necessary. If leave is unpaid, the Authority will reduce the employee's salary based on the amount of time actually worked. In addition, while the employee is on an intermittent or reduced schedule leave, the HACC may temporarily transfer the employee to an available alternative position which better accommodates the employee's recurring leave and which has equivalent pay and benefits.
10. Returning from Leave - If an employee takes leave because of his/her own serious health condition, he/she will be required to provide to HACC a completed Return to Work Medical Certification form that verifies his/her ability to resume work. Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided and will have only five (5) work days beyond the request to provide such form.
11. Extended Leave for Serious Health Condition - In the discretion of the HACC, leave taken because of an employee's own serious health condition may be extended beyond the 12-week FMLA leave allotment on a month-to-month basis for a maximum of an additional 12 weeks upon: (a) written request to the Human Resources Director; (2) proof that the serious health condition has continued; and (3) approval by the HACC (which is subject to its business needs). Maximum leave for employees on FMLA under section 1(e) is 26 weeks. If the employee does not return to work on the originally scheduled return date nor requests in advance an extension of the agreed upon leave with appropriate documentation, the employee will be deemed to have voluntarily terminated his/her employment with the Authority. Reinstatement is not guaranteed on an extended leave and will depend on Authority needs.

K. JUVENILE LEAVE

The HACC will not discharge, demote or deny a promotion, or other benefit of employment to any employee because the employee must comply with a court order to participate in medical, surgical, psychiatric, psychological, or other evaluation or treatment of a juvenile, or to assist the juvenile in complying with the terms and conditions of probation or other orders of court.

The HACC will grant the employee reasonable leave without pay to permit the employee to comply with said court order. The employee must report the need for leave in writing to the Human Resources department stating the time needed for Juvenile Leave with a copy of the court order attached to the written notice. Human Resources will notify supervision of the need for the absence and of the dates of absence. Employees may utilize accrued annual leave to get paid for this time.

ADVERSE WEATHER CONDITIONS

The HACC expects each employee to make reasonable efforts to report to work in inclement weather situations. Under certain circumstances, adverse weather conditions may cause the HACC to curtail or cancel normal operations to ensure the safety of its employees.

Reporting to Work

Emergency Workers: The HACC considers all of the following Department Directors and Executive Staff to be emergency workers:

President/CEO

Chief Operations Officer

Chief Financial Officer

Deputy Chief Operations Officer

Vice President, Real Estate Development

Chief Administrative Officer

Corporate Communication Officer

Director of Human Resources

Director of Client Services

Director of Section 8

Director of Procurement & Energy Control

Director of Accounting

Director of Budgeting

Director of Strategic Initiatives

Director of Management Information Systems

Manager of Resident Safety & Security

Regional Property Manager

Sr./Site Manager

Each Department Director is responsible for designating a schedule of how emergency workers must report for duty in adverse weather conditions.

A. Regular Staff

1. If weather or traveling conditions delay or prevent the employee's reporting to work, he/she must notify his/her supervisor as soon as possible.
2. During adverse weather conditions the HACC may operate on a delayed opening. Official delay or closure will be communicated via local broadcast media.

B. Payment for Attendance

1. Unless the HACC is officially closed, employees who are unable to report for work will be expected to use one day of accrued annual leave or compensatory time, in order to receive payment for the day. Those without accrued or compensatory leave may take a leave without pay day.
2. Employees reporting to work according to the adverse weather delayed schedule will be paid for that days work. If the HACC opens and is forced to close early because of the weather, all employees reporting to work will be paid for the day. Those employees who did not report for work will not be paid unless they use accrued annual leave time for that day.

ATTENDANCE & ABSENTEEISM

It is the policy of the HACC that chronic tardiness and excessive absences are a basis for discipline up to and including termination, and usually will be addressed through the Positive Performance Discipline Program. This policy is to ensure a high level of productivity and quality performance of HACC staff in order to accomplish and achieve the mission of HACC.

Definitions

Attendance: Refers to an employee's adherence to officially scheduled working hours, lunch break, and scheduled breaks where applicable.

Habitual Tardiness: An exhibited behavior of an employee who consistently arrives and returns late for officially scheduled work hours. Arrival any time after scheduled time, regular or flex time schedule will be considered tardy and should be documented.

Excessive absences: Chronic absenteeism or an unusual frequent use of leave time.

Unexcused: A leave granted without pay because the absence is deemed unexcused by supervisor.

It is the standard of the HACC that employees observe the scheduled work hours, breaks, and lunch hours at all times.

It is the primary role of the managers/supervisors to seek to keep absences to a minimum in their individual departments. To combat such employee behavior, the following procedures are to be applied in an effort to reduce and control problems of tardiness and attendance to eliminate absences:

A. Requesting Official Absence or Leave

Employees should refer to the previous areas of this Personnel Manual to reference types of leaves granted to full-time employees of the HACC.

All leave must be requested and approved one week in advance, through the use of a written note or electronic mail. Evidence of illness or injury must be submitted from a medical practitioner in cases of extended absences [three (3) or more working days].

Should an unanticipated situation occur that does not afford the employee the opportunity to obtain advance approval, the following process must be followed:

1. The employee must contact his/her immediate supervisor immediately within the first thirty (30) minutes of the workday or as soon thereafter as possible.
2. The supervisor must note for his/her payroll records the absence and, at the discretion of the supervisor, request that the employee complete an electronic notice immediately upon his/her return. The supervisor's approval of the employee payroll record indicating leave will be considered to be approval of the leave. Supervisors who do not wish to approve the leave may change the payroll record to indicate leave without pay, but **MUST** notify the employee in writing of the change and the reason for the change.
3. The supervisor is responsible for monitoring leave of the employee and must notify the Human Resources department of any leave which extends three (3) days or more.

B. Identifying the Problem

The immediate supervisor is the first to recognize a problem with attendance and absenteeism. It is then the responsibility of the supervisor to:

1. Gather the Facts: Investigate the situation through timesheet records and leave request forms. Identify with specificity the type of absence, frequency, length, and pattern of the employee.
2. Document Findings: Through Written Reminder I, clearly state the attendance problem identified and schedule a formal session with the employee. Copy all documentation to the employee's personnel file.
3. Review Findings: The supervisor and the employee must immediately discuss the findings as outlined in the Positive Performance Discipline Program of the HACC.

C. Leave Abuse Indicators

1. Pattern absences that occur routinely and consistently can be signs of abuse. If there is an illness or disability that requires a routine absence, a physician's statement indicating that the employee is unable to work is required by the employee upon return to work. Lack of sufficient evidence of absences may result in disciplinary action up to and including termination and/or leave without pay.
2. Extended Weekends: The use of sick leave consistently on Mondays and/or Fridays without advance approval.
3. Extended Holidays: When that one (1) extra day before or after a holiday without approved leave is requested as sick leave without advance approval. All documentation of evidence of absence must be submitted immediately upon return to work or by the close of the next business day either to the supervisor or, if medical in nature, to the Human Resources department.

EMPLOYEE RELATIONS – SECTION 6

RULES OF CONDUCT

The success of HACC depends on the image it projects to the public, the community, its customers and suppliers, and others doing business with the HACC. It is the responsibility of every employee to portray an appropriate image. It is also the responsibility of every employee to govern his or her conduct and observe all work rules.

It is the policy of the HACC to ensure that in all business dealings, employees of the Authority will adhere to professional practices and high ethical standards.

Employees are expected to adhere to the specific and detailed work rules referenced in the HACC Personnel Manual. It is the expectation of the HACC that all employees conduct themselves with confidence and respect for all other employees, the community and HACC residents.

The HACC will not tolerate any racial, ethnic or religious remarks, verbal or physical conduct, or advances or threats of a sexual nature. The HACC will make every reasonable effort to maintain a workplace free of harassment of any kind from any source, including management, co-workers, residents, or visitors, while treating all complaints fairly and even handedly.

A. PERSONAL APPEARANCE

All employees are expected to dress in an appropriate and acceptable manner for office work, with exception of maintenance employees who are required to dress in uniform or Housing Inspectors, who may dress in more casual and appropriate attire to perform housing inspections. Determination of appropriateness will be made by the Division Head in conjunction with the Human Resources Director. Consideration will be given to employees who have legitimate reasons for being unable to comply with this policy. The HACC will reasonably accommodate any sincerely held religious belief that conflicts with this policy, unless such accommodation would result in an undue hardship.

1. Uniformed personnel

- a. Uniformed staff (maintenance) must be in a HACC uniform at all times during regularly scheduled working hours.
- b. Uniforms are to be cleaned and neatly pressed.
- c. Shirt tails are not to be tied or outside of pants. No rolled-up pant legs or shirt sleeves. No turned in or up shirt collars. Shirts may only be unbuttoned to second button from the top.
- d. Uniformed staff must wear a HACC cap only when hats are worn.

- e. No facial piercings during regularly scheduled work hours.
 - f. Safety work shoes or boots must be worn at all times by maintenance personnel. No sneakers or unprotected work shoes.
2. Office personnel
- a. No facial piercings during regularly scheduled work hours.
 - b. No hats inside the office.
 - c. Appropriate business attire is required, i.e. business shirt, tie in formal settings, dress slacks, professional suits (male/female). More casual business attire is, however, allowed on Fridays which has been designated casual dress day. Casual attire is defined as slacks, collared shirts, polo shirts, pant-suits, sun-dresses, etc.
 - d. No jeans or sneakers are to be worn during work hours, including during casual Fridays. The only exception to this would be involvement of the department in a special project, such as moving or off site teaming events.
 - e. Staff required to work in the field are encouraged to bring change of clothing and shoes for comfort when inspecting units and grounds.

B. PERSONAL CONDUCT

1. Gossiping, loud or noisy behavior or any activity that may be disturbing to the other employees is not permitted.
2. The use of profane or vulgar language is strictly forbidden at all times. What constitutes profane or vulgar will be determined by accepted standards and subject to management interpretation.

C. PERSONAL PROPERTY

The HACC does not assume responsibility for the loss or theft of personal belongings, and employees are advised not to carry unnecessary valuables with them while on the job.

1. For maintenance employees only: a locker or storage type may be assigned to each employee for safekeeping of clothing and small personal effects during working hours. Employees are responsible for maintaining their locker/storage area in a clean and sanitary manner. The HACC may inspect the contents of lockers or storage areas at any time and remove all Authority property and other items which are in violation of Authority rules and policies.
2. Employees are expected to exercise reasonable care to safeguard personal items of value brought to work. Such items should never be left unattended or in plain view.

3. The HACC may reimburse employees for damage to their personal property resulting from a work related accident on the job, provided the accident is not caused by the negligence of the employee. Personal property for purposes of this policy is defined as the personal belongings of an employee that are necessary for the performance of work such as work clothing and glasses. Clothing and personal items such as watches, jewelry, and similar articles which are not appropriate for the performance of work are not covered. The accident must be reported immediately, and the employee's supervisor must verify the circumstances and the damage. No coverage is provided for personal vehicles parked in HACC parking lots, thus employees are advised to lock their vehicles and not leave valuables in plain view.
4. Articles of personal property found on the premises should be returned to the owner, if known, or turned in to the Human Resources department. Inquiries regarding lost property should be directed to the Human Resources department.

D. GAMBLING

The HACC takes the position that gambling of any sort is expressly forbidden on Authority premises and will be cause for discipline, up to and including termination.

E. CIVIL ARRESTS

In the event of the arrest of an employee of the HACC by civil authorities, the Authority's action will be guided by the principle that the individual is presumed innocent unless found guilty by the judicial system.

1. If the offense in question is a violation of law or HACC policy, the individual will be subject to disciplinary action up to and including termination, regardless of any court action. Such disciplinary action shall be based on evidence gathered in an investigation by the HACC. The HACC may, at its sole discretion, either await the outcome of any court action before taking disciplinary action, or proceed without awaiting court action. A rearrangement of job responsibilities or leave pending determination of the case may be required.
2. The HACC will not hold a position open for an indefinite period of time. Should the employee be detained by the authorities, and be unable to report for work, the employee may first exhaust accrued annual leave and, if eligible, compensatory leave for a period up to and including thirty (30) consecutive days. If none is available or once available leave is exhausted, the employee may be placed on an unpaid leave of absence for the remainder of the thirty (30) day period. Employees unable to report to work by the end of the thirty (30) day period may be terminated.

F. USE OF EQUIPMENT AND PROPERTY

The use of HACC equipment and property for any purpose other than official business is prohibited. Under no circumstances may equipment (which includes Authority issued phones and computers), materials, or facilities be used for personal business.

1. The careless, negligent, or improper use of HACC property or equipment may result in disciplinary action, up to and including termination.
2. The HACC reserves the right to examine any and all packages, containers or any items brought onto or taken off of the premises.
3. Removing or attempting to remove HACC property without proper permission will result in disciplinary action up to and including termination.

G. WORKPLACE SMOKING

A clean air/smoking restriction policy has been adopted to protect the health of all employees, avoid conflicts between smoking and nonsmoking employees, and to ensure accommodations for nonsmoker's preferences where necessary.

1. Smoking is permitted outdoors. Smoking is expressly prohibited in all HACC buildings.
2. Violators of the smoking restrictions set forth in this policy will be subject to disciplinary action up to and including termination.

H. INSUBORDINATION

Insubordination can have a severe impact on the authority of supervisory personnel, the Authority's productivity and efficiency, the morale of co-workers, the safety of others, and Authority property. To identify appropriate standards of employee conduct and compliance with work directives, to facilitate production and maintain mutual respect and courtesy between employees and management, the HACC has implemented the following guidelines and ramifications regarding insubordination.

1. All employees are expected to perform promptly those tasks assigned to them by their supervisors.
2. Employees who object to an assignment or instructions (except for illegal, documentable health or safety reasons), are expected to perform the task or comply with the directive. Subsequently, they may file a complaint about the directive through the HACC Complaint Procedure.
3. Refusal or failure to fulfill an assignment or comply with established procedures will be treated as serious misconduct, and will result in disciplinary action up to and including termination. In determining the appropriate degree of discipline, the HACC will consider the employee's overall record, the severity of the infraction, and the particular incident in question.

I. SOLICITATION AND DISTRIBUTION

To protect the HACC and its employees from unnecessary and non-business related distractions, solicitations and other similar activities among employees, and the distribution of literature of any kind, are prohibited on HACC premises without prior approval from the President/CEO (or his/her designee):

1. Solicitation and/or distribution of literature by non-employees on HACC property is prohibited.
2. Solicitation by employees on HACC property during working time is prohibited.
3. Distribution of literature by employees on HACC property during working time is prohibited.

Definition: working time, for purposes of this policy, is defined as the time an employee is expected to be performing his job duties and does not include break periods, meal times or other periods when employees are properly not engaged in performing their work. Bulletin boards and break rooms, where available, may be utilized for posting of approved information, such as personal items employees wish to sell. All postings must be approved by management, in consultation with the Human Resources Director.

J. ELECTRONIC MAIL (E-MAIL) POLICY

This policy applies to any e-mail message created, sent, or received by employees using the HACC electronic mail system.

The HACC e-mail system hardware and software is the Authority's property. All messages created, sent, or received on the e-mail system are and remain the property of the HACC. There should be no expectation of privacy in these messages.

Use of e-mail is a privilege, which may be revoked at any time. An electronic mail 'account' is assigned to each employee. Any communication sent from that account is the responsibility of the employee assigned to the account. Employees are prohibited from allowing other individuals to send electronic mail from their account and may not use another account to send e-mail communications for their own purposes.

You should not expect that electronic mail communications made through the HACC system are confidential. At any time and without prior notice, HACC management reserves the right to monitor and examine e-mail, personal file directories and other information stored on company computers.

The e-mail system should be used primarily for business purposes. Incidental personal use of the electronic mail system is permitted. However, the personal use of e-mail should not interfere with HACC operations. Any personal use of e-mail is expected to be on the employee's own time and is not to interfere with the person's job responsibilities. E-mail communication should follow the same standards that are expected in written business communications. The e-mail

system may not be used for non-job-related solicitations except as has been deemed appropriate in the Personnel Policy Manual.

The e-mail system should not be used to send or receive privileged or confidential information or similar materials without prior authorization. The confidentiality of any message should not be assumed. Even when a message is erased, it is possible to retrieve and read the message. The use of passwords for security does not guarantee confidentiality.

Employees shall not use a code, access a file, or retrieve any stored information unless authorized to do so. Employees should not attempt to gain access to another employee's messages without permission.

The e-mail system is not to be used to create offensive or disruptive messages. Among those which are considered offensive include, but are not limited to, any messages which are unethical or which contain sexual implications, racial slurs, gender-specific comments, or other comments that offensively address someone's age, sexual orientation, religious or political beliefs, national origin, or disability. Employees are forbidden from using profanity or vulgarity when posting electronic mail.

Any employee who discovers a violation of this policy should immediately notify their supervisor. Any employee who violates this policy may be subject to disciplinary action up to and including termination.

K. INTERNET POLICY

Access to the Internet and to the HACC network is a privilege and carries responsibilities reflecting responsible and ethical use. A violation of this policy subjects the employee-user to immediate revocation of system privileges and may result in further disciplinary action, up to and including termination.

All information stored or transmitted on equipment or a network operated by the HACC is the property of the HACC. There should be no expectation of privacy in the use of the internet.

Limited personal use of the Internet is allowed by HACC employees; however, the employee-user is reminded that use of any and all HACC property is primarily for business purposes. Any personal use of the Internet is expected to be on the user's own time and is not to interfere with the person's job responsibilities. In addition, any posting to public forums or transmittal of electronic mail through the Internet for personal use must include a disclaimer that the views are those of the employee-user and not of the HACC.

At any time and without prior notice, management reserves the right to view, inspect, or otherwise monitor anything downloaded or accessed by employees from the Internet and employee use of the Internet. This includes personal file directories and any other information stored on HACC computers. Employees should expect that there will be periodic review of internet content to ensure compliance with company policy.

Information transmitted over the Internet is never private. It must be treated as available to the public unless it is confidential information and properly encrypted. If you require encryption capability, contact the Management Information Systems Department. The employee-user must abide by all federal, state and local laws with regard to information sent through the Internet. Employee-users are also prohibited from using Internet access through the HACC systems for any other business or profit-making activities. In general, employees should exercise the same restraint and caution in drafting and transmitting messages over the Internet as they would when writing a memorandum and should assume that their message will be saved and reviewed by someone other than the intended recipients.

All information downloaded from the Internet must be retained in accordance with the HACC's records retention policy and records retention schedule.

Employees shall not upload classified and/or proprietary information through the Internet without management approval and then only if encrypted by means approved by the Management Information Systems Department.

Virus scans are extremely important. Before viewing, executing, or otherwise opening any document, file, etc., downloaded from the Internet, a virus scan must be performed against these documents or files. Failure to detect viruses could result in corruption or damage to files and/or unauthorized entry into the HACC's network. It is also mandatory that you comply with copyright and trademark laws when downloading material from the Internet.

It is expected that employees will use the Internet for business reasons and will conduct themselves on the Internet in a manner consistent with the HACC's philosophy of treating others with respect and dignity. Communications with others on the Internet, such as forums or news groups, should be strictly for business purposes and should follow the same standards that are expected in other written business communications.

The Internet shall not be used for any illegal activities; collection and/or transmission of materials in violation of any federal, state, or local laws; conducting the business affairs of another business entity, including a business operated by an employee; messages or information used for personal advertising or solicitation; receiving or transmitting information or messages which are defamatory, abusive, profane, sexually oriented, threatening, or racially offensive.

The validity and integrity of information received or sent over the Internet cannot be guaranteed. If additional validity or integrity protection is necessary, additional procedures such as encryption and/or signature verification must be used.

Inappropriate use of the Internet may result in disciplinary action, up to and including termination of employment.

L. POSITIVE PERFORMANCE / DISCIPLINE PROGRAM

The HACC's Positive Performance/Discipline Program focuses on recognizing and encouraging good performance, correcting performance problems through coaching and counseling, holding each employee accountable for his/her actions, and building commitment to high work standards, safe work practices and excellence throughout the Authority.

If an employee is deficient in attendance, work performance, conduct or safety, disciplinary action may be necessary to correct the situation. When it is deemed necessary to administer disciplinary action, such action will generally be administered in a manner consistent within this program. However, disciplinary action for any particular incident rests in the sole discretion of the HACC, and the Authority will decide on the appropriate action on a case-by-case basis.

Discipline at HACC generally consists of a four level process. Steps in the process may be omitted, depending on the seriousness of the incident:

- Oral coaching
- Written Reminder Memorandums – A formal discussion with the employee concerning the problem, documented in a memo, a copy of which is submitted to the employee
- Decision Making Leave – A discussion with the employee concerning the problem, and a one-day paid suspension from work for employee to consider the problem and decide whether he/she can and will solve the problem
- Termination from Employment

An employee may appeal a termination to HACC Management for review. If the employee decides to appeal, he/she must submit their appeal to their Division Head within five (5) working days of their termination. The appeal must be in writing, stating why the employee feels the termination was unjust and naming any person who may substantiate any incident(s) related to the claims by the employee.

The Division head will review the case within five (5) working days of receipt of the appeal, and will forward their recommendation to the Director, Human Resources within two (2) working days of their decision. Should the Division Head desire to meet with the employee and/or the witnesses named prior to their decision being rendered, an additional five (5) day period will be allowed for this. Any meeting held at this level must include the Director, Human Resources.

The Human Resources Director will consider the information presented and within five (5) days of receipt of the Division Head's recommendation will forward the entire package to the President/CEO, with a recommendation from Human Resources attached.

The President/CEO will then make a final determination regarding the employee's appeal, with a letter noting this decision mailed within ten (10) working days from receipt of the H. R. package. Should the CEO wish to meet with the employee or CHA supervision prior to making this final

determination, an additional five (5) working days will be allowed for this. The decision of the President/CEO shall be final.

M. CRISIS SUSPENSION

A crisis suspension will be imposed when the employee's behavior may be so serious or inappropriate that immediate removal from the workplace is necessary. Examples may include, but are not limited to, theft, threat of violent action or violent action, destruction of HACC property, insubordination, reporting to work under the influence of drugs or alcohol, or possession of illegal drugs at work.

The employee will be required to leave HACC property pending the outcome of a formal investigation. The time an employee spends on crisis suspension will normally be without pay, unless the investigation concludes that the suspension was not justified.

COMPLAINT PROCEDURE

Employees who believe they have been treated unfairly or in a manner inconsistent with established policies may question or challenge a decision or action through this Complaint Procedure.

Every reasonable effort shall be expended to reach a final solution acceptable to all persons involved in a complaint.

The employee must first present his/her complaint under the appropriate Step (as explained below) within three (3) days of the incident giving rise to the complaint.

Step 1: The employee shall present a complaint or dispute orally to his/her immediate supervisor.

The supervisor must respond orally to the employee's problem as soon as possible, but no later than three (3) working days after the complaint was submitted to his/her attention.

If the complaint is against the employee's immediate supervisor, the employee may skip Step 1 and proceed to Step 2.

Step 2: If an employee presented his/her complaint under Step 1 and is dissatisfied with the solution proposed by the supervisor, he/she may present the complaint or dispute to the Department Director within three (3) working days following completed action in Step 1.

The employee must submit a signed statement to the Department Manager that states the problem, the reasons why the supervisor's response was unacceptable and suggestions for resolving the problem fairly. The Department Director may choose to meet with the employee to clarify or obtain additional information. The

Department Director is required to provide his/her decision to the employee in writing within six (6) working days following receipt of the employee's signed statement.

If the complaint is against the employee's Department Director, the employee may skip Step 2 and proceed to Step 3.

Step 3: An employee who presented his/her complaint under Step 2 and is not satisfied with the solution proposed in Step 2 may present a statement in writing to the Division Head within three (3) working days after the action in Step 2 is completed.

A copy of the employee's initial written statement, along with the Department Director's reply given in Step 2, must be submitted to the Division Head. The Division Head may choose to meet with the employee to clarify or obtain additional information. The Division Head must provide his/her decision to the employee in writing within six (6) working days following receipt of the employee's written statement.

If the complaint is against the employee's Division Department Head, the employee may skip Step 3 and proceed to Step 4.

Step 4: If the employee presented his/her complaint under Step 3 and the complaint or dispute remains unresolved, the employee may request a special review by the President/CEO by submitting his/her written statement and any information the employee wishes to be considered to the Human Resources Director within five (5) working days after Step 3 is completed.

The President/CEO will review the problem, along with the previous findings, and will notify the employee in writing of his/her decision. Review by the President/CEO is the fourth and final step in the HACC's Complaint Procedure.

CONFIDENTIAL INFORMATION & FALSIFICATION

Unless written permission is received from HACC, no HACC employee shall reveal confidential data (or falsify the same) to any individual other than an employee of HACC authorized to receive such confidential data or an official to whom the information is required by law to be released.

- A. As a condition of employment, all new-hires must sign a nondisclosure agreement (*HR form 320-08*) in which they promise to maintain the confidentiality of all HACC proprietary information and to use such confidential information only in the course of employment.
- B. Employees who violate this policy will be subject to disciplinary action up to and including termination. The HACC may seek legal redress and remedies for breaches of its confidentiality and falsification of information by employees and former employees.

- C. Supervisors will be responsible for periodically reminding employees of their confidentiality obligations. Staff meetings, individual evaluations and discussions, bulletin board postings, and paycheck notices are some of the means that may be used to ensure that employees stay mindful of the importance of maintaining confidentiality.
- D. The Human Resources Director will be responsible for ensuring that departing employees are reminded, preferably at an exit interview, of the HACC's confidentiality policy and expectations.

PATENTS, INVENTIONS AND COPYRIGHTS

Any patents, inventions, or copyrights obtained by employees during their period of employment or as a result of work accomplished while employed will become the property of the HACC.

PERSONNEL FILES

The HACC firmly believes in respect for the rights and dignity of each employee. It is the HACC's pledge to conduct business in such a manner that the rights and privacy of all employees are protected. To achieve this goal, the HACC maintains confidentiality of information contained in employee personnel files in accordance with law.

In accordance with North Carolina state law, all information contained in employee and former employee personnel files is confidential, except information considered to be a matter of public record.

- A. Employees, or their designated representative with a consent signed by the employee, will be granted access to view, in the presence of the Human Resources Director or his/her designee, information in their personnel files that is permitted to be disclosed in accordance with North Carolina law.
- B. The HACC will maintain personnel records on all current and former employees for properly conducting personnel affairs. Except as required and permitted by law, no information in an employee's or former employee's personnel file will be disclosed to anyone other than the employee without signed consent from the current or former employee specifically authorizing the release of the information.
- C. Necessary job-related and personal information about each employee will be retained in official personnel files. These files will include but are not necessarily limited to: basic information (name, address, social security number and job title); employment application and other hiring-related documents; notices of pay changes and benefit coverage information; performance evaluations and other employment-related actions (such as promotions, training course participation, and disciplinary actions); and other relevant job-related information deemed essential by management. These records will be kept indefinitely.

- D. Upon written request, current and former employees may inspect the information contained in their files as permitted by law in the presence of the Human Resources Director (or designee) at a mutually convenient time and place. Former employees may be charged the actual cost of retrieval of the file from storage.
- E. Questions on the accuracy or completeness of information contained in personnel files should be brought to the attention of the Human Resources Director. The HACC will consider the objection and correct or remove erroneous or improper information as deemed appropriate by the Human Resources Director. If the decision is made to retain the information in the file, the employee may place a brief statement in the record identifying the alleged errors or inaccuracies.
- F. Internal access to personnel files is limited to supervisors and managers who are considering the employee for a promotion, transfer, or other personnel action. Other management officials who have a legitimate, verifiable need to know specific information about the employee will be given access to the files only in the presence of the Human Resources Director (or designee) and at a mutually convenient time and place.
- G. Employees are responsible for keeping their personnel records up-to-date and accurate. Employees must notify the Human Resources department, in writing, of any changes in address, telephone number, name change, or other information deemed necessary within thirty (30) days of the change.
- H. Information concerning medical exams and inquiries coordinated by the employer will be maintained in a separate file and will remain confidential.

VISITORS

Visitors to the HACC who are on business must be required to sign in with the receptionist, be escorted at all times by an employee and abide by all rules and regulations of the HACC while on the premises.

- A. Visits by personal friends of employees of longer than a few minutes duration are forbidden during the employee's working hours. While it is always good to see friends, employees are reminded that our purpose here is to perform the work of the CHA, therefore visits which interfere with actual working hours may result in disciplinary action against the employee. After-hours visits on HACC property are expressly forbidden unless approved by the supervisor or department manager.
- B. Groups of visitors, such as pre-arranged tours, are welcomed. Arrangements must be made in writing, with the Division Department Head.
- C. With the exception of special invites and programs, the HACC prohibits employees from bringing their children to the workplace while they are working.

SAFETY & HEALTH ADMINISTRATION – SECTION 7

The HACC is committed to providing a safe and healthful working environment. In this regard, the HACC makes every effort to comply with federal and state occupational, health and safety laws and to develop operations, procedures, technologies, and programs conducive to such an environment.

The HACC's policy is aimed at reducing the exposure of our employees, residents and visitors to health and safety risks. To accomplish this objective, all employees are expected to work diligently to maintain safe and healthful working conditions and to follow proper operating practices and procedures designed to prevent injuries and illness. All employees are also required to attend annual safety training.

The HACC has a Safety and Health Committee made up of HACC employees. The HACC takes safety very seriously and encourages employees to participate on the Safety Committee. The committee is designed to involve all employees and implement safety awareness throughout the Authority.

Included are general and specific rules covering safety to guide employees in their job. It is employees' responsibility to abide by these guidelines, and supervisors' responsibility to enforce them. Remember! Safety Rules and Regulations are for employees' protection.

GENERAL RULES

All employees are responsible for the following:

- A. The job must be performed in a safe manner, and all safety rules followed.
- B. Report all unsafe conditions to the supervisor or a safety committee member.
- C. Personal protective equipment, i.e., safety glasses, gloves, etc. will be provided and must be worn as work conditions require.
- D. Since horseplay causes needless hazards, it will not be permitted at any time.
- E. If an employee does not know the safe way to do a job, he/she should ask the supervisor for instructions.
- F. Check all personal protective equipment for defects. Report any defects to the supervisor.
- G. Wear suitable footwear and clothing at all times.
- H. Learn to lift properly. See that footing is secure, lifting with the legs, not with the back, and standing in front of the object.

- I. Work with the supervisor and the employee safety committee in eliminating accident hazards and practices.

The HACC's goal is to eliminate any foreseeable accidents, fires, and other hazards which may result in personal injury or illness, property damage, or loss. It is also the HACC's goal to ensure that HACC operations do not adversely affect the community and the environment, and that all federal, state, and environmental regulations are followed.

Accidental losses can be controlled through good management, combined with active employee involvement. Every employee's safety responsibilities are considered paramount to their job duties.

Accident prevention is a cooperative effort that benefits everyone. The HACC encourages all employees to join in a personal commitment to accident prevention as a way of life, on and off the job.

OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA)

The HACC complies with the Occupational Safety and Health Act of 1970 (OSHA). OSHA requires employers to provide a workplace free from recognized safety and health hazards that cause or are likely to cause death or serious physical harm.

BLOOD BORNE DISEASES

The Charlotte Housing Authority has a formal Infection Control (IC) program for the protection of all employees. Needle sticks, like any other puncture wound are considered injuries for record keeping purposes due to the instantaneous nature of the event, and are to be recorded on the OSHA Form 300.

It is the policy of the HACC to encourage Hepatitis B vaccine to all employees who risk occupational exposure to blood-borne pathogens. Employees must exercise certain protective and cautious procedures. The HACC will provide reimbursement of the co-pay charge to visit the doctor for this vaccine and, when feasible under the Health and Safety budget, will provide full or partial payment of the cost of this vaccine.

The HACC educational and training program on blood-borne pathogens is an ongoing program, included in annual safety training. High risk staff will be required to attend all programs. This attendance will be maintained in the HACC's safety files with signatures evidencing employee attendance.

WORKPLACE VIOLENCE

The HACC is committed to maintaining an environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. Such behavior will be taken seriously and will not be tolerated. Such acts may include but are not limited to oral and written statements, gestures, or expressions that communicate a threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action up to and including termination, criminal penalties, or both.

If anyone on HACC premises displays such behavior, whether or not he/she is an employee, it should be reported immediately to the supervisor, the Human Resources Director, and where appropriate, the Resident Safety Manager. **For threats or assaults that require immediate attention by police, dial 911.**

USE OF AUTHORITY VEHICLES

- A. No employee shall operate an Authority vehicle until he/she has been issued an Authority driver's permit. Before the issuance of any driving permit, a Motor Vehicle Record Check shall be obtained from the North Carolina Department of Motor Vehicles or the South Carolina Department of Motor Vehicles. The validity of all permit holders will be updated annually, or as deemed necessary.
- B. The operation of motor vehicles shall be in accordance with the current HACC vehicle policy. Employees shall not allow hitchhikers, friends, family members, or other unauthorized persons to ride in HACC vehicles except in instances where the employee has authorization to take the car home overnight and is picking up or dropping off a child at a day care, which is directly on their route home. No detours may be made to the employee's normal route home.
- C. At no time shall employees utilize cell phones while operating a moving motor vehicle. Evidence of doing so will subject the employee to disciplinary action up to and including termination.
- D. Any accumulation of more than 5 points/infractions within a three year period will result in immediate suspension of HACC driving privileges and disciplinary action, up to and including termination. If any of the below listed violations result in an accident, the employee involved will be reviewed by the Accident Review Committee.
 - 1. Leaving the scene of an accident
 - 2. Reckless driving
 - 3. Hit and run
 - 4. Vehicular homicide or assault
 - 5. Participation in an unlawful speed contest
 - 6. Eluding or attempting to elude a police officer
 - 7. Failure to respond to a traffic citation or filing a false affidavit in court.

- E. The Human Resources Department will ensure the HACC driving permits are issued only to employees meeting eligibility requirements. At the discretion of the Supervisor or Department Director any employee's driving license and/or driving record may be checked on the job at anytime.
- F. The Safety Committee will submit to the Director of Human Resources recommendations of disciplinary action up to and including the suspension or revocation of driving privileges upon showing of its records or other satisfactory evidence that the individual has been negligent in any of the following:
1. Has committed an offense for which mandatory revocation of his/her NC or SC State License is required upon conviction.
 2. Has been involved as a driver in an accident resulting in the death or personal injury of another or serious property damage or leaving the scene in which an accident is the result of the negligence of such driver.
 3. Is a habitually reckless or negligent driver.
 4. Has made or permitted an unlawful or fraudulent use of driver's license or has displayed or represented as his own a license not issued to him.
 5. Has been sentenced for a driving offense and a condition of the sentence is that the operator will not operate a motor vehicle for a period of time.

The Director of Human Resources will make final disciplinary recommendations to the President/CEO.

- G. The driver of an Authority owned vehicle involved in an accident shall immediately, by the quickest means of communication, notify his/her supervisor, the Fleet Coordinator if available, and the local enforcement body having jurisdiction over the area of the accident (City, County Police, or State Highway Patrol). At such time, the supervisor and/or the Fleet Coordinator shall promptly investigate the accident. Should there be reasonable suspicion of impairment on the part of the employee to either the investigating officer or the Fleet Coordinator, the employee may be required to report to the Worker's Compensation clinic for drug/alcohol testing. Should there be no reasonable suspicion of impairment, testing will be performed in accordance with the HACC's post-accident testing policy.

All employees involved in an on-the-job accident must follow the HACC's procedures regarding motor vehicle accidents.

WORKER'S COMPENSATION

The HACC insures employees for on-the-job injuries as required by the North Carolina Worker's Compensation Act. It is extremely important that adequate documentation is maintained to ensure expeditious processing of Worker's Compensation claims.

A. Worker's Compensation - On the Job Injuries

1. Employee' responsibilities (any employee injured during scheduled working hours)
 - a. Immediately contact his/her Supervisor to report the injury.
 - b. If an employee is not able to reach his/her Supervisor, immediately go to the designated Worker's Compensation medical facility. If the injury occurs after hours, the employee must report to a Carolina Medical Center's Urgent Care center and inform them that the injury is an on-the-job injury and that the HACC is covered by Worker's Compensation insurance. The employee should request that any records be sent to the HACC's Worker's Compensation designated facility.
 - c. If the employee is not able to drive himself/herself, he/she should ask his/her Supervisor, co-worker or call the Human Resources Department. Employees with severe or life threatening injuries should call 911.

B. North Carolina Form 18 – Notice of Accident to Employer

1. Employees should complete an accident report upon reporting to work. Supervisors should sign the form and submit to the Human Resources department within 48 hours of the reported injury. The Human Resources department will submit the NC Industrial Commission form 19 to the insurance carrier.
2. Employees are not to use private physicians or Managed Health Care Facility (HMO or PPO) for job related injury treatment
3. Supervisors must complete the Supervisor's Accident Investigation Report and submit to the Human Resources department within 48 hours of being notified of the accident.

SEPARATION FROM EMPLOYMENT

It is the policy of the HACC to require that employees give a two (2) week notice of voluntary termination. Exempt employees are requested to give a 30 day advance notice of a voluntary termination, when possible.

A. RESIGNATIONS

Employees may voluntarily terminate their employment with HACC by submitting their resignation, in writing, to their immediate supervisor.

1. All Authority property must be returned before the final paycheck is issued. The replacement cost of any missing and/or damaged items (beyond reasonable wear and tear) will be deducted from the final paycheck.
2. Final paychecks for terminating employees will be prepared and issued on the next regularly scheduled payday.
3. Upon being informed by an employee of their intention to resign, the Supervisor must notify the Human Resources department and initiate replacement procedures as outlined in the Personnel Policy Manual. Prior to or on the last day worked, the Human Resources Director must approve any payment of accrued paid leave benefits. This consists of any accrued but unused annual leave, up to 40 hours of accrued but unused compensatory leave which has been approved by supervision, and for employees who have accrued 5 years in the HACC's retirement plan—25% of accrued but unused sick leave.
4. On the employee's last day worked, the Supervisor shall account for any cash for which the employee is responsible, obtain from the employee any Authority property, and have the employee sign all necessary forms (*HR form 320-09*). The Supervisor should determine how the employee would like for the HACC to submit his/her final paycheck and notify Human Resources.
5. Immediately following completion of the employee's final workday. The Supervisor should complete the terminating employee's final time card or time sheet, requests for expense reimbursements, and any other materials for further processing and/or placement in the employees personnel file.

B. EXIT INTERVIEW

Exit interviews will be conducted of all employees who are separated from employment. Exit interviews will be conducted by the Human Resources Director and/or his/her designee.

DRUG-FREE WORKPLACE – SECTION 8

The HACC recognizes that substance abuse constitutes a serious threat to our objective of providing safe, decent and sanitary housing for our residents and a safer and productive work environment for our employees.

Substance abuse seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased health care and benefits costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided by the HACC.

The Authority has established this policy to detect users and remove abusers of alcohol and illegal drugs from the workplace. It is the policy of the Authority to prevent the use and/or presence of these substances in the workplace (and to assist employees in overcoming any dependence on drugs and/or alcohol) in accordance with the following guidelines.

As a condition of employment, all employees are required to abide by the terms of this Drug-Free Workplace policy. Tests will be conducted for the following substances:

- A. Marijuana Metabolite
- B. Cocaine Metabolite
- C. Opiates
- D. Phencyclidine (PCP)
- E. Amphetamines
- F. Barbiturates
- G. Alcohol

SUBSTANCE ABUSE POLICY DISSEMINATION

All employees must review and understand the Authority's substance abuse policy and will be given a summary and required to sign an acknowledgement of receipt and understanding. Upon the employee's request, a full copy will be provided for their records.

DEFINITIONS

ILLEGAL DRUGS

Illegal drugs are drugs or controlled substances which are (1) not legally obtainable or (2) legally obtainable but not obtained or used in a lawful manner. Examples include, but are not limited to, cocaine and marijuana, as well as prescription drugs which are not lawfully obtained or properly utilized. The term illegal drugs also refers to mind-altering and/or addictive substances which are not sold as drugs or medicines but are used for mind or behavior-altering effect.

LEGAL DRUGS

Legal drugs are those prescribed or over-the-counter drugs which are legally obtained by the

employee and used for the purpose for which they were prescribed and sold.

HACC PROPERTY

The term “HACC property” includes, but is not limited to the following work sites: parking lots, vehicles, offices owned, rented, utilized, or serviced by the Authority or by any customer of the Authority, employee-owned or employee-rented vehicles on the property of the Authority and during Authority business hours, and locations where the employee represents the Authority in any capacity, whether on or off property.

ON DUTY

The term “on-duty” includes all working hours where the employee represents the Authority in any capacity, as well as meal periods and break periods, regardless of whether on or off premises.

CONVICTIONS

If an employee is convicted of a violation of a criminal drug statute and such violation occurred while the employee was on duty, the employee must notify his Department Head of the conviction within five (5) days after such conviction. Failure to comply with this requirement will result in immediate termination of the employee.

DRUG USE PROHIBITIONS

- A. The use, sale, purchase, possession, manufacture, distribution, or dispensing of illegal drugs on or outside of Authority property by an employee is against the Authority’s Drug-Free Workplace policy and will result in discipline up to and including termination.
- B. It is also against the HACC’s policy for any employee to report to work or to work with illegal drugs present in the employee’s body. Employees who violate this policy are subject to immediate discharge.
- C. Legal drugs may also affect the safety of the employee or fellow employees or members of the public. Therefore, any employee who is taking any legal drug which might impair safety, performance, or any motor functions must advise his or her supervisor before reporting to work under such medication. A failure to do so may result in disciplinary action up to and including discharge. In addition, improper use of legal drugs is prohibited and may result in disciplinary action up to and including discharge.
- D. Refusal to submit to and/or efforts to tamper with a drug test will result in immediate discharge.
- E. A positive test result will result in disciplinary action up to and including discharge and/or referral to the Authority’s EAP on the first occasion. Should the employee’s employment continue any second occasion of positive testing will result in immediate dismissal.

ALCOHOL USE PROHIBITIONS

- A. It is against the Authority's policy for employees to report to work or to work under the influence of alcohol.
- B. The consumption of alcohol on the Authority's property or while on duty is prohibited and will result in disciplinary action up to and including termination and/or referral to the HACC's EAP provider. Should the employee be referred to EAP, the failure to successfully complete this program will result in immediate termination. During this program the employee will be subject to random testing by HACC. Failure of such a test will result in immediate termination.
- C. An employee who is considered under the influence will be required to submit to an alcohol test by breathalyzer, blood test, or other scientifically acceptable method. An alcohol test result of .04 or higher will be considered positive.
- D. A positive test result will result in disciplinary action up to and including discharge and/or referral to the Authority's EAP on the first occasion. Should the employee's employment continue, any second occasion of positive testing will result in immediate dismissal.

TESTING

A. PRE-EMPLOYMENT TESTING

- 1. All applicants offered a position with the Authority will be tested for the presence of illegal drugs as a part of the pre-employment process.
- 2. Any applicant who refuses to submit to, who tampers with, or fails to pass the pre-employment drug test shall be ineligible for hire for a period of one year.
- 3. A drug test will be included as part of the promotional selection process for an employee who is offered a position classified as safety-sensitive, who was not previously in a safety-sensitive position.

B. REASONABLE SUSPICION TESTING

- 1. An employee will be asked to submit to a drug or alcohol test if there is reasonable suspicion that he/she is under the influence of drugs or alcohol. Reasonable suspicion testing will be based on specific objective facts and reasonable inferences drawn from these facts. Facts which could establish reasonable suspicion include, but are not limited to, the following:
 - a. Direct observation of an individual engaged in drug-related activity;
 - b. Abnormal conduct;
 - c. Unusual, irrational, or erratic behavior (for example, slurred speech).

- e. Sudden changes in work performance;
 - f. Unexplained or excessive negligence or carelessness;
 - g. Discovery or presence of drugs in an employee's possession
 - h. Odor or residual odor peculiar to some drugs or alcohol;
 - i. Arrest or conviction for a drug related crime; or
 - j. Information provided either by reliable and credible sources or independently corroborated.
2. If a supervisor believes reasonable suspicion exists, the supervisor should report his or her findings and observations to the next supervisory level and to the Human Resources Director.

C. RANDOM TESTING

1. All employees in safety-sensitive positions will be required to submit to drug testing on a random basis. Those selected for random testing must report to the testing facility immediately upon being directed to do so.
2. Twenty-five percent (25%) of these employees will be tested annually. The Authority may increase this number at its discretion. The random testing selection shall be conducted through the use of a random number generator by a licensed facility or other neutral selection process by the National Institute on Drug Abuse (NIDA) through a licensed facility.
3. Employees selected for random testing during their probationary period shall be subject to immediate dismissal if the test is positive.

D. POST ACCIDENT TESTING

1. Safety-sensitive employees will be tested for impairment by drugs and/or alcohol following any on-the-job accident which involves one or more of the following events: a fatality, an injury to an employee or other individual that requires immediate medical attention, or damage to property of \$2,000 or more. Safety-sensitive employees who receive a citation under state or local law for a moving traffic violation while on the job will also be tested.
2. Employees who are not in safety-sensitive positions will be tested for impairment by drugs and/or alcohol following any on-the-job accident where the employee receives a citation under state or local law for a moving traffic violation AND which involves one or more of the following events: a fatality, an injury to an employee or other individual that requires immediate medical attention, or damage to property of \$2,000 or more.
3. Any employee who is found to exhibit evidence of drug or alcohol impairment following an on-the-job accident will be tested.

F. TESTING PROCEDURE

1. If the employee refuses to consent to testing, fails to appear for testing, tampers with the test, or fails to cooperate with the testing procedures, the employee will be discharged.
2. The Authority will employ a very accurate testing program. Urine and blood samples and/or breathalyzer results will be analyzed by a highly qualified independent laboratory and permitted by law to perform controlled substance examinations. All urine samples will be tested according to the following sequence:
 - a. All urine samples will first be subjected to an initial screening process to detect the presence of illegal drugs.
 - b. Those samples having a negative screen will be considered to have tested negative, and no further testing will be done on that sample and;
 - c. Those samples that test positive on the first screen will be retested by means of gas chromatography/mass spectrometry (GC/MS) to eliminate any false-positive tests and confirm the presence of illegal drugs. Samples that test positive will be retained for at least ninety (90) days.
3. Employees will be informed of the test results by the Director of Human Resources or other appropriate Authority official or the Authority's designated medical review officer (MRO).

G. APPEAL OF CONFIRMED POSITIVE TEST

1. After receipt of a report confirming a positive test result from the testing laboratory, the Authority or its designated medical review officer (MRO) will inform an employee verbally or in writing of the positive test result.
2. An employee may request and receive from the Authority a copy of the test result report.
3. Within three (3) working days after receiving notice of a confirmed positive test result, the employee may submit information to the Authority or its designated medical review officer (MRO) explaining the positive test result and the reason(s) why the result does not constitute a violation of the Authority's substance abuse policy.
4. The employee may request in writing that a re-test be performed on the initial specimen by a NIDA-certified laboratory. The employee shall be responsible for all costs associated with conducting this re-test.

DRUG FREE AWARENESS TRAININGS

- A. The HACC will conduct drug-free awareness trainings on a regular basis. These programs will inform employees about the following:

1. The dangers of drug and alcohol abuse in the workplace;
 2. The HACC's policy of maintaining a drug-and-alcohol-free workplace;
 3. Available drug and alcohol counseling, rehabilitation, and employee assistance programs;
and
 4. The sanctions that may be imposed for alcohol-and-drug-abuse violations.
- B. Employees are encouraged to approach their supervisor or the Director of Human Resources at any time with any questions regarding this Drug-Free Workplace policy.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

- A. The Authority regards its employees as its most important asset. Accordingly, the Authority maintains an EAP which provides help to employees who suffer from alcohol or drug abuse and/or other personal or emotional problems. Employees with such problems are encouraged to seek confidential assistance from the EAP or other community resources before the abuse of drugs or alcohol lead to performance problems and positive substance abuse test which can result in termination. Information exchanged between an employee and EAP is confidential.
- B. For mandatory EAP referrals, in keeping with the Authority's need for safety and security, the Human Resources Department will determine whether the Authority should grant a leave of absence or reassign an employee during the period of evaluation, treatment, or counseling. Participation in any evaluation, treatment, or counseling program will be at the employee's expense unless the employee is entitled to such benefits under the terms of the Authority's group health plan or by other available benefits. Time lost from work for such a program shall be without pay if the employee has exhausted accumulated sick or annual leave.
- C. Employees referred to EAP by HACC must successfully complete the EAP's substance abuse counseling program to remain employed with the HACC. Failure to complete the program will result in immediate termination. During this program, the employee is subject to random drug testing. Failure to pass such a drug test will result in immediate termination.
- D. Information exchanged between an EAP counselor and an employee is confidential unless the information is voluntarily released by the employee.
- E. Where an employee makes a self-referral to EAP, the decision as to whether to notify HACC rests with the employee. If made aware, the Human Resources Department will determine whether the HACC should grant a leave of absence or reassign an employee during the period of counseling.

INVESTIGATION

To ensure that illegal drugs and alcohol do not enter or affect the workplace, the Authority reserves the right to search all Authority-owned vehicles, containers, lockers, or other items on HACC property at any time. Individuals may be requested to display personal property for visual inspection upon Authority's request. Failure to consent to a search or to display personal property for visual inspection will be grounds for discharge and/or denial of access to HACC premises.

The Authority will cooperate with and may enlist the services of the proper law enforcement authorities in the course of any investigation.

ARREST OR CONVICTION FOR DRUG-RELATED CRIME

If an employee is arrested for or convicted of a drug-related crime, the Authority will investigate all of the circumstances, and the HACC may conduct drug-testing of the employee.

CONFIDENTIALITY

Results of an applicant's or employee's drug or alcohol test shall be transmitted to the Director of Human Resources. Where a test result is positive, the Director of Human Resources will consult with other persons on a need-to-know basis. The HACC will make all reasonable efforts to ensure that information regarding the testing, self-referral, and referrals of employees and applicants under this policy will be treated as confidential.

ALPHABETICAL INDEX

Adverse Weather Conditions 33
Alcohol Use Prohibitions 57
Arrest or Conviction for Drug Related Crime 61
At Will Employment 4
Attendance and Absenteeism 34
Bereavement Leave 26
Bloodborne Diseases 50
Civil Arrests 39
Compensatory Leave for Exempt Employees 21
Complaint Procedure 45
Confidential Information and Falsification 46
Confidentiality (Drugs) 61
Crisis Suspension 45
Disability Policy 6
Drug Free Awareness Training 59
Drug Free Workplace 55
Drug Free Workplace Policy 55
Drug Testing 57
Drug Use Prohibitions 56
Educational Assistance 23
Educational Initiative/Volunteer Pay 27
Electronic Mail Policy 41
Eligibility for Benefits 22
Employee Assistance Program (EAP) 24
Employee Benefits and Services 22
Employee Development 13
Employee Relations 37
Employment Administration 4
Employment of Minors 6
Employment of Relatives 6
Equal Employment Opportunity 4
Exit Interview 54
Family and Medical Leave Act (FMLA) 30
Gambling 39
General Rules (Safety) 49
Hatch Act – Political Activity 7
Health Insurance Benefits 22
Holidays 28
Immigration Reform and Control Act 6
Insubordination 40

Internet Policy 42
Investigation (Drugs) 61
Job Evaluation 14
Jury Leave and Court Participation 27
Juvenile Leave 32
Layoff and Recall 17
Leave Time 18
Military Leave 28
Occupational Safety and Health Act (OSHA) 50
Orientation of New Employees 11
Other Harassment 5
Outside Employment 12
Overtime 20
Paid Leave Benefits (Annual) 25
Patents, Inventions and Copyrights 47
Pay Rates and Ranges 14
Payroll Deductions 18
Performance Appraisal 13
Personal Appearance (dress code) 37
Personal Conduct 38
Personal Property 38
Personnel Files 47
Policy Administration 1
Policy Statement 3
Position Management 8
Position Status 8
Positive Performance/Discipline Program 44
Promotions and Transfers 15
Purpose of the Policy Manual 3
Recording Hours of Work 17
Recruitment and Selection 10
Request for Personnel 9
Retirement Plan 22
Rules of Conduct 37
Safety and Health Administration 49
Separation from Employment 53
Sexual Harassment 5
Short and Long Term Disability 22
Sick Leave 29
Solicitation and Distribution 41
Substance Abuse Definitions 55
Substance Abuse Policy Dissemination 55

Use of Authority Vehicles 51
Use of Equipment and Property 39
Visitors 48
Voting Time 30
Wage and Salary Increases 15
Wage Garnishments 21
Work Hours 19
Worker's Compensation 53
Workplace Smoking 40
Workplace Violence 51