

# EMPLOYEE



# HANDBOOK

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## **1.3 Mission Statement**

**To serve people in need with compassion and dignity, to help those who can to achieve economic independence, and to ease the pain of poverty barriers.**

## **Welcome to Economic Opportunities Advancement Corporation!**

Thank you for joining the Economic Opportunities Advancement Corporation (EOAC) team! You have a great contribution to make to the education of children and we sincerely hope that you will find your employment at EOAC to be a professionally rewarding experience. We look forward to working together to serve those people in need and ease the burden of poverty in our area. You have joined an organization that has established an outstanding reputation for quality. Credit for this has gone to everyone involved in this organization and we hope that you, too, will find satisfaction and take pride in your work here.

As a member of the EOAC team, you will be expected to contribute your talents and energies to help us realize our goal of helping make EOAC "world class" as a non-profit organization in the coming years.

This Employee Handbook should provide answers to most of the questions you may have about our benefit programs, policies, and procedures. You are responsible for reading and understanding this Employee Handbook. If anything is unclear, please discuss the matter with your supervisor or a member of Human Resources.

I extend to you my personal best wishes for your success and happiness at EOAC.

Sincerely,

Executive Director

## About This Handbook

This handbook has been written to serve as the guide for the employer/employee relationship. This handbook applies to the staff at EOAC. In addition, certain individuals who are not employees of EOAC but who nevertheless work on premises, such as independent contractors, are also expected to comply with the terms and conditions of this handbook to the extent that the handbook sets standards of conduct for individuals who work on premises. Unless otherwise indicated, a benefit, policy, program, or procedure applies or is available to ALL employees.

There are several things that are important to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to your director/principal or Human Resources. You are responsible for reading, understanding, and complying with the provisions of this manual. Our objective is to provide you with a work environment that is constructive to both personal and professional growth. Changes will be effective on the dates determined by EOAC and after those dates all superseded policies will be null.

Neither this handbook nor any other EOAC document (except an executed employment contract), confers any contractual right, either express or implied, to remain in EOAC employ, nor does it guarantee any fixed terms and conditions of your employment. Except as otherwise provided in an executed contract of employment, your employment is not for any specific time and may be terminated at will, with or without cause and without prior notice, by EOAC or you may resign for any reason at any time.

No supervisor or other representative of EOAC (except the Executive Director) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. Second, the procedures, practices, policies and benefits described here may be modified or discontinued from time to time with or without advanced notice. We will inform you of changes as they occur.

Finally this handbook contains proprietary information that should not be disclosed outside EOAC other than to individuals affiliated with EOAC whose knowledge of the information is required in the normal course of business.

**SPECIAL NOTE:** This Handbook was approved by the EOAC Board of Directors on 02/24/2014 and is designated as such at the bottom of page 1 and this page (page 7). Any future additions to this handbook will be noted at the bottom of the page in a blue color.

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## OPEN COMMUNICATIONS POLICY

**We want to hear from you. EOAC strongly encourages employee participation in decisions affecting them and their daily professional responsibilities. We truly believe that our greatest strength lies in our employees and our ability to work together. To this end, we encourage you to engage in open communications about all aspects of our organization.**

**Employees are encouraged to openly discuss with their supervisor any problems or suggestions so appropriate action may be taken. If the supervisor cannot be of assistance, the Executive Director is available for consultation and guidance. EOAC is interested in all of our employees' success and happiness. We therefore, welcome the opportunity to help employees whenever feasible.**

## EOAC BOARD OF DIRECTORS

The Board of Directors will employ an Executive Director and may give him/her full authority in the management and operation of the affairs of EOAC subject only to orders of the Board of Directors and of the Executive Committee and of the other committees to which authority is designated by the Board of Directors. The term of the Executive Director's employment will be established by the Board of Directors.

EOAC believes that the highest degree of teamwork and personal loyalty are essential to the achievement of its purposes. These desirable policies can be fully developed only if EOAC's interest and every person having supervisory authority exercise his/her authority fairly and with proper respect for the individuality and human dignity of each employee subordinate to him/her in the organizational structure.



# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## SECTION 1

## EMPLOYMENT PROCESS AND APPLICATION

### 1.1 JOB CLASSIFICATION BY GRADE

#### **GRADES 1-3**

Custodian  
EHS Associate Teacher  
EHS Health Aide (NCDA) NE  
Laundry Worker/Custodian  
Receptionist/Office Clerk  
Receptionist/Switchboard NE  
Teacher Aide HS

#### **GRADE 4**

Children's Services Aide  
Custodian WCS  
File Clerk  
Food Service Assistant  
Teacher Assistant (CDA) (NE)  
Receptionist/Clerk (NE)

#### **GRADE 5**

Bus Driver/Custodian  
Human Resource Clerk  
Instructional Aide WCS  
Transporter Deliverer/Custodian - CACFP

#### **GRADE 6**

Administration Assistant  
Client Services Specialist Tech (Temp)  
HS/EHS Cook  
HS/EHS Health Assistant  
Office Support Staff

#### **GRADE 7**

After School Coord./Inst. Asst.  
Child & Family Advocate (CDA)  
Clerk/Marketing-Communications Asst.  
Client Services Specialist Tech  
EHS Home Visitor (CDA)  
EHS Teacher (CDA)  
Eligibility/Support Tech  
Information Systems Worker  
Playroom Specialist/Wait List Tech  
Site Manager (CDA)

#### **GRADE 8**

WAP Assessor  
Case Manager  
Child Nutrition Manager  
Data Entry Purchaser  
Maintenance Supervisor  
Weatherization Handyman

#### **GRADE 9**

Child & Family Advocate (AA)  
Child Care Training Coordinator  
Child Development Special Svcs. Mgr.  
Client Services Specialist  
Child/Family Advocate (AA)  
Financial Management/Wait List Specialist  
Home Visitor (AA)  
Nutrition Manager  
Payroll Accountant  
Program Operations Specialist  
Provider Services Assistant  
Site Manager (AA)  
Student Services Specialist/PEIMS/Homeless Teacher (AA)

#### **GRADE 10**

Child Development Special Services Mgr.  
Child/Family Advocate (BA)  
Child Outcome Coordinator  
Family & Community Partnership Mgr.  
Family Development Manager  
Health Care Specialist/RN/LVN  
Health Services Manager (LVN)  
Home Visitor (BA)  
Prenatal Educator  
Quality Assurance Monitor  
Reading Specialist  
Site Manager (BA)  
Teacher (BA)  
Technology Support Specialist  
WAP Assessor I

#### **GRADE 11**

Children Services Coordinator (E)  
Counselor  
Diagnostician (P/T)  
Home Visitor (Graduate)  
Site Manager (Graduate)  
Teacher (Graduate)

#### **GRADE 12**

Administrative Services Manager  
Client Services Manager  
Full Charge Bookkeeper (Accountant) NE  
Grant Writer\*  
Provider Services Manager

#### **GRADE 13**

Assistant Controller E  
Human Resources Manager

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## **GRADE 14 EXEMPT POSITIONS**

Associate Director of Administrative Affairs  
Chief Financial Officer/Controller  
Child Care Director  
Director of Community Services and  
Resource Development  
Head Start/Early Head Start Director  
Waco Charter School Principal  
Weatherization/Facility Director of EOAC

## **STIPEND POSITIONS WCS**

504 Specialist  
ESL Teacher  
ESL Specialist  
Homeless Liaison  
Math  
Science  
Special Education Teacher of Record  
Testing Coordinator

## **CONTRACTED POSITIONS**

Associate Principal  
CFA  
Diagnostician  
Director Charter School Shared Service (ESC)  
EOAC Information Specialist  
Librarian  
Reading Specialist  
Speech Therapist  
Substitute  
Teacher Assistant

**TEACHERS AND SITE MANAGERS IN THE HEAD START/E.H.S. PROGRAM ARE PAID IN ACCORDANCE WITH THE HEAD START ACT.**

**TEACHERS AND TEACHERS' AIDES ARE PAID IN ACCORDANCE WITH WACO CHARTER SCHOOL TIER SYSTEM.**

**EOAC EXECUTIVE DIRECTOR'S SALARY IS DETERMINED BY EOAC BOARD OF DIRECTORS.**

The salary schedule for all programs including the general schedule and the specific schedule for certain employees of the Head Start/Early Head Start Program and of the Waco Charter School are available from the Administration.

EOAC prefers a Bachelor's Degree, specific certification, Associate's Degree with skills specific to the job description, and /or experience relative to time and experience in a field that qualifies an individual at Grade 10 or above.

Cost analysis of jobs and rates will be studied periodically for review and change.

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## 1.2 EQUAL EMPLOYMENT OPPORTUNITY

All employees and job applicants are guaranteed equality of employment opportunity under state and federal law. Essentially, this means that EOAC will not discriminate against any worker or applicant on the basis of race, color, religion, sex, age, national origin, disability, veteran status or political affiliation or belief. All recruitment, selection, placement, training and layoff decisions made by EOAC's supervisors or managers will be based solely on the job-related qualifications and abilities of candidates and in compliance with applicable law.

All other personnel policies and practices of EOAC, including compensation, benefits, discipline, and safety and health programs, as well as social and recreational activities, will be administered and conducted without regard to any individual's race, color, religion, sex, age, national origin, disability, or veteran status. EOAC will take all necessary steps to ensure that each employee's work environment is free of discrimination or harassment based on race, color, religion, sex, age, national origin, disability, veteran status, political affiliation or belief. EOAC will take all necessary steps to see that applicants and employees with known disabilities are reasonably accommodated and that all applicable federal, state and local laws regarding employment are complied with. **APPLICANTS AND EMPLOYEES WHO HAVE A DISABILITY AND WHO NEED A REASONABLE ACCOMMODATION ARE ENCOURAGED TO NOTIFY THE PROGRAM DIRECTOR'S OFFICE SO THAT EOAC CAN MAKE A REASONABLE ACCOMMODATION IN ACCORDANCE WITH APPLICABLE LAW.**

EOAC does not discriminate based on sex. All references in any EOAC materials to masculine terms or pronouns such as "he" or "his" shall be read to mean the feminine equivalent such as "she" or "hers" and similarly all references to female terms or pronouns shall be read to mean the masculine equivalent.

## 1.3 EMPLOYMENT APPLICATIONS

We rely upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or if the person has been hired, termination of employment. All applications for employment for positions available with EOAC will be submitted through the Executive Director or the Program Director.

## 1.4 AT WILL EMPLOYMENT

**All employment at EOAC is "at will." This means that both employees and EOAC have the right to terminate employment at any time, with or without advance notice (although we request and try to give two (2) weeks' notice), and with or without cause. No one other than the Executive Director has the authority to alter this arrangement, to enter into an agreement for employment for a specified period of time, or to make any agreement contrary to this policy, and any such agreement must be in writing and must be signed by the Executive Director. In addition, EOAC maintains a highly flexible culture. Nothing in this manual is intended to change this policy. However, EOAC will not discharge an**

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**employee who has legitimately invoked the Whistleblower Protection policy; has exercised their right to vote for their political affiliation; has answered the call for military duty; has exercised their right of association; has answered the call to jury duty; has filed a workers' compensation claim; or has received an order for wage garnishment.**

## 1.5 RECRUITMENT

In the normal sequence of job placement, an effort will normally be made to fill positions other than the position of Executive Director internally. As jobs, other than the position of Executive Director become available, initial consideration will be given to those employees that are subject to EOAC Personnel Policies and Procedures and who have demonstrated the capability for upward mobility with EOAC. The procedures and policies set out below will be followed to fill positions other than the position of Executive Director. The Board of Directors will determine the procedures and policies for filling the position of Executive Director.

Notice of an opening for any position in EOAC will be advertised "In House" for five (5) working days through posting of such notice on bulletin boards in the Central Office and each neighborhood and Head Start Center along with notification to each Program Director/Principal. Deadlines to apply for the position advertised will be as specified in the notice. Preference for positions will normally be given to applicants already assigned to the department where the vacancy exists provided that the applicant is qualified for the vacant position, is subject to EOAC Personnel Policies and Procedures and provided that the position offered is within the applicant's normal career development ladder.

In the event that no applicant is determined to be qualified from within the agency for a given position vacancy, the position will then be made available to applicants from the public at large.

The combination of two (2) or more positions to create a new position or the reassignment of duties of a vacant position will create a "vacancy" under the terms of this provision. In such cases vacancies will be advertised, both internally and externally.

All applicants for employment are to be treated courteously and given fair consideration. All applicants are requested to complete the "Application for Employment" form.

Personnel to be employed are to be selected from available applicants in accordance with the job description and the qualifications set therein.

No applicant is to be discriminated against or given preference because of age, sex, race, creed, color, national origin, religion, **disabilities under the Americans for Disabilities Act as Amended**, or political affiliation or belief. **EOAC employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with the Immigration Reform and Council Act of 1986.** EOAC is an Equal Opportunity Employer. EOAC will comply with Title VI of the Civil Rights Act of 1973, the Civil Rights Act of 1991, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and the Family Medical Leave Act of 1993.

Applications of applicants that are not immediately employed by a program will be retained in an active file **for no longer than (12) months** by that program and Human Resources unless the applicant requests a shorter period.

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**The** policy of EOAC **will be** to employ only capable and responsible personnel who are of good character and reputation. A criminal record shall not automatically preclude the employment of an individual. Full disclosure of any such criminal record of the applicant shall be made.

In all cases of application for employment by a person with an arrest or criminal conviction, EOAC **will consider whether the person is qualified and can be trusted to perform the job duties considering the nature of the position to be filled, the nature and seriousness of the offense in question, and the length of the time since the arrest and/or conviction.**

**EOAC MAY, AT ITS SOLE DISCRETION, CONSIDER ADDITIONAL FACTORS SUCH AS:**

1. The circumstances under which it occurred;
2. Whether the offense was an isolated or repeated violation;
3. The age of the individual when he/she committed the offense;
4. Social conditions which may have contributed to the offense;
5. Any evidence of rehabilitation or pardon;
6. The kind of position for which the applicant is applying; and,
7. Legal requirements for the position.

In addition, the **Executive Director** or designee, shall obtain, where possible, recommendations and background information from the warden of the appropriate correctional institution if the applicant has served a term in prison, or from the appropriate probation or parole officers. (See 1.17)

If the **Executive Director** or Director/Principal finds that the arrest or conviction of a felony or misdemeanor involving moral turpitude does not disqualify an applicant for a position, **the Executive Director** or Director/Principal shall provide a written statement of the rationale for the decision and this statement shall be entered in the individual's personnel records.

**The** policy of EOAC **will be** to give every consideration to providing opportunities for employment of those in poverty, including those 55 years or older, who have been denied benefits of formal education and who are willing to learn to perform new functions. **EOAC reserves the right to promote or hire the most suitable candidate for the position.** In determining the most suitable candidate, the **Executive Director and Program Director/Principal may** consider factors other than education requirements

## **1.6 SELECTION POLICIES**

All professional employees within the agency will be selected in the following manner:

1. The Executive Director. The Executive Director will be selected by the Board of Directors. Initial screening of applicants will be made by the Executive Committee, and recommendations will be made to the Board of Directors' Executive Committee for final action.
2. Other Personnel. Selection and employment of **CFO/Controller, Program Directors/Principal** will be made by the Executive Director **then taken to the Board for final approval.** If the program for which a Director/Principal is being

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selected is required by the funding source to have a Policy or Advisory Council that participates in the selection of the Program Director/Principal, then selection shall reflect a consensus between the program's Policy or Advisory Council and the Executive Director. Head Start regulations require that the federal granting agency (Head Start Regional Office) has the authority to approve the hiring of key personnel such as Head Start Director, the Executive Director, and the Chief Financial Officer where salaries are covered principally (50% or more) by the Head Start grant. This notice must be prior to offering the job and must include notification of the name of the candidate, the process used to recruit for the job, and why this person was determined to be the most qualified. Selection and employment of all other staff will be made by the Program Directors/Coordinators of each program with concurrence from the Executive Director. Specifically, in the case of Head Start, the Head Start Policy Council must have a voice in establishing criteria for and in the selection of personnel.

3. References. Persons considered for selection for employment must provide three (3) references **with names, addresses, phone numbers, and email address that can attest to the applicant's work performance**, other than relatives, **personal friends, and non-work related people** prior to being hired
4. The Personnel Committee of the Board of Directors of EOAC shall counsel with the Executive Director in matters of employment.
5. No board member may be employed by EOAC or any contractor with EOAC during his/her services on the Board of Directors and for twelve (12) months thereafter.
6. Applicants must sign a declaration prior to employment which lists all pending and prior criminal charges related to child abuse, neglect, and all convictions of violent felonies.

## **1.7 SCREENING FOR PERSONNEL**

Tests necessary to determine the level of skill necessary for any position may be administered **by EOAC prior to employment**. All applicants who are deemed qualified will be referred to the appropriate Program Director/Principal, Manager, or Supervisor for consideration **by the Human Resources Department and/or Executive Director**.

## **1.8 NEW EMPLOYEE ORIENTATION**

**Orientation is a formal welcoming process that is designed to make the new employee feel comfortable, informed about EOAC, and prepared for their position. New employee orientation is conducted by a designee from each department and/or a Human Resources representative, and includes an overview of EOAC history, an explanation of EOAC core values, vision, and mission, and EOAC goals and objectives. In addition, the new employee will be given an overview of benefits, tax, and legal issues, and complete any necessary paperwork.**

**Employees are presented with all codes, keys, and procedures needed to navigate within the workplace. The new employee's supervisor then introduces the new hire to staff throughout**

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EOAC, reviews their job description and scope of position, explains EOAC's evaluation procedures, and helps the new employee get started on specific functions.

## **1.9 PROBATIONARY EMPLOYEES**

All persons employed by EOAC will be probationary employees during the first 180 days of employment. The probationary period will be an essential part of the examination process and will provide for an adjustment period for the new employee and for the phasing out of any probationary employee whose performance, health, physical, and/or emotional condition do not meet the required standards of work.

If it is determined by the supervisor and concurred by the Executive Director, or his/her designee, at any time during the probationary period, that the employee for any reason is not capable of performing the duties of the position, action will be taken **to terminate the employee with two weeks written notice or with two weeks pay in lieu of notice**. Probationary employees are not entitled to grieve or appeal employment decisions.

**A promoted employee will serve a probationary period of 180 days. A promoted employee will have all rights of a non-probationary employee.**

A performance evaluation will normally be completed by the employee's immediate supervisor **or the Program Director/Principal** prior to the completion of the probationary period.

Probationary employees may be considered for appointment to a higher position when such action can be justified by performance, education, and/or experience. The probationary period for any new employee promoted or transferred during his/her probationary period will be extended for an additional 180 days.

Probationary employees will accrue annual and sick leave in accordance with the "Employee Earning Rate Schedule"; however, annual leave will not be granted to new employees during the first ninety (90) days of the probationary period except for days on which that program is closed. **Employees who leave employment in the first ninety (90) days will not be paid for any annual leave. Any ten (10) month employee or school year employee employed by the Charter School/Head Start is exempt from earning annual leave. All such employees shall receive five (5) days (40 hours) of paid leave per year. This leave includes all leave for personal reasons and illness. Such employees will not be paid at termination for any unused leave time. Ten month employees may accumulate the five (5) days of paid leave up to twenty (20) days (one hundred sixty (160) hours)**

## **1.10 WORK RULES AND DISCIPLINE**

**EOAC'S POLICIES IN THIS HANDBOOK AND ELSEWHERE ARE STANDARDS BY WHICH EOAC DESIRES AND INTENDS TO OPERATE. HOWEVER, THESE POLICIES ARE NOT INTENDED TO BE A CONTRACT WITH ANY APPLICANT OR EMPLOYEE OR TO BE LEGALLY BINDING ON EOAC.**

**NOTHING CONTAINED IN THIS SECTION OR ELSEWHERE IN THIS HANDBOOK IS INTENDED TO OR SHALL LIMIT EOAC'S RIGHT TO DISCIPLINE OR DISCHARGE**

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**AN EMPLOYEE. FURTHER, SUCH DISCIPLINE OR DISCHARGE IS NOT REQUIRED TO FOLLOW ANY SPECIFIC PROCEDURE OR BE IN COMPLIANCE WITH ANY OF THE PROCEDURES SET OUT HEREIN.**

**ALL EMPLOYEES ARE AT WILL EMPLOYEES. WHEN AN EMPLOYEE COMPLETES HIS OR HER PROBATIONARY PERIOD, THAT EMPLOYEE IS STILL AN AT WILL EMPLOYEE.**

## **1.11 CLASSES OF EMPLOYEES**

The EOAC has the following classes of employees:

1. **Regular Full Time:**

Those employees who regularly work at least forty (40) hours per week.

**A regular full-time employee is an employee regularly scheduled to work at least 40 hours per week, may be exempt or non-exempt, and is not in a temporary status or introductory period. Regular full-time employees are eligible for all standard benefits, subject to the terms, conditions, and limitations of each benefit program.**

2. **Head Start Specific:**

**Employees not working the regular Early Head Start/Head Start program that are classified as Child Development employees will operate on a 10 month calendar.**

3. **Head Start Specific:**

**Employees working primarily within the Early Head Start/Head Start program (51%) or more of the time are classified as Early Head Start/Head Start employees. These employees may work less than 12 months are subject to additional Early Head Start/Head Start regulations and requirements.**

4. **Regular Part-Time:**

Those employees who work a regularly scheduled time amounting to less than a thirty (30) hour week. **A regular part-time employee is an employee regularly scheduled to work less than 30 hours per week, but a minimum of 4 hours per week, may be exempt or non-exempt, and is not in a temporary status or introductory period. Regular part-time employees are not eligible for benefits except those legally required.**



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5. A temporary employee is hired as an interim replacement to supplement the work force or to assist in a specific project. Temporary staff should be hired in an emergency. Employment should be limited.

## **Head Start Specific:**

**Individuals hired on a temporary basis after 30 days should be considered regular employees and subject to the hiring actions of the Early Head Start/Head Start Policy Council/Committee. Consultants taking the place of staff members after 30 days should be subject to Early Head Start/Head Start Policy Council/Committee approval.**

**Employment assignments in this category are of a limited duration. Temporary employees retain that status until notified of a status change. Temporary workers receive all legally required benefits (e.g., Worker's Compensation (WC) and Social Security), but are not eligible for any benefits.**

6. **Interim Position**

**Interim Position - Serving in place of an individual/vacant specific position in lieu of a permanent placement; serves at the discretion of the Executive Director. This role, already in the staffing plan, is in place of a specific personnel assignment, replacement, and/or transfer in a specific area. Salary/pay will be at the minimum level or that determined by the Executive Director for rate/pay. The length or term of the interim position will be determined by the supervisor and Executive Director.**

7. **Contract Services:**

Contract services may be provided by individuals not having a regularly scheduled work schedule. They may be engaged to perform a certain prescribed task or any type of intermittent work as a substitute for another employee. **Examples may include consultants, temporary workers, substitutes, outside agency providers, and/or service providers.**

**NOTE: All persons who are employed or who provide services under a grant which is labeled "one-time funding" or through special funding arrangements must be classified as temporary employees or as independent contractors under the contract services or contractual arrangement provisions.**

## **1.12 SUPERVISOR RELATIONSHIPS**

Each employee is directly responsible to his/her immediate supervisor for the discharge of assigned duties and proper personal conduct. Personnel problems should be resolved through discussion between the supervisor and the employee.

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## **1.13 WORK SCHEDULE**

Except as may be determined by the Project Directors, generally, regular work schedule is an eight (8) hour day, five (5) days a week, unless otherwise specified by a Program Director.

Certain programs, such as Community Programming, Head Start, etc., may require staffing on a schedule to meet the work program. The hours and work days are set by the Project Director with concurrence by the Executive Director.

## **1.14 FLEXIBLE SCHEDULES**

**Department/Program Heads may determine the best schedules to meet the needs of their programs outside the typical day of 8:00 a.m. to 5:00 p.m. Flexible schedules will be designed as permanent, temporary, or as needed. Other discretionary reasons with purpose may be utilized with approval of the Executive Director.**

**For hourly rate personnel, 40 hour work weeks are the prescribed schedule.**

**An additional opportunity for Program Anew needs would be the use of employees to split days based upon need. Approval by the Director/Principal and final approval by the Executive Director will be necessary for the employee/program. Generally, a specific area or specialty would be served. Also, this may serve employee special needs for a time period. Employees must meet the eligibility requirements for benefits. If they transfer from regular full time to job sharing they will risk qualifying for benefits.**

## **1.15 SECTARIAN INVOLVEMENT**

It is the policy of EOAC to take no position in support of either religious or anti-religious activity. No funds of EOAC shall be used, either directly or indirectly, to support any religious or anti-religious activity.

This policy shall not be construed as infringing upon the right of employees to maintain and exercise their religious convictions as individuals.

## **1.16 POLITICAL ACTIVITIES**

It is the policy of EOAC to take no position in partisan political matters, either on behalf of candidates or of parties. No EOAC employees are authorized to commit EOAC to any political endorsement either by statements or by action.

EOAC will not contribute to the campaign funds of any political organization, or candidate.

This policy shall not be construed as infringing upon the right of employees to maintain and exercise their political convictions as individuals.

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Employment with EOAC will not be offered as a reward for political activity, active support of a political party, or a political candidate.

Employees of EOAC are expected to devote their full time for performing their duties for EOAC and comply with the conflict of interest policies of EOAC; accordingly employees **may** engage in political activities during their off-duty hours. In addition, employees are prohibited from becoming a candidate for a partisan political office while they are employed by EOAC.

Facilities may be used by a nonpartisan organization to increase the number of eligible citizens who register to vote in elections for **elected** office.

All employees of EOAC shall be required to comply with the provisions of the HATCH Act.

The following list contains examples of both permissible and prohibited political activities for covered employees.

## Employees may during non work hours:

1. Register and vote as they choose;
2. Assist in voter registration drives;
3. Express opinions about candidates and issues only during breaks and lunch;
4. Participate in campaigns where none of the candidates represents a political party;
5. Contribute money to political organizations or attend political fund-raising functions;
- 6. Attend political rallies and meetings;**
- 7. Sign nominating petitions; and,**
- 8. Campaign for or against referendum questions, constitutional amendments, municipal ordinances only during breaks and lunch.**

## Employees may not during lunch or break:

- 1. Campaign as or for candidates for public office in partisan elections;**
- 2. Campaign for or against a candidate or slate of candidates in partisan elections;**
- 3. Make campaign speeches or engage in other campaign activities to elect partisan candidates;**
- 4. Collect or solicit contributions or sell tickets to political fund-raising functions;**
- 5. Distribute campaign material in partisan elections;**
- 6. Organize or manage political rallies or meetings;**
- 7. Circulate nominating petitions;**
- 8. Transport voters to the poll;**
- 9. Use agency funds to conduct voter registration;**
- 10. Participate in any form of picketing, protests, or other direct action that is against the law;**
- 11. Wear or display political badges, buttons, or stickers that specify any favoritism or political party on EOAC property;**

## Head Start Specific, no employee may:

- 12. Use his or her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office; or**
- 13. Directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a**

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political party, committee, organization, agency, or person for a political purpose; or

14. Be a candidate for elective public office in a partisan election.

**AT NO TIME MAY AN EMPLOYEE HOLD OFFICE IN POLITICAL CLUBS OR PARTIES!**

## 1.17 CRIMINAL HISTORY AND EDUCATIONAL HISTORY

As a condition of their employment, all employees are required to submit to a criminal history review. A criminal history review through the Texas Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification, shall be administered. The criminal history review shall include a fingerprint check and simultaneous FBI check. Applicants for employment shall agree to cooperate with EOAC in conducting criminal background checks.

No person employed or otherwise associated with an EOAC, including members of the Board of Directors, who has been convicted of or has pleaded *nolo contendere* to a crime related to misappropriation of funds or theft shall be engaged in direct processing of funds.

Employees are required to provide official transcripts or submit to an educational verification search to verify units earned/degree received or in-service hours. These requirements must be completed prior to beginning employment, and the information must be submitted to Human Resources. To the extent permitted by law, EOAC may require that this cost of \$0.15¢ shall be borne by the employee.

Individuals whose educational background differs from that of job description will not be considered for employment.

## 1.18 IMMIGRATION LAW COMPLIANCE

EOAC employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with the Immigration Reform and Council Act of 1986.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form 1-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed a 1-9 with EOAC within the past three years or if their previous 1-9 is no longer retained or valid.

## 1.19 PUBLIC RELATIONS

The success of EOAC depends upon the quality of the relationships between EOAC, its employees, students, parents and the general public. The public impression of EOAC and its interest in EOAC will be formed, in part, by EOAC employees. EOAC employees are ambassadors. The more goodwill an employee promotes, the more employees,

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students, parents and the general public will respect and appreciate the employee, EOAC, and EOAC services.

Below are several things employees can do to help leave people with a good impression of EOAC. These are the building blocks for our continued success.

- **Communicate regularly.**
- **Act competently and deal with others in a courteous and respectful manner.**
- **Communicate pleasantly and respectfully with other employees at all times.**
- **Follow up on requests and questions promptly, provide businesslike replies to inquiries and requests, and perform all duties in an orderly manner. Respond to all communications including e-mail and voice mail within 24 hours during the workweek.**
- **Take great pride in their work and enjoy doing their very best.**

## **1.20 APPROVAL OF PUBLIC STATEMENTS**

All public statements and appearances by employees in their capacity as representatives of EOAC must have prior approval of the Executive Director.

It is the policy of EOAC to maintain friendly relations with representatives of the news media and to make available information about EOAC. EOAC press releases are made only when they concern items of legitimate news value.

All inquiries from news-gathering agencies or from sources which might lead to publicity and EOAC press releases must be referred to the Executive Director and statements are issued by the Executive Director or his/her designee. All statements or press releases must be approved by the funding source if necessary. It is EOAC's policy to handle requests for information courteously, promptly and truthfully.

## **1.21 PUBLIC NOTICE REQUIREMENTS**

Some funding sources require public notification of specific information. When public notices are required, the program directors will prepare written documents which shall be submitted to the Executive Director **for approval by the Board prior to being provided to the media.** Current required notices include:

- The Waco Charter School must submit the proposed budget to the newspaper at least fourteen days prior to the Board taking action on the budget.
- The Community Services Block Grant budget requires public hearings prior to the Board taking action on the budget. The public hearing notice will be published in the newspaper at least five days prior to the Board taking action.
- Head Start shall publish a report in the newspaper that includes information on funding, enrollment, health services, parent involvement and monitoring in compliance with law
- **EOAC will follow all state and federal requirements for public notices.**

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## **1.22 CONTRIBUTIONS**

Contributions, through payroll deductions, may be made when requested in writing by the employee and approved by the Executive Director **or Chief Financial Officer**.

As a general rule, solicitations from institutions and organizations such as churches and fraternal groups are refused.

## **1.23 GIFTS AND/OR GRATUITIES**

No employee or member of any policy making body of EOAC will accept gifts, money, and/or gratuities from persons receiving benefits or services through EOAC or performing services under contract or otherwise in a position to benefit from such employee action

## **1.24 PHONE USE**

EOAC phones are business phones. Although occasional personal calls can be received by employees at EOAC facility, employees are instructed to limit these calls. Employees shall not receive calls at work from creditors or in connection with other business ventures. Employees are encouraged to make outgoing personal calls during their lunch break or at another time when it will not interfere with the performance of their job.

## **1.25 MAIL**

No employee shall have personal mail sent to EOAC's location. Mail sent to a location of EOAC may be opened.

## **1.26 EOAC COMPUTERS AND E-MAIL POLICY**

EOAC computers, EOAC e-mail system, and the access to the Internet provided by EOAC are the property of EOAC and are being provided exclusively for work related purposes. All use of EOAC computers, EOAC e-mail system and the access to the Internet provided by EOAC is subject to the EOAC's regulation and review. This oversight is not undertaken to unduly pry into anyone's personal business but in order to protect EOAC and all of you. Use of EOAC computers, EOAC e-mail system, and the access to the Internet provided by EOAC is subject to the following guidelines:

1. All material maintained on EOAC computers or obtained or sent through EOAC e-mail system and the access to the Internet provided by EOAC is subject to being reviewed by EOAC, and employees should not maintain any information on EOAC computers or receive or send e-mail messages or other materials which they do not want reviewed.

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2. Any use by employees of EOAC computers, EOAC e-mail system and the access to the Internet provided by EOAC for personal matters shall constitute and be understood to be a waiver of any personal right to privacy as to such matters.
3. It is not intended that incidental personal use of EOAC computers, EOAC e-mail system and the access to the Internet provided by EOAC is to be entirely prohibited. However, use of EOAC computers, EOAC e-mail system and the access to the Internet provided by EOAC for personal purposes must not interfere with the employee's job or distract others. Thus, EOAC reserves the right to instruct any or all employees to discontinue all personal use of EOAC computers, EOAC e-mail system and the access to the Internet provided by EOAC.
4. Employees are strictly prohibited from receiving or sending e-mail messages or other materials and/or maintaining files on any EOAC computer of a harassing, intimidating, offensive or discriminatory nature. Such conduct, or any other conduct in violation of this policy, may result in immediate dismissal or other disciplinary measures. E-mail messages and other Internet and computer use generally are subject to EOAC's other policies including sexual harassment and harassment.
5. Each employee who receives e-mail must have been issued a password code to access e-mail. Your password is personal and should not be shared with other employees. Employees are prohibited from accessing each other's e-mail without the express consent of the employee to whom the mail is addressed. EOAC, however, maintains a list of all passwords and retains the right to access employee's computers and e-mail and to monitor Internet usage at any time for any reason without notice to the employee. The employee should not expect that e-mail or other computer or Internet use is confidential or private so that it is not subject to the review of EOAC. Further, each employee must understand that e-mail may be intentionally saved by the sender or the receiver of the message or saved under the computer system even if it has been deleted by the sender and all receivers.
- 6 Utilizing Social Media, etc. on EOAC time is not allowed for business related purposes. Rules and Communication Regulations follow this usage.**
7. This policy and all employees' waiver of any personal privacy applies to pre-existing material as well as material hereinafter placed in EOAC computers, EOAC e-mail system and the access to the Internet provided by EOAC.
8. Employees may be subject to and required to comply with funding source requirements as well.

## SOCIAL MEDIA POLICY

### Personal Use Policy

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Every employee is responsible for using EOAC computer system, including, without limitation, its electronic mail (E-mail) system and the Internet, properly and in accordance with this policy. Any questions about this policy should be addressed to Human Resources.

EOAC realizes that many employees may participate in social and business networking websites and applications such as Facebook, LinkedIn, MySpace, Twitter, etc., and may contribute content to various blogging websites (collectively, “Social Media Websites”). Employees are not to participate in Social Media Websites during work hours, except as explicitly provided below in the section entitled “EOAC Business-Related Use.”

Otherwise, any personal use of EOAC computers or communications equipment such as work stations, phones, laptops, or network infrastructure to participate in Social Media websites must be minimal, occasional, limited to non-work times, may not be at the expense of an employee’s job performance or interfere in any way with the business needs and operations of EOAC, must not be of a harassing, intimidating, offensive or discriminatory nature and may not impose costs on the agency. If any employee is found in violation of the rule, EOAC may prohibit all use by such employee of EOAC equipment for personal purposes even during non-work hours. EOAC may take other disciplinary actions for violations of this policy.

All EOAC employees participating in Social Media Websites away from EOAC premises during non-working hours and using non-employer provided equipment, are still subject to all EOAC policies including, but not limited to, agency policies regarding the use or disclosure of confidential and proprietary information and EOAC’s anti –harassment and non-discrimination policies.

Employees should not use their EOAC email address for identification purposes when engaging in personal use of Social Media Websites. Additionally, employees must refrain from posting anything that might reasonably create the impression that you are communicating on behalf of EOAC. Further, employees should note that personal opinions stated on Social Media Websites may easily be construed as those of EOAC, particularly if the reader knows of or suspects your affiliation with EOAC. Therefore, it is EOAC’s preference that employees not identify themselves as EOAC personnel (except as authorized in writing by the Executive Director) and that, if identified, proper disclaimers be used. (For example: “The views and comments stated herein are personal and do not necessarily reflect the views of my employer.”)

EOAC reserves the right to monitor publicly accessible employee activity on Social Media Website and to request that you remove any reference to EOAC or its trademark from such Social Media Websites. This policy is not to be applied or interpreted in a manner that interferes with any rights employees may have under the National Labor Relations Act.

## **EOAC Business-Related Use**

**Employees** are not permitted to visit Social Media Websites including personnel cell phones and apps during work hours, unless specifically authorized to do so for business-related purposes either:



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(1) by virtue of your job responsibilities; or (2) with express authorization as specified below. Those employees who do have authorization and post messages should understand that they are posting on behalf of EOAC's professional standards, values, policies and applicable laws at all times.

1. Employees who have job responsibilities that include posting information to EOAC-maintained websites and/or social media accounts understand and agree that the content and followers of the blog or other website belong exclusively to EOAC and that upon request the employee must provide EOAC with any information necessary to log in to an EOAC-maintained website or Social Media Website or account. No employee may create an account or change a password as this is solely the responsibility of EOAC's IT contractor. Furthermore, employees must be mindful of the issue of copyright infringement and may not repost copyrighted material (including text, images or video) without the written authorization of the copyright owner.
2. Individuals who do not have job responsibilities that include the posting of information to EOAC-maintained websites and/or social media accounts must obtain express written authorization from the director/principal and Executive Director. The Associate Director of Administrative Services will maintain a list of all users with access to EOAC's websites and social media accounts, as well as details for the credentials to said accounts (usernames, passwords, etc.). All employees authorized to post on Social Media Websites should identify themselves and their affiliation with EOAC. Any content posted should be current and accurate. Do not post any information that is obscene, defamatory, libelous, threatening, harassing, abusive, hateful or humiliating to another person or entity. Individuals may be held personally liable for such remarks.

When posting for authorized business-related purposes, employees must refrain from any type of discussion regarding political candidates. Additionally, any discussion of public policy should be limited to those in an executive function who have express written permission of the Executive Director.

Employees are prohibited from using or disclosing any personal identifiable information about any individual who has received services from EOAC. If a comment contains information that identifies an individual who has received services from EOAC and is sent by anyone other than that individual, the posting author should edit the identifying information out of the post promptly.

EOAC reserves the right to request that employees avoid certain subjects, withdraw certain posts, or remove inappropriate comments from EOAC-maintained websites.

## **No Expectation of Privacy**

Employees should have no expectation of privacy when using EOAC's equipment or network including but not limited to employer-supplied laptops, phones, tablet portable computer, pagers and email.

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Any communications stored on or transmitted or received using EOAC resources are the property of EOAC whether or not you intended them to be personal. EOAC reserves the right to require the return of any agency-owned device if a policy violation is suspected.

## **Employment References**

Requests for employment recommendations on Social Media Websites from former employees of EOAC should be treated like any other employment reference and are subject to EOAC's reference policy. An example of this would be a former employee asking a current employee to provide a reference on LinkedIn. Any postings to that website automatically include an individual's business affiliations. Therefore, employment references (whether online or not) should not be provided by EOAC personnel other than through the Human Resources Department. Additionally, the former employee must first submit a reference release to Human Resources.

## **Employment Representations**

Following the end of your employment relationship with EOAC, you shall take prompt affirmative steps to ensure that no Social Media Website represents you to be a current employee of EOAC.

## **General Implementation of Policy**

Employees who violate this social media policy are subject to discipline up to and including dismissal or legal action. Please keep in mind that EOAC's Policy for Use of Computers, Internet Access System and E-Mail, is available in EOAC Policies and Procedures and applies to all EOAC employees.

## **1.27 PERSONAL BEHAVIOR AND JOB PERFORMANCE**

All employees are expected to report for work on time and conduct themselves in a courteous, businesslike manner in dealing with associates and the public at large. Employees are expected to have a sense of responsibility and exercise proper use and care of EOAC equipment. Actions that will not be considered as acceptable behavior or performance on the part of EOAC employees include but are not limited to the following:

1. Inability to work effectively and deal courteously with participants, colleagues, and/or supervisors;
2. Habitual tardiness of 30 minutes or less three (3) times or more within 2 weeks observed by their supervisor and is unexcused;
3. Poor job performance;
4. Failure to comply with instructions from superiors;
5. Being on duty under the influence of intoxicants not prescribed by a physician;
6. Falsification of official documents (EOAC, State, Federal);
7. Conviction of a felony or crime, such as but not limited to, (see 1.16);
8. Disrespect for authority. All employees must follow the chain of command and work through proper administrative channels;
9. Violation of Minimum Standards for Day Care Centers on discipline and guidance;

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10. Failure to keep EOAC business confidential;
11. Insubordination,
12. Negligence in the performance of duties,
13. Failure to observe rules and regulations of EOAC;
14. Fraud;
15. Failure to comply with political activity requirements (HATCH Act); (See 1.15 Political Action)
16. Failure to report outside employment;
17. Use of EOAC vehicle for personal use
18. Abuse of EOAC property, such computers or phones;
19. Theft or attempted theft of EOAC goods and property;
20. Improper use of leave; or
21. Discourtesy to the public or EOAC employees.

**EOAC Personnel Policies state that employees will not engage in outside employment which in any way conflicts with his/her duties or affect the efficiency of his/her job with the EOAC. Full-time or part-time employment outside the EOAC must be reported in writing to the employee's supervisor and forwarded to the Central Office.**

## **PROFESSIONAL DRESS**

**EOAC represents a service oriented EOAC that frequently interacts with the public. Dress will reflect the organization. An employee of EOAC is always an example and model of the organization's purpose.**

1. **No flip flops**
2. **No sweat pants (Except P. E. Class)**
3. **No athletic dress, shorts, tank tops, no sports attire, etc.**
4. **Shirts to waist; no halter tops, spaghetti straps, or crop tops. (The midriff must be covered). Also, no revealing dresses or tops/blouses.**
5. **No blue jeans or pants worn inappropriately below the waist**
6. **No visible body piercings except ears (i.e. lip, nose, tongue, eyebrow, etc.) – male or female**
7. **Tattoos must be covered**
8. **Employees that work in certain areas, i.e. Weatherization, are allowed to dress appropriately to meet job specifics.**
9. **Casual Friday is acceptable with the above status mentioned. Employees must present themselves as professionals.**
10. **Required appropriate grooming, i.e., facial hair is allowed. (Must be kept trimmed and groomed, etc.)**
11. **Exceptions: Employees that need special items such as Exceptions may dress accordingly to meet the needs of such equipment or their disability.**

**Employees who refuse to comply with EOACs reasonable standards of dress can be sent home to change into more appropriate attire and shall not be paid for the time it takes for the employee to comply with this dress policy. Repeated violations of this policy can lead to disciplinary action up to and including termination.**

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## **1.28 TERMINATION – HEAD START EMPLOYEES**

### **Termination for Cause**

In the event it is necessary to terminate an employee for unsatisfactory services, a termination will be recommended by the immediate supervisor, and the supervisor will conduct a termination interview with the employee.

The recommendation of the supervisor and the response of the employee, together with a summary of the termination interview, will be reduced to writing and submitted to the program director for review and recommendation. If the Program Director/Principal concurs in the recommendation of the immediate supervisor, the recommendation will be submitted to the Executive Director or designee for review. If the Executive Director approves the recommendation to terminate, the employee will be given notice in writing of the intent to terminate. The notice will include a statement of the reasons for the termination and the effective date of termination. The effective date of the termination shall not be less than two (2) weeks from the date of the notice given by the program director. The notice shall also inform the employee of his/her rights to appeal the termination decision through the procedures herein established for appealing employee grievances. No employee will be terminated on the basis of unsatisfactory services without concurrence by the Executive Director or designee and approval by the Head Start Policy Council.

### **Appeal to Head Start Policy Council**

1. An appeal of any decision involving termination of Head Start personnel shall be directed by the Head Start Policy Council of EOAC, must be in writing, signed by the aggrieved employee, and must be delivered to the Executive Director not later than seven (7) days after the employee has received notice of the Executive Director's decision. A failure to appeal in the manner and within the time prescribed shall be deemed a waiver of the employee's rights to appeal and the recommendation of the Executive Director to terminate shall, when approved by the Head Start Policy Council, become final.
2. Within seven (7) days after receipt of a request for appeal, the Executive Director shall schedule and arrange for a hearing before the Head Start Policy Council of EOAC, said hearing to be set sometime within thirty (30) days from the date that the request for appeal is received. The Executive Director shall notify the employee of the time, place and date so scheduled by U.S. mail with proof of mailing obtained from the Post Office. Postponement of the hearing beyond the time set forth in the notice shall be made only with the approval of the Head Start Policy Council.
3. In order for a hearing to be conducted, a majority of the Head Start Policy Council must be present throughout the hearing. A representative of the EOAC Personnel Committee shall preside over the hearing to determine the order of procedure during the hearing, to insure that all participants have a reasonable opportunity to present relevant oral and documentary evidence and to maintain decorum. The representative of the EOAC Personnel Committee shall not participate in the decision making following the hearing.
4. The hearing before the Head Start Policy Council shall be conducted in a fair and impartial manner affording a full consideration of all facts, evidence, and recommendations. An accurate record of hearing shall be kept in a manner prescribed by the Head Start Policy

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Council. The record may be preserved by the use of a court reporter, electronic recording unit, or detailed transcription.

5. The Executive Director shall have the burden of proof that the decision to terminate was proper. The Executive Director or designee shall present the record of evidence preceding the appeal, as well as a statement of the facts and circumstances forming the basis for the decision. The affected employee shall then present claims, witnesses, and documentary evidence on his/her behalf. The hearing need not be conducted strictly according to the statutes and/or rules relating to the examination of witnesses or presentation of evidence. Any relevant matter upon which reasonable responsible persons customarily rely in the conduct of serious affairs shall be considered, regardless of the existence of any common law or statutory law which might make evidence inadmissible over objection in a civil or criminal action. The affected employee shall be entitled to call witnesses on his/her behalf, to present documentary evidence, and to submit written memoranda concerning any issue of procedure or of fact. The affected employee shall further have the right to cross examine any witnesses presented by the Executive Director or designee in support of the decision being appealed. The affected employee shall have the right to have counsel present and counsel may participate in the appellate hearing.
6. The Head Start Policy Council shall render its decision within fourteen (14) days after final adjournment of the hearing.

The decision of the Head Start Policy Council shall be final unless an employee alleges, in writing, within seven (7) days from the date of receipt of the decision of the Head Start Policy Council, that the hearing before the Head Start Policy Council did not afford the employee due process of law. The employee should direct his/her written complaint to the Chairman of EOAC Personnel Committee at the address of EOAC Central Office. Upon receipt of such a complaint, the Personnel Committee shall meet within ten (10) days from the receipt of the employee's complaint to review the record of the hearing. If the Personnel Committee fails to find a violation of due process, the employee will be advised, in writing, that the decision of the Head Start Policy Council is final. If the Personnel Committee finds that there was a violation of due process, then the Personnel Committee will advise the Executive Director what procedural defects appear in the record and request that the Executive Director reconvene the Head Start Policy Council to conduct a new hearing correcting all procedural defects in complying with the procedures previously set forth.

## **1.29 TERMINATION INVOLVING REDUCTION IN FORCE AND TERMINATION IN PROGRAM ACCOUNTS**

All employees who are to be terminated because of a reduction in force or because of the termination of a program account must be given a two (2) week written notice by the Program Director/Principal. If the employee is reinstated to employment with EOAC within a three (3) month period, the employee will be exempt from probationary status provided he/she was not on probationary status; he/she will retain his/her seniority rights within job classification and accumulated sick leave and the required physical examination for employment will be waived.

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## Voluntary Termination

Employees may terminate their employment at any time. All voluntary terminations should be accompanied by the employee's letter of resignation. Ideally, employees should give written notice as follows:

1. Exempt - two (2) weeks prior to the date of letter of resignation.
2. Non-Exempt - two (2) weeks prior to the date of letter of resignation.

Those employees not giving the required notice of resignation shall not be eligible for re-employment by EOAC, and any transcript of the employee's work record shall include the notation that EOAC's requirement concerning resignation was not fulfilled. **Prior to EOAC processing employee out, an exit interview with Director/Principal must be completed.**

## Summary Suspension/Termination

Whenever an employee commits an offense of such magnitude that the continued presence of the employee on the job would be detrimental to EOAC, the immediate **supervisor** may summarily suspend the employee or suspend the employee with recommendation to terminate. Such summary suspension shall become effective immediately upon imposition. Summary suspension or suspension with intent to terminate may result from, but is not limited to, commission of any action listed in the Personal Behavior and Job Performance section.

An employee whose employment has been summarily suspended with or without recommendation to terminate shall be entitled to request a termination interview with the employee's second level supervisor and the Executive Director or designee within three(3) days from the effective day of the suspension or termination. Request for this interview must be submitted in writing to the Executive Director or the Associate Director of Administrative Affairs, or designee.

Upon receipt of a request for interview following summary suspension or termination, the Executive Director, Associate Director of Administrative Affairs or designee shall arrange for the interview. The interview shall be conducted within seven (7) days from the receipt of the request and notice shall be given to the affected employee of the date, time, and place of the interview. The employee and the Supervisor imposing the summary suspension or termination shall be present along with the second level supervisor and the Executive Director.

The statement of the supervisor imposing the summary suspension and the response of the employee together with a summary of the termination interview shall be reduced to writing and included in the employee's personnel file. Within seven (7) days after the termination interview, the Executive Director or designee shall forward his/her decision in writing to the affected employee. Adopted August 1985

The decision may be to modify, recommend termination, or continue the suspension or intent to terminate as previously imposed. If a decision of the Executive Director does not terminate the suspension of the employee nor continue the employment of the employee, the employee shall be entitled to appeal the decision of the Executive Director to the Personnel Committee of the Board of Directors through the procedure herein established for appealing employee personnel grievances.

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The notice of the Executive Director's decision shall include a statement of the reasons for the decision and shall include a statement of the employee's rights to appeal the decision.

If the decision of the Executive Director supports or invokes a recommendation to terminate, the employee shall be entitled to appeal the decision of the Executive Director to the Head Start Policy Council of EOAC through procedures herein established for appeal to the Head Start Policy Council. The notice of the Executive Director's decision shall include a statement of the reasons for the decision and shall include a statement of the employee's rights to appeal the decision.

Decisions of the Executive Director shall be enforced during all periods of appeal.

## **Termination Procedures**

The Program Director/Principal will ensure that the "Processing Out" form is completed and signed by the Program Director/Principal along with the "Time and Attendance" form showing any hours worked during the pay period. The Program Director/Principal then forwards the forms to the Finance Department for payment for hours worked and for payment of any annual leave which has been credited to the employee. In cases of voluntary termination, the employee's letter of resignation must be attached to the "Processing Out" form. All employees are required to turn in to their supervisor any EOAC property including but not limited to keys, equipment, documents such as handbooks, other program material, etc. which had previously been issued to them before the final check will be issued.

## **1.30 REDUCTION IN FORCE**

**The criteria are listed in the order of importance and shall be applied sequentially:**

### **A. PLAN TO REDUCE PERSONNEL COSTS**

**If the Executive Director determines that there is a need to reduce personnel costs, the Executive Director shall develop, in consultation with the Board, as necessary, a plan for reducing costs that may include one or more of the following:**

- **Salary reductions**
- **Furloughs, if EOAC has received notice of a reduction in funding**
- **Reductions in force of personnel due to program change**
- **Other means of reducing personnel costs**

### **B. GENERAL GROUNDS**

**A reduction in force may take place when the Executive Director recommends and the Board adopts a resolution declaring a financial exigency. A determination of financial exigency constitutes sufficient reason or sufficient cause for discharge.**

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## C. CRITERIA FOR DECISION

The criteria for reduction in force decisions include, but are not limited to, in order of preference are:

1. **Seniority**  
Length of service in EOAC as measured from the employee's most recent date of hire
2. **Position Importance For Continued Operation of EOAC**
3. **Employee Qualifications for Positions remaining After Reduction**
  - a. **Qualifications for current or projected assignment:** Certification, multiple or composite certifications, education (BA, MA, etc.), licensure, training or skills for the current position.
  - b. **Performance: Effectiveness, as reflected by:**
    - i. The most recent performance appraisal;
    - ii. Any other written evaluative information, including disciplinary information from the last 36 months
4. **Veterans Status Per Applicable Law**
5. **Internal Evaluation of EOAC Employee Reduction**

A preliminary evaluation of the affected workforce will be done to see the impact of the reduction on any protected group prior to any final decision of the reduction priority.

If the Executive Director or designee at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.

### 1. NOTICE

The Executive Director or designee shall provide each employee written notice of the proposed discharge as possible. The notice shall include:

- a) Minimum two (2) weeks of Reduction in Force – notice based on grant exigency
- b) The proposed action as applicable
- c) A statement of the reason for the proposed action; and
- d) Notice that the employee is entitled to a hearing of the type determined by the Board

### 2. CONSIDERATION FOR AVAILABLE POSITIONS

An employee who has received notice of proposed discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with EOAC procedures.



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## 3. HEARING

An employee who is protesting proposed action to terminate at any time on the basis of a financial exigency declared by the Board must notify the Board in writing not later than the seventh (7<sup>th</sup>) day after the date the employee receives notice of the proposed action and is entitled to a hearing in the manner provided under Board policy.

## D. REDUCTION IN FORCE

Length of time employed in the department area

### 1.31 EXIT INTERVIEWS

In a termination or voluntary resignation situation, EOAC will conduct exit interviews to discuss an employee's reasons for leaving and any other impressions that the employee may have about EOAC. During the exit interview, employees can provide insights into areas for improvement that EOAC can make. Every attempt will be made to keep all information confidential.

### 1.32 WHISTLEBLOWER POLICY

EOAC is committed to maintaining a workplace where employees are free to raise good faith concerns regarding the business practices, specifically: (1) reporting suspected violations of law, including but not limited to federal laws and regulations; (2) providing truthful information in connection with an inquiry or investigation by a court, agency, law enforcement, or other governmental body; and (3) identifying potential violations of EOAC policy, specifically the policies contained in EOAC Employee Handbook.

An employee who wishes to report a suspected violation of law or EOAC policy may do so confidentially by contacting the School Principal, Executive Director, or Human Resources.

EOAC expressly prohibits, any form of retaliation, including harassment, intimidation, adverse employment actions, or any other form of retaliation, against employees who raise suspected violations of law, cooperate in inquiries or investigations, or identify potential violations of EOAC. Any employee who engages in retaliation will be subject to discipline, up to and including termination.

Any employee who believes that he or she has been subjected to any form of retaliation as a result of reporting a suspected violation of law or policy should immediately report the retaliation to one of the following: the employee's immediate supervisor, or Human Resources. Director/Principals and Managers, who receive complaints of retaliation, must immediately inform the Executive Director.

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**Reports of suspected violations of law or policy and reports of retaliation will be investigated promptly and in a manner intended to protect confidentiality, consistent with a full and fair investigation. The Executive Director and Human Resources with a member of EOAC management will conduct or designate other internal or external parties to conduct the investigations. The investigating parties will notify the concerned individuals of their findings directly.**

## **SECTION 2 – NEPOTISM/CONFLICTS OF INTEREST**

### **2.1 RULES GOVERNING CONFLICTS OF INTEREST AND NEPOTISM**

**EOAC expects the highest personal conduct from our employees and we expect you to conduct business according to the highest ethical standards of conduct.** The following rules of the EOAC shall be observed:

1. No officer, employee, or member of the governing Board of EOAC shall select, vote for, or confirm the employment of any person related within the second degree by affinity or third degree by consanguinity to any member of the governing Board or to any other officer or employee authorized to employ or supervise such person. (See attached chart for explanation of degrees of consanguinity and affinity.) Contractor shall ensure that no employee, officer, or agent of contractor participates in the selection or in the award or administration of a subcontract supported by funds provided hereunder if a conflict of interest, real or apparent, would be involved. Such a conflict of interest would arise when: (1) the employee, office or agent; (2) any member of his or her immediate family; (3) his or her partner; or, (4) any organization which employs or is about to employ, any of the above, has a financial or other interest in the firm or person selected to perform the subcontract.
2. No employee, officer, or agent of EOAC shall participate in the selection, award, or Administration of a subcontract awarded by EOAC if a conflict of interest, real or apparent, would be involved. Such a conflict of interest would arise when: (1) the employee, officer, or agent; (2) any person related to the employee, officer, or agent, within the second degree by affinity or third degree by consanguinity; (3) the partner of the employee, officer, or agent; or, (4) any organization which employs or is about to employ any of the above, has a financial or other beneficial interest in the firm or a person selected to perform the subcontract.
3. EOAC's employees, officers, and agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from a contractor or potential contractor.
4. No person shall be employed by EOAC if he/she acquires any interest, direct or indirect, which would conflict in any manner with the performance of any contract between EOAC and any federal or state agency.

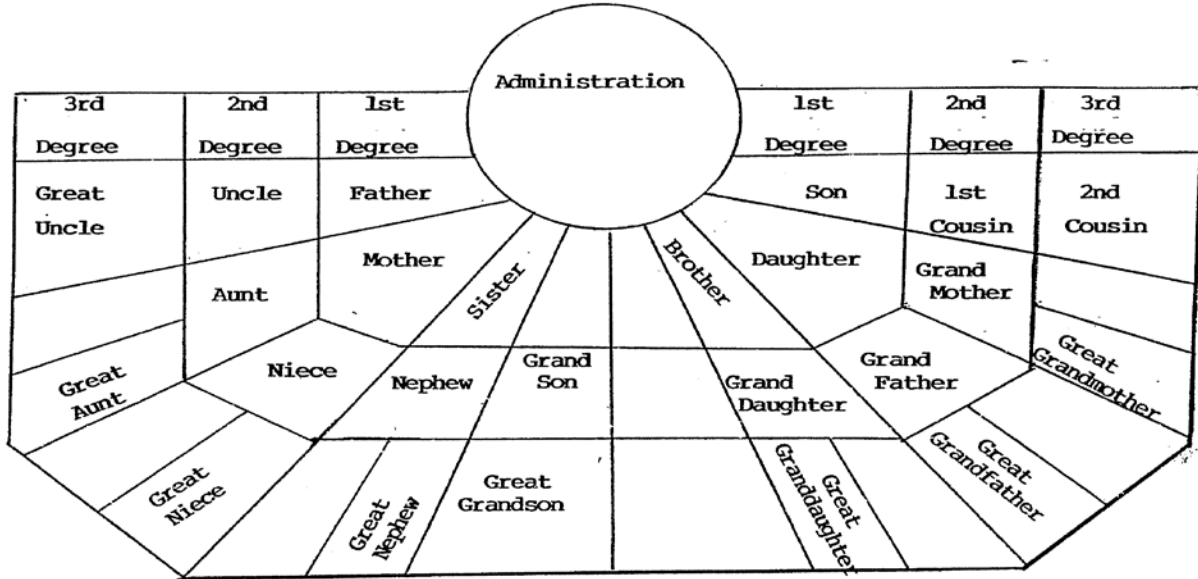
If, after employment, any of the above reasons for disqualifications are discovered, it will be cause for automatic dismissal.

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## 2.2 NEPOTISM CHART

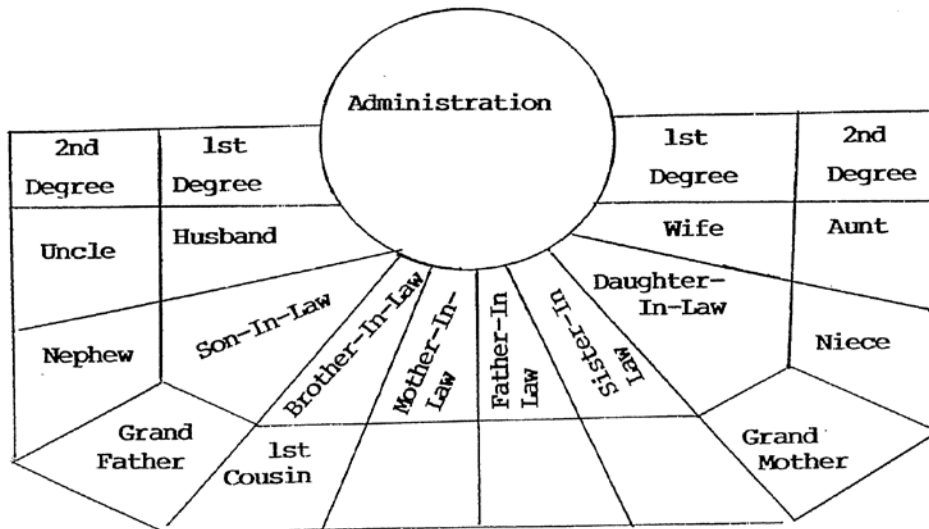
Consanguinity (Related by Blood)

It is illegal to employ a blood relative within the third degree by consanguinity.



Affinity (Related by Marriage)

It is illegal to employ a person related within the second degree by affinity.



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## 2.3 OUTSIDE EMPLOYMENT

If you are a full time employee, we expect that you will devote your full professional effort to your position at EOAC. Employees will not engage in outside employment which in any way may conflict with his/her duties or affect the efficiency of his/her job with EOAC. Full time or part-time employment outside EOAC must be reported in writing to the employee's Program Director/Principal, approved by the Program Director/Principal and forwarded to the Executive Director for approval. In general, outside work activities are not allowed when they:

- Prevent you from fully performing work for which you are employed at EOAC;
- Involve organizations that are doing or seek to do business with EOAC, including actual or potential vendors; or
- Violate provisions of law or EOAC policies or rules.

In cases of conflict with any outside activity, your obligations to EOAC must be given priority. Full-time employees are hired and continue in EOAC employ with the understanding that EOAC is their primary employer and that other employment, commercial involvement or volunteer activity which is in conflict with the business interests of EOAC is strictly prohibited. EOAC office space, equipment, and materials are not to be used for outside employment.

## 2.4 SOLICITATIONS

Except as set forth in this handbook, solicitations of any kind are not permitted. Employees are not allowed to solicit from students or other persons being served at any time except for EOAC purposes. Employees are not allowed to solicit from other employees during working times or in work areas. Non-employees are not allowed to solicit employees for any purpose at any time on EOAC's premises. Employees are prohibited from posting notices and literature on EOAC's property in work areas.

## **SECTION 3-PERSONNEL/RECORDS/EVALUATION**

### 3.1 PERFORMANCE EVALUATIONS

The immediate supervisor must complete a performance evaluation on each employee prior to the end of the probationary period and periodically thereafter, normally on an annual basis.

### 3.2 EMPLOYEE PERFORMANCE REVIEW AND PLANNING SESSIONS

Supervisors will conduct performance reviews with all regular full-time and regular part-time employees annually. Supervisors may conduct informal performance reviews and goal setting sessions more often if they choose. Interim evaluations may be made at times other than the regularly scheduled review dates. In such cases, the employee will be placed on a new

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**evaluation schedule. For example, if an employee is promoted to a new position, the next performance appraisal will be scheduled six (6) months after the promotion date. All interim evaluations must be approved by the Executive Director upon the recommendation of the Program Director.**

Performance reviews are designed for the supervisor and the employee to discuss his/her current job tasks, encourage and recognize attributes, and discuss positive, purposeful approaches for meeting work-related goals. Together, employee and supervisor discuss ways in which the employee can accomplish goals or learn new skills. The goal setting sessions are designed for the employee and his/her supervisor to make and agree on new goals, skills, and areas for improvement.

EOAC directly links wage and salary increases with performance. Your performance review and goal setting sessions may or may not have a direct effect on any changes in your compensation. For this reason among others, it is important to prepare for these reviews carefully, and participate in them fully. If an employee believes that his/her evaluation is incorrect, it must first be discussed with the immediate Supervisor. If no agreement can be reached, the matter should be referred to the Program Director/Principal. If the employee still believes the evaluation is incorrect, he/she may appeal to the Executive Director. If satisfaction is not received, an appeal may be made in accordance with the grievance procedures.

All performance evaluations will be filed in the employee's personnel file. Performance evaluations may include a job specific addendum to the general evaluation form.

### **3.3 CORRECTIVE ACTION**

**EOAC holds each of its employees to certain work rules and standards of conduct. When an employee deviates from these rules and standards, EOAC expects the employee's supervisor to take corrective action.**

**The usual sequence of corrective actions includes an oral warning, a written reprimand with a plan for improvement, probation for a specific period of time, suspension (with or without pay), and finally dismissal/termination of employment. In deciding which initial corrective action would be appropriate, a supervisor will consider the seriousness of the infraction, the circumstances surrounding the matter, and the employee's previous record.**

**Though committed to a progressive approach to corrective action, EOAC considers certain rule infractions and violations of standards as grounds for immediate termination of employment. These include but are not limited to: theft in any form, insubordinate behavior, any misconduct concerning a child/student, vandalism or destruction of EOAC property, being on company property during non-business hours, the use of EOAC equipment without prior authorization by, untruthfulness about personal work history, skills, or training, divulging business practices, and misrepresentations of EOAC to a another employee, a prospective employee, or the general public.**

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## 3.4 STANDARDS OF CONDUCT

The work rules and standards of conduct for EOAC are important, and EOAC regards them seriously. All employees are urged to become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards faithfully in doing their own jobs and conducting EOAC business. Please note that any employee who deviates from these rules and standards will be subject to corrective action, up to and including termination of employment (See Section 3.3 Corrective Action).

## 3.5 DISCIPLINE

All employees are expected to meet EOAC standards of work, performance. Work performance encompasses many factors, including, attendance, punctuality, personal conduct, job proficiency and general compliance with EOAC policies and procedures. If an employee does not meet these standards, EOAC may or may not, at its sole discretion, take corrective action, other than immediate dismissal.

The process is designed to encourage employee development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with EOAC policies and procedures and/or other disciplinary problems.

### **Warnings:**

Employees who have had formal written warnings may not be eligible for salary increases, bonus incentives, promotions, leaves of absence or requested transfers during the warning period.

Corrective action may include any of a variety of actions depending upon the circumstances and severity of the particular situation.

Corrective actions may be taken at the discretion of management and include any of the following:

- Verbal counseling which will be confirmed in writing by the supervisor for personnel file.
- Written warning, which will be placed in the employee's personnel file.
- A growth plan for improvement steps will be utilized to monitor employee growth in areas needed.
- Suspension, which will be confirmed in writing for the personnel file. Suspension is normally used to remove an employee from EOAC premises during an investigation, or as a disciplinary action. This suspension may be paid or unpaid. If an employee is suspended, it will be documented in the personnel file.
  
- Termination, which will be documented in the employee's personnel file.

The corrective action process will not always commence with a verbal counseling or include every step. The above options are not to be seen as a process in which one step always follows another. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or

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subsequent offense. Consideration will be given to the seriousness of the offense, the employee's intent and motivation to change the performance, and the environment in which the offense took place.

## **3.6 Employee Grievances**

All employee grievances shall be given prompt and fair consideration. Any employee grievance that has not previously been considered by or presented to the immediate supervisor shall be presented in writing and shall be directed to the attention of the immediate supervisor of the employee **to the extent permitted by applicable law or applicable legal process.**

### **When there is a Second Level Supervisor:**

If the grievance cannot be resolved by the immediate supervisor, the grievance shall be referred by the supervisor to the second level supervisor within three (3) days from the date of its receipt, weekends and holidays excluded. At the same time the supervisor shall notify the employee that the grievance has been referred to the second level supervisor. If the grievance has not been resolved by the second level supervisor within seven (7) days after its receipt by the second level supervisor, the employee may refer the grievance to the Executive Director, in writing, signed by the aggrieved employee. A failure to present the grievance to the Executive Director within three (3) days, weekends and holidays excluded, after the expiration of the previously described seven (7) day period shall be deemed a waiver of the employee's rights to assert the grievance and shall terminate the grievance procedure.

### **When there is not a Second Level Supervisor:**

If the grievance cannot be resolved by the immediate supervisor, the employee may refer the grievance to the Executive Director within three (3) days, weekends and holidays excluded. A failure to appeal in the manner within the time prescribed shall be deemed a waiver of the employee's right to assert the grievance and shall terminate the grievance procedure.

If the grievance is referred to the Executive Director, the Executive Director must render a decision on the grievance within fourteen (14) days after receipt of the grievance. Written notice of the Executive Director's decision, along with a statement of the reasons therefore, shall be forwarded immediately to the employee. The Executive Director, together with the immediate and second level supervisors shall make every attempt to resolve the grievance; however, if the employee is not satisfied with the decision of the Executive Director through the procedures for appeal as hereinafter provided. The written notice of the Executive Director's decision shall include a statement of the employee's right to appeal the decision.

Decisions of the Executive Director shall be enforced during all periods of appeal.

### **Appeal to Personnel Committee**

An appeal of any decision involving personnel (other than termination of Head Start personnel) shall be directed to the Personnel Committee of the Board of Directors, must be in writing, signed by the

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aggrieved employee, and must be delivered to the Executive Director not later than seven (7) days after the employee has received notice of the Executive Director's decision. (Any appeal of a termination of Head Start personnel is directed to the Head Start Policy Council.) A failure to appeal in the manner and within the time prescribed shall be deemed a waiver of the employee's rights to appeal, and the decision of the Executive Director shall become final.

If the employee wishes to submit written information in support of his or her appeal, the employee must submit the written information to the Executive Director within seven (7) days after the receipt of the employee's request for appeal. Within fourteen (14) days after receipt of a request for appeal, the Executive Director shall schedule and arrange for a hearing before the Personnel Committee of the Board of Directors and give written notice to the Personnel Committee of the time, place and date of the committee hearing. At the same time that the notice of hearing is sent to the Personnel Committee, all written information that is to be considered by the Personnel Committee at the hearing will be mailed to the Personnel Committee for its review prior to the hearing. The appeal hearing must be set sometime within thirty (30) days from the date that the request for appeal is received. At the same time the Executive Director notifies the Personnel Committee of the hearing, the Executive Director shall notify the employee of the time, place and date so scheduled by U.S. mail with proof of mailing obtained from the Post Office enclosing a copy of all written material that is being submitted to the Personnel Committee for consideration.

Any and all written material relating to the appeal that is furnished by mail to the employee and the Personnel Committee shall be marked personal and confidential, and the letter notifying the committee and the employee of the time, place and date of the appeal hearing shall remind the committee members that all information relating to the employee is confidential to extent permitted by applicable law **or applicable legal process** whether presented in writing or at a hearing before the committee.

The hearing before the Personnel Committee shall be conducted in a fair and impartial manner affording a full consideration of all facts, evidence, and recommendations. An accurate record of hearing shall be kept in a manner prescribed by the Personnel Committee.

The record may be preserved by the use of a court reporter, electronic recording unit, or detailed transcription. The Executive Director or designee shall present the record of events preceding the appeal, as well as a statement of the facts and circumstances forming the basis for the decision. The Executive Director shall have the burden of proof that the decision to terminate was proper. The affected employee shall then present claims, witnesses, and documentary evidence on his/her behalf. The hearing need not be conducted strictly according to the rules of law relating to the examination of witnesses or presentation of evidence. Any relevant matter upon which reasonably responsible persons customarily rely in the conduct of serious affairs shall be considered regardless of the existence of any common law or statutory law which might evidence inadmissible over objection in a civil or criminal action. The affected employee shall be entitled to call witnesses on his/her behalf, to present documentary evidence, and to submit written memoranda concerning any issue of procedure or of fact. The affected employee shall further have the right to cross examine any witnesses presented by the Executive Director in support of the decision being appealed. The affected employee and EOAC shall have the right to have counsel present, and counsel may participate in the appellate hearing. A chairperson of the Personnel Committee shall preside over the hearing to determine the order of procedure during the hearing to assure that all participants in the hearing have a reasonable opportunity to present relevant oral and documentary evidence and to maintain decorum.



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The Personnel Committee shall render its decision within fourteen (14) days after final adjournment of the hearing. The decision of the Personnel Committee shall be delivered in writing by U.S. mail with proof of mailing to the employee obtained from the Post Office. The decision of the Personnel Committee shall be final, and the employee shall not be entitled to any further appeals.

## **Grievances Not Involving Personnel**

Any other grievances not involving personnel should be reported to the Grievance Committee of the Board of Directors of EOAC.

“Each complaint or grievance must be filed in writing at the office of the Executive Director of EOAC who, within ten (10) days, shall prepare a report which includes the complete complaint and all information pertaining to the grievance or complaint at his/her disposal and submit it to the Grievance Committee.

The Grievance Committee shall have no more than thirty (30) days to prepare a written report to be submitted to Board for action. A copy of the written report shall be submitted to the complainant. All information not included in the written report would be considered privileged to the members of the Grievance Committee and the Executive Director.”

**EOAC will not discriminate or retaliate against any person who files a grievance against EOAC or who reports in good faith a violation by EOAC or its employees.**

## **Amendment Procedures - Personnel Policies & Procedures**

The Personnel Policies and Procedures of EOAC may be amended upon the recommendation of the Personnel Committee and approval by the Board of Directors.

## **3.7 TRANSFER/REASSIGNMENTS**

Employees may transfer to another program area within EOAC. A request form must be completed and approved by both directors/principals. A specific position may be requested, but is not a determinate to final placement within another department/school. Final approval of program transfers will be the authorization by the Executive Director. The Executive Director shall have final approval of all transfers or reassignments.

Reassignments within EOAC will be at the discretion and scope of the Executive Director's authority. A director/principal may request to the Executive Director that an individual be reassigned. Employees that are reassigned will be assured of equal pay provided the transfer is to a lateral position, otherwise the pay shall be that applicable to the position to which the individual is reassigned. A probationary period will be in force with the reassignment.

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## **3.8 PERSONNEL RECORDS**

Records shall be kept on all personnel actions including employee's application, **job description, résumé,** physical examination, employment date, position, salary **and salary history,** evaluations, promotions, all changes in employment status, letters and/or certificates of appreciation, admonitions, reprimands, dismissals, **training certifications, notary documents, transcripts, GEDs, High School Diplomas,** resignations, eligibility for rehire **and/or letters of suspension.**

Personnel files are the property of EOAC and will be kept in locked filing cabinets in a locked room. The files should include terminated employee files.

**CONFIDENTIALITY:** Personnel records will be maintained as per the Confidentiality Requirements under Federal and State laws. This will include transfer, storage, and/or within departments.

Medical information can be combined with personnel file upon termination **ONLY IF** information is placed in a sealed envelope.

Files for terminated employees must be kept secure or in a locked location for seven (7) years after the date of termination.

I-9s must be kept for three (3) years after the start date of the new fiscal year or one (1) year after termination, whichever is longer. **NEVER DESTROY I-9S FOR CURRENT EMPLOYEES.**

Personnel files are the property of EOAC and access to the information is allowed with prior notice. Management personnel of EOAC who have a legitimate reason to review the file are allowed to do so.

Employees who wish to review their own file should contact Human Resources. With reasonable advance notice, the employee may review his/her personnel file in EOAC office and in the presence of their supervisor or Human Resources.

## **3.9 CONTENTS OF EMPLOYEE PERSONNEL FILES**

### **Employment History**

- **Job application**
- **Resume**
- **Resume cover letter**
- **Education verification**
- **Employment verification**
- **Employment and personal reference checks**
- **Rejection letter**
- **Position job description**

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- **Job analysis**
- **Job offer letter or employment contract**
- **Employment agency or temp agency agreement, if used**
- **Emergency contact information**
- **Signed employee handbook acknowledgment form showing receipt of employee handbook**
- **Checklist from new employee orientation showing topics covered and by whom**
- **Any relocation agreements and documentation**
- **Any contract, written agreement, receipt, or acknowledgment between the employee and the employer (such as a noncompete agreement, an employment contract or an agreement relating to a company-provided car),**
- **Life of employment official forms including: requests for transfer, promotion, internal job promotions and so forth**
- **Any other documentation related to employment**

## Employee performance Development and Improvement

- **Copies of any performance appraisal used or employee development plans**
- **Employee self-assessments**
- **Records from any counseling sessions**
- **Notes on attendance or tardiness**
- **Performance improvement plan documentation**
- **Disciplinary action reports**
- **Employee recognition presented such as certificates, recognition letters, etc,**
- **Employee formal suggestions and recommendations, organization responses**
- **Training records**
- **Requests for training**
- **Competencies assessments**
- **Training class or session notifications or schedules**
- **Needs assessments signed**
- **Training expense reports**
- **Complaints from customers or coworkers**

## Employment Termination Records

- **Employee resignation letter**
- **Exit interview documentation**
- **Consolidation Omnibus Budget Reconciliation Act (COBRA) notification**
- **Employment ending checklist**
- **Final accounting for all aspects of the employee's employment such as final paycheck, vacation pay, return of company property, and so forth**

## 3.10 I-9/MEDICAL RECORDS

### I-9 Form

Filling out an I-9 form on every employee is required by the Department of Homeland Security – U.S. Citizenship and Immigration Services (USCIS), formerly the INS (Immigration and Naturalization Service). As an employer, EOAC must fill out an I-9 form for every employee that is hired. The form verifies that EOAC has checked two approved forms of identification that prove the employee is legally authorized to work in the United States.

### Employee Medical File

The employee medical file is the repository for everything that has to do with health, health benefits, employee health-related leave, and benefits selections and coverage for the employee. Because the medical file contains sensitive and confidential information, it must reside in a safe, locked, inaccessible location. Access to employee medical files is restricted to Human Resources staff.

The Health Insurance Portability and Accountability Act of 1996 (HIPPA) requires employers to protect employee medical records as confidential; medical records should be stored separately and apart from other business records. Never store employee medical records in the employee's general personnel file. Because of the confidentiality of the information, records must be isolated from files that employees such as supervisors may access.

### Contents of the Employee Medical File

These are the types of items that should be stored in the employee's medical file.

- Health insurance application forms
- Life insurance application forms
- Applications for any other employee benefit that might require medical information
- Requests for paid or unpaid medical leaves of absence
- Family Medical and Leave Act (FMLA) reports and related paperwork
- Physician's examinations, notes, correspondence, and recommendations
- Medically-related excuses for absenteeism or tardiness
- Medical job restrictions
- Accident and injury reports, including OSHA-required documents
- Worker's compensation reports of injury or illness
- Any other form or document that contains private medical information about an employee

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## SECTION 4 - LEAVE

### 4.1 USE IT OR LOSE IT POLICY

All employees will follow the “use it or lose it” policy. Earned Sick Leave in excess of seven hundred twenty (720) hours and earned Annual Leave in excess of one hundred sixty (160) hours not taken at the end of their respective program year will be lost.

- Earned leave taken in excess of the earned leave accrued can result in disciplinary action up to and including employment termination. This time will be unpaid.
- Under the Family and Medical Leave Act (FMLA) policy, all accrued earned leave time is taken before the start of unpaid FMLA time.
- Employees will not take any earned leave time off days while on FMLA leave or any other unpaid leave of absence.

### 4.2 ANNUAL LEAVE

#### 1. Earning Rate

The amount of annual leave earned each year will depend on the length of service and classification of employment.

#### 2. Regular and Temporary Full Time Employees (except ten (10) month employees) earn:

- During the first five (5) years of service – four (4) hours for each bi-weekly pay period – for a total of thirteen (13) workdays of annual leave a year.
- After five (5) years of service – six (6) hours for each bi-weekly pay period, plus an additional four (4) hours added at the end of twelve (12) months – for a total of twenty (20) workdays of annual leave on a pro-rata basis.
- Regular Part-time and Temporary Part-time employees who have regularly established work schedules are entitled to annual leave on a pro-rata basis.

#### 3. **Any ten (10) month Head Start employee or Waco Charter School employee employed by EOAC is exempt from earning annual leave. All such employees shall receive five (5) days of paid leave per year. This leave includes all leave for personal reasons and illness. Such employees will not be paid at termination for any unused leave time.**

#### 4. Application for Annual Leave

Requests for annual leave will be made to the immediate supervisor as far in advance as possible by completion of the “Request for Leave with Pay” form. “Annual Leave” will be scheduled at the discretion of the Supervisor and the Program Director. If unusual circumstances prevent prior arrangements for annual leave, the employee shall notify his/her immediate supervisor of his/her absence and the reason as soon as possible, but no later than

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two (2) hours after the beginning time of the employee's regular work schedule. Annual leave may or may not be granted. Employees must submit the completed "Request for Leave with Pay" form to their immediate Supervisor immediately upon their return to duty. In the event that an employee fails to secure the approval of the Supervisor prior to beginning annual leave, then "Annual Leave" will be granted by the supervisor and the Program Director/Principal according to EOAC policy.

## 5. Maximum Amount of Accumulated Annual Leave

Employees should be encouraged to make arrangements to use their annual leave for vacation purposes on an annual basis and/or during the employee's grant or contract period. Annual leave which is not used annually or during the funding period up to one hundred sixty (160) hours may be used in the succeeding year. The maximum amount of accumulated annual leave an employee may carry forward at the beginning of any new program year is limited to one hundred sixty (160) hours. Any leave accumulated beyond this will be lost.

## 6. Payment for Annual Leave

Upon termination, employees (except employees who have been employed less than ninety (90) days) will be paid for all unused annual leave up to a maximum of two hundred (200) hours.

## **4.3 SICK LEAVE**

### 1. Earning Rate

Regular Full Time and Temporary Full Time employees earn sick leave at the rate of two (2) hours if they are paid for 1 through 39 hours of work per pay period. The employee will earn four (4) hours per pay period if they have worked forty-one (41) hours through eighty (80) hours per pay period.

Regular Part-time and Temporary Part-time employees having regular work schedules are also entitled to sick leave on a pro-rata basis. When an employee works less than one half (1/2) of the regular work schedule they will receive half the sick leave.

### 2. Use of Sick Leave

Earned sick leave is granted for the following circumstances:

- a. For absence of the employee due to injury or illness;
- b. For absence due to pregnancy of the employee or for postpartum recovery of the employee's wife;
- c. For absence due to medical, dental or optical examination or treatment of the employee;
- d. For absence due to illness in or injury to the immediate family requiring the employee's care and attendance. Immediate family in this category is identified as: spouse, son, daughter or parent of the employee. Exceptions to the definition of immediate family must have approval of the Executive Director;

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- e. For absence due to death of the employee's wife, husband, mother, father, child, brother, or sister with a maximum of three (3) days sick leave;
- f. For absence due to exposure of the employee to contagious disease which would jeopardize the health of others;
- g. **AN EMPLOYEE MAY EARN UP TO A TOTAL OF NINETY (90) DAYS OR SEVEN HUNDRED TWENTY (720) HOURS OF SICK LEAVE DURING HIS OR HER EMPLOYMENT WITH EOAC.**
- h. **Not applicable to ten (10) month employees.**

## 3. Application for Sick Leave

"Request for Leave with Pay" form must be completed by the employee and approved by his/hers' supervisor prior to taking any pre-planned sick leave such as doctor's and dental appointments.

When an employee is absent due to injury or illness, the "Request for Leave with Pay" form will be completed immediately upon his/her return to duty.

## 4. Notification of Illness or Injury

All employees are to notify their supervisor as soon as practicable after it becomes apparent that they will be absent because of injury or illness. If the employee is too ill to do so, a member of his/her family or a friend should get in touch with the supervisor. This notification should be made as early as possible, before or at the beginning of the employee's regular work schedule, but in any event, within the first two (2) hours of absence. Absent extraordinary circumstances, a failure to notify the supervisor within the first two (2) hours of the regular work schedule will result in denial of a request for sick leave.

## 5. Evidence in Support of Sick Leave

In support of sick leave for more than two (2) consecutive days, employees may be required to furnish satisfactory evidence of the circumstances entitling the employee to sick leave.

If absence for illness or injury extends beyond five (5) days, the employee must notify his or her supervisor weekly and must furnish satisfactory evidence of the circumstances entitling the employee to continue sick leave.

## 6. Abuse of Sick Leave

If a supervisor feels that an employee is abusing sick leave privileges, then the supervisor may require medical evidence for sick leave regardless of the period of absence and reserves the right to recommend to the Executive Director that the employee be examined by a designated physician at the expense of the EOAC.

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Abuses of this sick leave policy shall be considered grounds for discharge or lesser disciplinary action.

7. Substitution of Sick Leave for Annual Leave

Sick leave may be substituted for annual leave when illness or injury of the employee occurs during a period of annual leave. Such illness or injury must be reported promptly and must be supported by a medical statement if requested by the supervisor.

8. Substitution of Annual Leave for Sick Leave

Annual leave will be substituted for sick leave if the employee's sick leave has been exhausted.

9. Maximum Amount of Accumulated Sick Leave

Unlike annual leave, unused sick leave accumulates year after year up to a maximum accumulation of ninety (90) days or seven hundred twenty (720) hours.

10. Payment for Sick Leave

Employees will not be paid for unused sick leave.

**Sick Leave Policy for EOAC TEN (10) Month Employees Head Start/Early Head Start/Charter School):**

**EOAC Ten (10) Month Employees (HS/EHS and Charter School):**

**EOAC grants each teacher/staff member five (5) days per school year with an accumulation of no more than twenty (20) accrued by carry over from one year to the next. The purpose of these days may be used for sick or personal days. Personal/Sick days must be called in on the day of illness. To use for other personal days must be approved of in advance with no more than five (5) days being used consecutively at any given time. (Unless employee is on family medical leave or family emergencies.)**

**Comparison to ISDs: In a Texas public school (ISD) sick leave days are given by the state, five (5) per school year, and may be accumulated and carried over to any district that the employee may transfer or move to each year. No limit on number of sick days. Local days may or may not be added by the district.**

**Five (5) days given per school year to be used in any manner employee chooses.**

**4.4. DONATED SICK LEAVE**



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## DONATED SICK LEAVE REQUEST

EOAC shall establish procedures to permit voluntary sick leave donations by employees to assist a specific employee suffering from personal illness or disability. To receive donated sick leave days, the requesting employee must first use all of his or her earned paid leave including, but not limited to personal leave, sick leave, and vacation days. The employee must also be on a leave of absence from his or her duties. Requests may be made only in cases of unexpected critical illness, unexpected complications thereof, or temporary disability due to an injury; the normal recuperation period following the birth of a child shall be excluded. Donated sick leave may be used to extend leave due to childbirth if the employee had documented complications during pregnancy or with childbirth. This leave will be reviewed on an individual basis upon request.

Employee illness must be justified by a written Physician's Statement of Need. Only the employee's illness will qualify for donated sick days.

A request for donated sick leave shall be made in writing through the employee's program head when all authorized leave, compensatory time, and vacation has been exhausted.

An employee receiving donated days will be limited to ten (10) donated days per Fiscal Year.

## SICK LEAVE DONATION

### Eligibility

Employees who donate sick leave time must be employed with EOAC for a minimum of six (6) months prior to be eligible to donate.

### Guidelines

Employees who donate sick leave time from their unused balance must adhere to the following requirements:

- Donation minimum – four (4) hours
- Employees within a specific program may donate up to sixteen (16) hours two (2) days) to a peer or peers in their program for sick leave purposes.
- This donation must be specific to the person it is donated to for assistance.
- An employee donating their days will specify to the finance department to whom it is designated.

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- Only an employee donating days will have the power to designate their days to a named employee.
- Employees who are currently on an approved leave of absence cannot donate sick leave.

**Note: Employees who donate time must have sufficient time in their balance and will not be permitted to exhaust their balances due to the fact that they may experience their own personal need for time off. Employees cannot borrow against future sick time to donate.**

**Donated leave is also limited due to fiscal funding and legal recommendations.**

**Appropriate forms must be completed in order to apply donated sick leave for the specific employee with Program Director/Principal approval, and Executive Director approval. The controller will review and approve/disapprove.**

## **Record Keeping**

**The Chief Financial Officer/CFO for employees and Human Resources will keep a record of used and donated leave. Each employee is responsible for verifying his/her pay stub to make sure the correct amount of hours appear.**

## **4.5 FAMILY MEDICAL LEAVE POLICY (FMLA)**

The purpose of this policy is to define the policy and procedure of EOAC with regard to family and medical leave required by the Family and Medical Leave Act of 1993 (FMLA).

### **Policy**

Employees who have worked for EOAC for at least twelve (12) months and for at least twelve hundred fifty (1,250) hours during the twelve (12) months immediately prior to the beginning of the leave may take up to twelve (12) weeks of unpaid leave (FMLA leave) for the following reasons:

1. Birth of a child and in order to care for that child;
2. Placement of a child into the employee's family by adoption or by a foster care arrangement by the state;
3. Care of the employee's spouse, child, or parent who has a serious health condition; or,
4. Inability of the employee to perform the function of the employee's position due to a serious health condition.

Any FMLA leave taken by an employee during the twelve (12) month period immediately preceding the time when a requested leave is to begin will be used to determine the amount of available leave

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pursuant to the Family and Medical Leave Act. For example, if an employee used four (4) weeks of leave beginning February 1, four (4) weeks of leave beginning June 1, and four (4) weeks of leave beginning December 1, the employee would not be entitled to any additional leave until February 1 of the following year. On February 1 of the following year the employee would be entitled to four (4) weeks of leave and on June 1 of the following year, the employee would be entitled to an additional four (4) weeks, etc. This combined twelve (12) week limitation for couples does not apply to situations other than adoption or placement of a child.

The right to FMLA leave for the birth and/or placement of a child into an employee's family may only be taken within the twelve (12) months after the date of the birth or placement of the child. In case of unpaid FMLA leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted, unless both the employee and the EOAC agree. If both spouses are employed by the EOAC, the combined FMLA leave in connection with any adoption or placement of a child shall not exceed twelve (12) weeks.

For purpose of this policy, a serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

1. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity<sup>1</sup> or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment

A period of incapacity of more than three (3) consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

- a. Treatment<sup>2</sup> two (2) or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
- b. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment<sup>3</sup> under the supervision of the health care provider.

3. Pregnancy

Any period of incapacity due to pregnancy, or for prenatal care

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<sup>1</sup> "Incapacity," for purposes of FMLA, is defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery therefore

<sup>2</sup> Treatment includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

<sup>3</sup> A regimen of continuing treatment includes, for example, a course of prescription medications (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking.

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## 4. Chronic Conditions Requiring Treatments

A chronic condition which:

- a. Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- b. Continues over an extended period of time (including recurring episodes of a single underlying condition); and,
- c. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

## 5. Permanent/Long-term Conditions Requiring Supervision

A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

## 6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

All FMLA leave shall be unpaid leave unless the employee is entitled to paid leave under other policies of the EOAC such as sick leave and annual leave.

## **Leaves-Holidays-Vacations**

In the case of unpaid FMLA leave for serious health conditions, the leave may be taken intermittently or on a reduced hour's basis only if such leave is medically necessary. Where an employee requests intermittent FMLA leave or FMLA leave on a reduced hours basis due to a family member's or the employee's own serious health condition, EOAC has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job for which the employee is qualified and which better accommodates the intermittent leave or reduced hours leave than the employee's regular job. The temporary position will have equivalent pay and benefits as the employee's regular job.

Employees are required to use their available sick leave and annual leave during the twelve (12) week FMLA leave period when FMLA leave is taken. Sick leave is available only for periods of leave for serious health conditions.

When the necessity of FMLA leave is foreseeable due to the expected birth or placement of a child, the employee must provide EOAC at least thirty (30) days' notice of the employee's intention to take leave. If the date of birth or placement of a child requires the employee's FMLA leave to begin in

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less than thirty (30) days from the date of notice to EOAC, the employee must provide such notice as soon as practical.

Where the necessity for FMLA leave is due to a family member's or an employee's own serious health condition and is foreseeable based on planned medical treatment, the employee must:

- Give at least thirty (30) days' notice, or as soon as practical if treatment starts in less than thirty (30) days.
- Make a reasonable effort to schedule the treatment so as not to unduly disrupt the operation of EOAC, subject to the approval of the healthcare provider.

Where the need for leave is unforeseeable, the employee must give notice as soon as practical. Any leave request based on a family member's or employee's own serious health condition must be supported by certification from a healthcare provider. The employee must provide a copy of the certification to EOAC in a timely manner and generally prior to the beginning of the leave if the employee has given EOAC fifteen (15) days prior notice to the leave. (At least fifteen (15) calendar days will be allowed to provide the certification.) Certification from the healthcare provider must contain the information required in optional Form WH-380 attached hereto.

## **Health Insurance**

During FMLA leave, EOAC will continue to pay its portion of the health insurance premiums and the employee must continue to pay his/her share of the premium. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse EOAC for payment of health insurance premiums during the FMLA leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his/her job or because of circumstances beyond the control of the employee.

## **Other Benefits**

During leave, an employee shall not accrue employment benefits, such as vacation pay, production bonus, profit share, etc. unless the employee is on paid leave such as sick leave or annual leave. Employment benefits accrued by the employee up to the day on which the FMLA leave of absence begins will not be lost.

EOAC will require an employee on FMLA leave to report periodically on his/her status and the intention of the employee to return to work and also periodic re-certification of the medical condition. An employee taking FMLA leave due to the employee's serious health condition is required to obtain certification that the employee is able to resume work prior to the return from any FMLA leave.

Employees who return to work from FMLA leave of absence prior to the expiration of their leave or on the business day following the expiration of their FMLA leave are entitled to return to their job or an equivalent position without loss of benefits or pay.

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## **Procedures**

Applications for FMLA leave of absence must be submitted in writing and signed by the employee's immediate supervisor. Applications should be submitted at least thirty (30) days before the leave is to commence or as soon as possible if thirty (30) days' notice is not possible. Appropriate forms must be submitted to the program director to initiate a FMLA leave and to return the employee to active status.

Each employee taking leave which meets the requirements for FMLA leave will be provided the "Response to Your Request for Leave" form.

Attached hereto for further information is a copy of a poster explaining FMLA leave (Exhibit A), the Department of Labor Form WH-380 - Certification of Health Care Provider (Exhibit B), Economic Opportunities Advancement Corporation form Request for Leave (Exhibit C), and Economic Opportunities Advancement Corporation form Response to Request for Leave (Exhibit D).

## **4.6 COORDINATION OF FMLA WITH OTHER LEAVE POLICIES**

It is intended that leave under the FMLA policy shall be coordinated with leave available or taken under other leave policies except leave of absence without pay. Thus, if an employee qualifies for leave under both the FMLA and sick leave or annual leave policies, then the leave taken shall count against the leave available under FMLA and sick leave or annual leave. For example, an employee who has a serious health condition may qualify for leave under both the sick leave policy and the FMLA policy. In such a case, the six (6) weeks of leave taken would count as leave under FMLA and the employee could also be paid for their time off under the sick leave policy (to the extent the employee had sick leave accrued.) It is not intended that an employee who had six (6) months of sick leave built up could take the entire six (6) months of such sick leave on a paid basis and then still be entitled to twelve (12) weeks of FMLA leave on an unpaid basis.

## **4.7 INELIGIBLE EMPLOYEES**

Ineligible employees must exhaust accrued annual and sick leave and thereafter may be granted leave without pay depending on the needs of EOAC. Requests for leave without pay will be governed by the "Leave Without Pay" provisions set forth hereafter in these Personnel Policies and Procedures.

## **4.8 MILITARY LEAVE**

Military leave is leave of absence provided by law to allow eligible employees to perform military duty. EOAC complies with applicable laws concerning military leave, further, any full time employee on active military duty will be paid the difference between his/her military pay and the pay that the employee was receiving at the time he/she began active military duty for up to fifteen (15) days per year; however, the employee will not be entitled to or accrue any other employee benefits during the period of active military duty.

The employee must keep his/her supervisor informed as far in advance as possible of his/her probable need for military leave in order that suitable adjustments may be made. As soon as the

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employee has his/her official order to active military duty, the employee must inform his/her supervisor, and after return from such duty, must furnish a signed statement from his/her unit that duty was performed.

- **Eligible employees are entitled to up to 12 weeks of leave because of “any qualifying exigency” arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining “any qualifying exigency.”**

## **4.9 TARDINESS AND BRIEF PERIODS OF ABSENCE**

Brief periods of absence defined as unavoidable or necessary or tardiness of thirty (30) minutes or less for non-exempt employees will be charged to annual leave or leave without pay with the approval of the supervisor or program director. (See 4.12)

## **4.10 JURY DUTY**

Employees are encouraged to render jury service and will receive their regular pay during such period, and the time spent in such service shall be reported as jury service provided that documentation of actual time served is furnished by the employee. The employee who is summoned to render jury service shall immediately notify his/her supervisor of such action. The payments received from the court for jury service shall be turned in to the Program Director/Principal who shall turn over such funds to EOAC's controller.

## **4.11 COURT SERVICE**

An employee appearing before a court as a legitimate witness, under subpoena or as party to a lawsuit which is not related to EOAC's business, will be charged annual leave or compensatory time away from work, provided that documentation of the actual time spent in court proceeding is furnished by the employee. If the employee has no annual leave or compensatory time to his/her credit, this time away from the work station will be charged to Leave Without Pay.

## **4.12 ABSENCE WITHOUT LEAVE**

Absence without leave is absence from duty without approval. A non-exempt employee who absents himself/herself without leave forfeits pay for the time absent and may also be subject to further disciplinary action. **A consistent pattern of questionable absences can be considered excessive, and may be cause for concern. In addition, excessive lateness or leaving early without informing administration will be considered a "lateness pattern" and may carry the same weight as an absence. Other factors, like the degree and reason for the lateness, will be taken into consideration. Three consecutive days of no call/no show is considered a voluntary termination. Supervisors will make a note of any employee's absence or lateness, his or her reasons, and have it placed in the employee's personnel file. Employees should be aware that excessive absences, lateness or leaving early may lead to disciplinary action, up to and including termination.**

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## 4.13 LEAVE OF ABSENCE WITHOUT PAY

This policy only applies to non-FMLA leave. FMLA leave is covered under the FMLA policy.

1. Requests for Leave of Absence Without Pay

Any request for authorized Leave of Absence Without Pay must be submitted in writing by the employee prior to taking such leave. The request must include a designation of the specific time period requested and the reason thereof.

The Program Director/Principal may approve authorized Leave of Absence Without Pay not exceeding **one (1) month**; however, all requests for authorized Leave of Absence Without Pay that exceed **one (1) month require the approval of Human Resources and the Executive Director prior to the start of the leave**. Leave of Absence Without Pay may not be granted unless or until an employee has exhausted all accrued annual and/or sick leave. Employees receiving approval of authorized Leave of Absence Without Pay will normally be returned to employment in the same employment position so long as the employee returns to work immediately following or prior to the end of the authorized leave period.

2. Requests for Extension of Leave of Absence Without Pay

An extension of authorized Leave of Absence Without Pay may be granted by the Executive Director. Any request for extension of authorized Leave of Absence Without Pay must also be submitted in writing by the employee prior to taking such leave and must include a designation of the specific time period of the extension requested and the reason thereof.

3. Probationary Employee

Authorized Leave of Absence Without Pay may be granted to employees during the first one hundred eighty (180) calendar days of employment by the supervisor and the program director when the employee has emergency needs that require absence from work; however, the employee's probationary period will be extended by the same number of days as the leave granted.

4. Continuing Education

If the employee has been employed with EOAC for a period of two (2) years or longer, he/she may be granted Leave of Absence Without Pay, not to exceed one (1) year, for continuing education or for any reason that would be mutually beneficial to the employee and EOAC.

5. Part Year Programs

Leave Without Pay status may be granted to those employees who are assigned to a program account that operates fewer than twelve (12) months per year.

6. Medical

Leave Without Pay status for medical reasons may be granted to those employees who are absent and have exhausted their accumulated sick and annual leave. The employee must



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furnish the Program Director/Principal a letter from the attending physician recommending the absence and the probability of return to duty, if requested.

## 7. Insurance and Other Benefits

EOAC will not furnish insurance benefits or other benefits during any period of leave without pay except for FMLA leave which is covered under the FMLA policy. Any employee desiring to continue coverage under EOAC's insurance plans will be required to pay the premiums for such coverage during the period of leave without pay.

Employees covered by EOAC's Life/Health insurance plan must make prior arrangements for payment of insurance premiums before the beginning date of their Leave Without Pay status, unless granted as Family Medical Leave.

## 8. Leave Accrual

No annual or sick leave will be accrued by the employee during the time of authorized Leave Without Pay unless granted as Family Medical Leave. **No holiday pay will be paid to anyone on Leave of Absence Without Pay, unless granted as Family Medical Leave.**

## 9. Anniversary Date

An employee's anniversary date for performance evaluations, salary increases, etc. will be adjusted to reflect any time away from the job that is taken without pay.

## 10. Return to Work Prior to the End of Authorized Leave Without Pay

Employees on authorized Leave of Absence Without Pay should keep the Program Director/Principal informed concerning plan of intent to return to duty and should return to employment with EOAC at or prior to the end of the authorized Leave Without Pay period. If the employee desires to return prior to the end of the leave period requested, the employee must give the Program Director/Principal two (2) weeks advance notice in writing before returning to duty.

## 4.14 EDUCATION/RETRAINING CERTIFICATION POLICY

**EOAC will assist employees to return to school for greater educational purposes that will enhance EOAC. This policy will go into effect starting January 2015.**

**Employees returning/starting a BA/BS program will receive up to \$500.00 per year to assist with books. Providing time to attend classes will be allowed but monitored by director/principal based upon job duties/completion. This applies from the county area borders. Prior approval is necessary.**

**Certification/licensure training will be allowed for employees requested by EOAC. Costs absorbed by EOAC will be a benefit for this training. Necessary follow through by the employee will be mandated to complete this training.**

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A receipt from the registrar and proof of completion of the class will be mandatory (i.e., transcript, state/federal approved documents and/or completion documentation, etc.)

An employee's initial acceptance into the school or training program will provide expenses and/or tuition payment on a one-time basis not to exceed \$500.00. All payments will be made to the institution upon receipt or bill for payment.

Training affiliated with travel will be provided by EOAC. A mileage stipend of ½ the rate provided by EOAC finance policy will be provided for college work outside the six (6) county area.

Employees will agree to reimburse the organization if the employee terminates employment prior to one (1) year at the end of the training.

This educational benefit is contingent upon EOAC funding availability.

Deadlines for applications will be posted.

## **4.15 COMPANY PAID HOLIDAYS**

1. The following are company paid holidays if they fall within the employees' contract period:

New Year's Day	January 1
Martin Luther King's Birthday	January/3rd Monday
President's Day	February/3rd Monday
Good Friday	Friday prior to Easter
Memorial Day	May/Last Monday
Independence Day	July 4
Labor Day	September/1st Monday
Thanksgiving Day	November/4th Thursday
Friday after Thanksgiving	November/4th Friday
Christmas Eve and	December 24 and
Christmas Day	December 25

Any Program may designate non-working days to be paid by the agency in addition to or in lieu of the holiday schedule adopted by EOAC with the approval of the Executive Director or the Board. If the program adopts non-working days or designates non-working days for any employee in excess of eleven (11) days, then the additional day(s) will be deducted from the employee's annual leave.

## **2. Substitution of Paid Holidays**

**Request for substitution of certain holidays may be done within departments with director/principal approval (i.e. Hanukah), etc.**

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## 3. Holidays Occurring on Saturday or Sunday

If a holiday occurs on Saturday, the day before will be observed and paid for as a holiday. If a holiday occurs on Sunday, the day after will be observed and paid for as a holiday.

## 4. Holidays Occurring During Period of Annual Leave

If a holiday occurs during an employee's vacation, or if the vacation begins on the first scheduled working day following a holiday, the employee will be paid for the holiday.

Permission must be obtained to take annual leave or Leave Without Pay the day before or the day after a holiday. If permission is not requested and approved prior to the holiday(s), the employee will not be paid for the holiday(s).

## 5. Holidays Occurring During Period of Sick Leave

If a holiday occurs during an employee's sick leave, the employee will not be charged for sick leave for the holiday.

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

## 5.1 12 MONTH SALARY SCHEDULES

## SECTION 5 – FINANCE

E O A C ANNUAL SCHEDULE (Hourly times 2,080)																		
Grade	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I	Step J	Step K	Step L	Step M 1.5%	Step N 1.5%	Step O 1.5%	Step P 1.5%	Step Q 1.5%	Step R 1.5%
1% 1-3	15,434	15,579	15,725	15,891	16,058	16,224	16,390	16,557	16,723	16,890	17,056	17,222	17,472	17,742	18,013	18,283	18,554	18,824
2% 4	16,827	17,160	17,514	17,867	18,221	18,595	18,970	19,344	19,739	20,134	20,530	20,946	21,258	21,570	21,902	22,235	22,568	22,901
2% 5	18,533	18,907	19,282	19,677	20,072	20,467	20,883	21,299	21,715	22,152	22,589	23,046	23,400	23,754	24,107	24,461	24,835	25,210
2% 6	20,384	20,800	21,216	21,632	22,069	22,506	22,963	23,421	23,899	24,378	24,856	25,355	26,730	26,125	26,520	26,915	27,310	27,726
2% 7	22,422	22,880	23,338	23,795	24,274	24,752	25,251	25,750	26,270	26,790	27,331	27,872	28,288	28,704	29,141	29,578	30,014	30,472
2% 8	24,190	24,669	25,168	25,667	26,187	26,707	27,248	27,789	28,350	28,912	29,494	30,077	30,534	30,992	31,450	31,928	32,406	32,885
2% 9	26,811	27,352	27,893	28,454	29,016	29,598	30,181	30,784	31,408	32,032	32,677	33,322	33,821	34,320	34,840	35,360	35,901	36,442
3% 10	30,950	31,886	32,843	33,821	34,840	35,880	36,962	38,064	39,208	40,394	41,600	42,848	43,493	44,138	44,803	46,469	46,155	46,842
3% 11	34,029	35,048	36,109	37,190	38,314	39,458	40,643	41,870	43,118	44,408	45,739	47,112	47,819	48,526	49,254	50,003	50,752	51,522
3% 12	37,440	38,563	39,728	40,914	42,141	43,410	44,720	46,072	47,445	48,859	50,315	51,834	52,603	53,394	54,205	55,016	55,848	56,680
3% 13	42,765	44,054	45,386	46,738	48,131	49,566	51,043	52,582	54,163	55,786	57,450	59,176	60,070	60,965	61,880	62,816	63,752	64,709
5% 14	45,781	48,069	50,482	52,998	55,640	58,427	61,339	64,397	67,621	71,011	74,568	78,291	79,456	80,642	81,848	83,075	84,323	85,592
Implementing 1.3% Cost of Living Adjustment, effective 05/01/2014																		
ANNUAL																		

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

<b>E O A C</b>																		
<b>HOURLY RATE SCHEDULE</b>																		
Grade	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I	Step J	Step K	Step L	Step M 1.5%	Step N 1.5%	Step O 1.5%	Step P 1.5%	Step Q 1.5%	Step R 1.5%
1% 1-3	7.42	7.49	7.56	7.64	7.72	7.80	7.88	7.96	8.04	8.12	8.20	8.28	8.40	8.53	8.66	8.79	8.92	9.05
2% 4	8.09	8.25	8.42	8.59	8.76	8.94	9.12	9.30	9.49	9.68	9.87	10.07	10.22	10.37	10.53	10.69	10.85	11.01
2% 5	8.91	9.09	9.27	9.46	9.65	9.84	10.04	10.24	10.44	10.65	10.86	11.08	11.25	11.42	11.59	11.76	11.94	12.12
2% 6	9.80	10.00	10.20	10.40	10.61	10.82	11.04	11.26	11.49	11.72	11.95	12.19	12.37	12.56	12.75	12.94	13.13	13.33
2% 7	10.78	11.00	11.22	11.44	11.67	11.90	12.14	12.38	12.63	12.88	13.14	13.40	13.60	13.80	14.01	14.22	14.43	14.65
2% 8	11.63	11.86	12.10	12.34	12.59	12.84	13.10	13.36	13.63	13.90	14.18	14.46	14.68	14.90	15.12	15.35	15.58	15.81
2% 9	12.89	13.15	13.41	13.68	13.95	14.23	14.51	14.80	15.10	15.40	15.71	16.02	16.26	16.50	16.75	17.00	17.26	17.52
3% 10	14.88	15.33	15.79	16.26	16.75	17.25	17.77	18.30	18.85	19.42	20.00	20.60	20.91	21.22	21.54	21.86	22.19	22.52
3% 11	16.36	16.85	17.36	17.88	18.42	18.97	19.54	20.13	20.73	21.35	21.99	22.65	22.99	23.33	23.68	24.04	24.40	24.77
3% 12	18.00	18.54	19.10	19.67	20.26	20.87	21.50	22.15	22.81	23.49	24.19	24.92	25.29	25.67	26.06	26.45	26.85	27.25
3% 13	20.56	21.18	21.82	22.47	23.14	23.83	24.54	25.98	26.04	26.82	27.62	28.45	28.88	29.31	29.75	30.20	30.65	31.11
5% 14	22.01	23.11	24.27	25.48	26.75	28.09	29.49	30.96	32.51	34.14	35.85	37.64	38.20	38.77	39.35	39.94	40.54	41.15
Implementing 1.3% Cost of Living Adjustment, effective 05/01/2014																		
<b>HOURLY RATES</b>																		

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## 5.2 WACO CHARTER TEN (10) MONTH SALARY SCHEDULE

<b>CERTIFIED TEACHERS SALARY</b>	
1	\$34,309.40
2	\$35,420.40
3	\$37,440.40
4	\$38,450.40
5	\$39,965.40
6	\$41,379.40
7	\$41,884.40
8	\$42,389.40
9	\$42,894.40
10	\$43,500.40
11	\$44,106.40
12	\$44,712.40
13	\$45,318.40
14	\$45,924.40
15	\$46,530.40
16	\$47,136.40
17	\$47,742.40
18	\$48,348.40
19	\$48,954.40
20 & Over	\$49,560.40

## **CLASSROOM AIDES**

<b>STEP</b>	<b>SALARY</b>
1	\$14,835.39
2	\$15,346.95
3	\$15,858.52
4	\$16,370.08
5	\$16,861.18
6	\$17,366.61
7	\$17,887.38
8	\$18,423.50
9	\$18,975.99
10	\$18,544.85
11	\$20,131.11

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## **5.2 PAY PERIOD**

A pay period begins on Sunday at 12:01 a.m. and ends on Saturday at midnight.

Employees are paid on a bi-weekly basis on alternate Fridays based on the Individual Time Report properly signed by the employee and approved by the immediate supervisor. The employee's check will be accompanied by an attachment reflecting the hours paid, total earnings and listings of all deductions including those authorized in writing by the employee.

## **5.3 STUDENT SCHOLARSHIP**

**The EOAC has set up an Employee Scholarship program for former Head Start students, Charter School students, and employees' children. Deductions for contributions to this program may be taken out of the employee's pay if they so desired to contribute.**

## **5.4 WAGE/SALARY POLICIES**

Both the employee and EOAC benefits when adequate compensation is paid for work performed. EOAC has well-defined wage and salary policies.

Employees shall not be paid at a rate lower than the Federal minimum wage. Wage comparability studies will be conducted periodically and the results used in determining the wage/salary schedule for EOAC.

Head Start has issued a "cap on staff compensation" that specifies a federally funded level which cannot be exceeded. This cap includes salaries, bonuses, periodic payments, severance pay, the value of vacation time, and the value of a compensatory or paid leave benefit. The 2008 regulation, if violated, does not permit any Head Start (or other federal) funds, to be used to pay any part of that individual's salary. (All costs for those salaries would be disallowed.)

Primarily, the Executive Director, **Controller and Human Resource are** responsible for the administration of the policies and procedures relating to the classification and rate of pay. Within established limits, the Program Director, coordinator, manager or supervisor recommends the proper classification. **Program Directors will** evaluate the performance and recommend both periodic and/or merit increases **to the Executive Director prior to employee notification.**

It is the responsibility of the Personnel Committee and Board of Directors to approve job descriptions and classify each position by grade. Job descriptions describe the work to be performed and the qualifications required or recommended for each position.

The Program Director has the following responsibilities:

1. To ensure that each employee under his/her supervision is classified properly in accordance with his/her duties and responsibilities;

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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2. To develop new and revise job descriptions for all job classifications and submit them to the Executive Director **and Human Resources** for approval by the Personnel Committee and Board of Directors prior to implementation;
3. To determine the correct evaluation for each job classification and thereby establish the salary range and submit the recommended classification to the Executive Director for approval by the Personnel Committee and Board of Directors;
4. To ensure consistent application of these policies toward all employees; and,
5. To ensure compliance with all government regulations pertaining to EOAC employees.

When an individual is hired or assigned to another position, it is the responsibility of the supervisor to inform the employee of the job classification and the pay range for the **position after review by Human Resources and the Executive Director**. The Supervisor is responsible for keeping employees informed about the qualifications required for jobs in the normal line of progression.

## **5.5 SALARY FOR NEW EMPLOYEES**

New employees will not be employed at a rate above the third level of the salary for the position (see Job Classification and Salary Schedules) unless conditions such as exceptional qualifications, **experience, previous employment with EOAC** or difficulty in recruitment prevail **and/or other considerations such as tenure, experience, and education**. In instances where a higher rate of pay is desired, the rate of pay must be approved by the Executive Director, following the recommendation of the Program Director, with a written statement justifying the exception to this policy. Final approval of the Board for any beginning pay rate above the third level is also required.

## **5.6 PERIODIC SALARY INCREASES**

Based upon a performance evaluation of “Meets Standards” or higher, a probationary employee **may be** eligible for, a one-step salary increase upon completion of the probationary period provided funds are available. Based upon a performance evaluation of “Meets Standards” or higher, an employee **may be** eligible for an annual salary step increase **approved by the CFO/Executive Director**, provided funds are available. Based upon a performance evaluation of “Exceeds Standards”, an employee **may be** eligible for two (2) annual salary step increases on his/her anniversary date, provided funds are available. Based upon a performance evaluation of “Excellent”, an employee **may be** eligible for three (3) annual salary step increases on his/her anniversary date, provided funds are available. If funds are not available within a program budget to fund salary step increases for all employees within the program, based upon their evaluations, the Program Director may select another manner of awarding raises. The alternative manner must be approved by the Board. EOAC may also consider any other raises which the employee has received within the last year in determining what increase can be awarded.

In no event will an employee’s salary exceed the maximum funds allowable for the employee’s position under the terms within the contract or law regulating salary expenses within the contract or law regulating salary expenses within Programs operated by the agency without specific board approval.



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Funds are not always available for full salary increases at the beginning of a program year; therefore, one-time bonuses may be given with the approval of the Executive Director and the Board of Directors without affecting grade and step for said employees unless approved by separate action.

The employee begins as a regular employee with the agency after the physical and all approval processes have been completed, and shall remain that date unless:

1. An employee received a promotion;
2. An employee received an interim appraisal; **or serves in an interim position**
3. Has Leave Without Pay status for more than one (1) month except for FMLA leave.
4. **Payroll adjustments will occur at the beginning of the fiscal year\***

## 5.7 SALARY ADJUSTMENT AND IMPLEMENTATIONS

WAP	October 1
CEAP	January 1
Charter	September 1
CCS	October 1
Head Start	Prior to April 30
Finance	January 1
LIHEAP	April 1

## EVALUATION PERIODS COMPLETION DATES

**Six (6) month probationary period and format stays in place. If probationary period evaluation falls within 4 months, the probationary evaluation will remain in place until the next evaluation cycle. Employees currently within their cycle would follow the same form within four (4) months would roll over to next cycle.**

**It is recommended that evaluations roll over to the following months in the 2015 budget years.**

WAP	August/September
CEAP	November
Charter	May for Teachers/Employees
CCS	August
Head Start	Completed by end of Fiscal Year (April 30)
Finance/Administration	November/December
Directors/Principal	Same months as program designation

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## 5.8 PERFORMANCE MANAGEMENT (Head Start Specific)

### PURPOSE/POLICY

Evaluate strengths and areas of improvement in performance of all employees in a fair and equitable manner. The Performance Appraisal (PA) process is intended to be a positive experience. Discussions regarding an employee's job performance are recommended on an informal as needed.

Performance management is completed to modify staff performance agreements as necessary, assist staff in improving skills and professional competencies and to identify training and development needs.

### PROCEDURE

1. The Program Director shall provide notification of upcoming appraisals to the individual responsible for writing an evaluation. Notification should occur 5 days prior to the performance appraisals due date. Performance appraisals will be conducted on an annual basis using the standardized performance appraisal system, which is designed to ensure reviews are conducted objectively.
2. The schedule for performance appraisals are:
  - a. Each employee's performance will be evaluated upon completion of the introductory period and at least once annually thereafter.
  - b. Twelve month employees will be evaluated on his or her hire anniversary date.
  - c. Ten month employees will be evaluated annually in April.
3. The Program Director will complete the performance appraisal and then schedule a review with the employee.
4. The employee shall complete a Self Appraisal.
5. The reviewer and the employee may discuss the following topics:
  - a. Previous performance plans and achievement of past goals.
  - b. Current performance appraisal including demonstrating appreciation for employee contributions.
  - c. Employee Self Appraisal form
  - d. Providing constructive feedback on employee's performance.
  - e. Setting future expectations and goals.
  - f. Identifying employee training needs and professional development opportunities.
6. The employee may submit comments or statements on the performance appraisal form.
7. The Director shall sign the completed form. The employee shall sign the completed review acknowledging that they have read and understand it, although may not

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- necessarily agree with the appraisal. A refusal to sign should be documented by the Director.
8. The Director will keep a log of progress for each employee's:
    - a. Successes
    - b. Additional responsibilities
    - c. Awards or recognitions
    - d. Attendance at training, where applicable
    - e. Comments from parents, peers, and Supervisor
  9. Performance appraisals shall be placed in the employee's personnel file and may be used for such actions as transfers, promotions, pay adjustments, and salary considerations
  10. Leaves of absence and breaks in services may affect the timing of performance appraisals.

## **5.9 PROMOTIONS**

It is the policy of the EOAC to give preference to qualified present employees in filling position vacancies. **Consideration is given to, among other factors, interviews, education, performance evaluations, and leadership qualities observed within the organization.** When qualifications of applicants are equal, the employee with the most seniority will be given preference for promotion.

## **5.10 MAXIMUM PAY INCREASES**

An employee promoted to a position of higher grade shall be placed at the initial step of the grade unless the salary is less than the employee's prior salary in which case the employee will be placed at the lowest step of the new grade generating a salary higher than the prior salary. **Management level positions may be determined by the Executive Director.**

## **5.11 PAYROLL DEDUCTIONS**

Payroll deductions are those required by law, which include individual income taxes, FICA (Federal Insurance Contribution Act), and those authorized by the administration and the employee such as dependent insurance coverage, United Way, etc.

## **5.12 PROFESSIONAL DEVELOPMENT**

**Employees will be allowed, with the approval of their Director/Principal, to attend extended professional development programs. Extended professional development programs are considered more than two days.**

**Employees should submit written requests to take professional development days to their supervisors for approval. The request shall include a printed or written agenda and/or printed material pertaining to the professional development. EOAC requests that employees submit**

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requests to take professional development days at least 7 days for in town events and at least 10 days for out-of-town events. The granting of request will be solely in discretion of the Director/Principal and Executive Director.

## 5.13 EOAC INCENTIVE GRANTS

EOAC may provide incentive payments for qualifying employees under specific guidelines established by the Chief Financial Officer, and only when funding in a grant area allows. Incentives must be spent during the fiscal grant year in which the incentive is earned.

It is the Board's discretion to approve incentives based upon the Executive Director's recommendation.

- **Exclusion of Certain Employees** - EOAC may choose to exclude departments from receiving incentives. The incentives must reflect the guidelines with regard to such an employee at the program start date. A decision to exclude certain employees from receiving an incentive may not be appealed. Exclusions will be determined by availability of funds.
- **Notice to Employees** - An established set of guidelines must provide for notifying employees eligible to receive incentives under the guidelines of the specific criteria and any formulas on which the incentives will be based before the beginning of the period in which the incentives will be available.
- **Incentive Amounts** - EOAC must use at least 90% of allowable grant funds to directly award those with direct service to clients who affectively improve opportunities as determined by meaningful, objective measures, and approved by Executive Director and EOAC Board of Directors. The remaining funds may be used only for the purpose to improve.

## 5.14 DIRECT DEPOSIT

Direct payroll deposit is the automatic deposit of your pay into the financial institution account of your choice. All employees are paid by direct deposit.

## 5.15 WAGE GARNISHMENT

EOAC hopes that its employees will manage their financial affairs so that it will not be obligated to execute any court-ordered wage garnishments including child support. However, when an employee's wages are garnished by court order, EOAC is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. EOAC will, however, honor the Federal Consumer Credit Protection Act which places restrictions on the total amount that may be garnished from an employee's paycheck. A \$3.00 service fee may be charged per check written to cover the administration of the above, if permitted by the judgment of garnishment.

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## **BENEFITS**

### **5.16 GROUP BENEFITS**

EOAC offers a benefits program for its regular full-time employees. However, the existence of these programs does not signify that an employee will necessarily be employed for the required time necessary to qualify for the benefits included in and administered through these programs. Benefits are qualified at least thirty (30) hour weeks. Eligibility for group benefits is set for in the applicable group plan documents.

#### **Purpose and Policy**

EOAC strives to provide the best, most equitable and cost-effective benefits for employees in recognition of the influence employment benefits have on the economic and personal welfare of our employees. Paid in various benefit forms on an employee's behalf, the total cost to provide the benefit program is a significant supplement to an employee pay and should be viewed as additional compensation.

Policies, provisions and procedures that govern the organization's benefit program apply to all regular full-time employees, whether exempt or nonexempt status, unless otherwise provided in a particular benefit plan.

Employees will be provided with summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts and trust agreements. In the event of a conflict between these documents and this policy, the plan documents will govern. All of these official documents are readily available from Human Resources employees to review. We ask that employees refer any questions about this information to the Human Resources Benefits Individual.

### **5.17 HEALTH AND SAFETY**

It is the policy of EOAC to make careful provisions for employees' health and safety as required by law. Prompt medical attention will be given persons injured on EOAC's premises.

An affected employee shall immediately report any on-the-job accident or injury to his/her supervisor. Failure to report an injury or accident will be grounds for discipline and may cause the insurance company or the Worker's Compensation Commission to deny coverage for the injury. The supervisor will be responsible for completing the Supervisor's Accident Investigation form within twenty-four (24) hours after an accident occurs or is reported and forward the form to the Executive Director. The supervisor will submit necessary forms for claims for worker's compensation on any injury associated with the accident. Copies of these forms will be maintained in the individual employee's personnel file. Absences occasioned by injury on the job shall be in accord with the leave policy previously stated.

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## 5.18 INSURANCE

A group health/life insurance plan is available for all **eligible** regular full time employees. Health and life insurance coverage is not effective until the first of the month after the employee has completed thirty (30) days of service or such longer waiting period as may be applicable. It is the policy of EOAC to pay a percentage of the employees' premiums as funds are available in the annual budget. Employees may carry health insurance coverage on their dependents, but the premiums for such coverage may have to be borne by the employee, depending on the availability of funds within the program budget. All premiums paid by the employee will be deducted from the employee's payroll checks when properly authorized in writing.

Application for health/life insurance coverage should be made at the time of employment with EOAC.

## 5.19 AFFORDABLE CARE ACT

There is a lot to learn about the new health care law. If you have insurance, the law has new benefits and protections so you have the confidence you are in control of your health care. If you do not have insurance, there is a new way to get health insurance you and your family. You will be able to get insurance where you work, or if your employer does not offer health insurance, you can still get coverage. EOAC offers health care plans that meet the law.

### **It is easier to get health insurance:**

- **There is a new way to shop for a health insurance.** All plans available in the Health Insurance Marketplace in your state are listed in one place, so you can make apples-to-apples comparisons of benefits and prices.
- **The Health Insurance Marketplace makes it easier to shop for health plans.** The plans must describe what is included in simple language, so there is no guesswork about what is covered. You can get your questions answered about finding a plan or completing the application in person, by phone or online.
- **All plans must cover the essentials.** Plans offered in the Health Insurance Marketplace are required to cover important benefits like doctor visits, emergency care, prescriptions, preventive care and more.
- **Everyone needs coverage.** Starting in 2014, you will be required to have health coverage. If you do not, you may have to pay a penalty. There are some exceptions, including people with very low income. You can begin shopping for coverage October 1, 2013 at the Health Insurance Marketplace in your state.

### **If your employer offers health insurance:**

- You may reject the coverage offered by your employer only if the cost of your premiums in the employer's plan is more than 9.5% of your income. In that case, you would be able to purchase your insurance through the individual Health Insurance Marketplace.

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## **5.20 CHANGE IN INSURANCE AND BENEFITS**

Any changes in employee and dependent coverage may only be made at the following time:

1. Death or birth of a dependent;
2. Change in marital status only with documentation by court order;
3. When a premium increase is initiated;
4. When an employee is on Worker's Compensation;
5. During open season as specified in the contract of insurance; or,
6. When an employee is called to active military duty and when the employee returns to work following active military duty.

The group health insurance plan shall generally be available to terminated employees and their covered dependents subject to and in accordance with any Consolidation Omnibus Budget Reconciliation Act (COBRA) laws, both federal and state.

EOAC will comply with all insurance requirements imposed by the funding sources.

EOAC reserves the right to change or terminate its insurance programs and other benefits at any time.

## **5.21 CONTINUATION OF MEDICAL INSURANCE (COBRA)**

**The Federal Consolidated Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under EOAC health plan when a “qualifying event” would normally result in the loss of eligibility.**

**Under COBRA, the employee or beneficiary pays the full cost of coverage at EOAC group rates plus an administration fee. EOAC or our carrier provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under (EOAC) health insurance plan. The notice contains important information about the employee's rights and obligations.**

Under state and/or federal law, employees, their spouses and/or dependents who have group medical insurance may have the right to continue their group medical insurance coverage for up to three (3) years after such coverage would otherwise terminate due to the termination of employee's employment, a reduction in the employee's hours, divorce, or the death of the employee. The employee, spouse and dependents must notify the office of any divorce and also of their desire to retain insurance coverage after any divorce, death or termination of employment or loss of insurance coverage. Further details are available from the management and the group medical insurance company.

## **5.22 SOCIAL SECURITY**

Most employees participate in the Social Security Plan by automatic payroll deduction. Charter School employees participate in the retirement program for Texas school employees.

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## **5.23 IN-COUNTY TRAVEL**

Those employees who are required to perform in-county travel in the performance of their duties are reimbursed at the rate established by annual budget not exceeding federal guidelines. This does not include travel between home and office or work stations. Detailed information regarding travel performed must be recorded and certified on the prescribed local travel voucher along with required backup material. Verification of distances traveled through Map Blast or MapQuest or other sources may be requested. Travel reimbursement requests must be submitted **within ten (10) days**.

## **5.24 OUT-OF-COUNTY TRAVEL**

Out-of-county travel must be recommended by the program director and approved by the Executive Director in advance. The program director will specify which budget is being charged.

**The travel request must be made within a minimum of 7 days in advance to the Executive Director.**

Employees will be paid for mileage at the prescribed in-county rate. Travel reimbursement requests must be submitted **within ten (10) days after returning from trip**. Verification of distances may be requested. **The Finance Policy will dictate mileage, cost, and reimbursement.**

## **5.25 PER DIEM**

Per Diem **may** be paid in accordance with the annual budget not to exceed the maximum rate prescribed in Federal contracts and in the Federal Register which is published periodically as travel regulations, copies of which are maintained in EOAC Central Office.

Per Diem and travel expenses for all employees will be paid at the federal rate even if the employee is working on a state funded project. (The state funded projects will only be charged for the amount allowable under state regulations and may require meal receipts).

Travelers are required to furnish hotel/motel receipts. Travelers will be reimbursed for such expenses as registration fees, taxi fares, etc., when the receipt(s) accompany the request for reimbursement.

**Travel payments will be paid within a two (2) week pay period.**

## **5.26 PERIOD OF ENTITLEMENTS FOR TRAVEL**

The traveler is entitled to per diem from the time the employee leaves his/her home or office for official travel to the time of return to his/her home or office at the end of the trip, i.e. portal to portal, but in no case greater than the lesser of the period of actual travel or the period required for travel from the office to the location traveled. Actual travel vouchers must be completed within thirty (30) days upon completion of the travel.



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## **5.27 OUT OF STATE TRAVEL**

Trips outside the state of Texas require approval of the EOAC Board. Unless justified in writing, out-of-state travel must be requested for approval at least one (1) month in advance. Regulations regarding reimbursement are the same as Out-of-County Travel. Travel will normally be performed by the most expeditious common carrier available. This is normally defined as air coach or tourist fare. Taxi fare may be reimbursed on actual cost basis (receipts required). Travel outside the **state** of Texas including outside the United States may require the approval of applicable funding sources.

**Training dollars shall not be used for long distance travel expenses that are available locally or regionally or for training provided similar to locally or regionally available training.**

## **5.28 VEHICLE USE AND REGULATIONS**

Many employees of EOAC at one time or another will be required to drive EOAC vehicles. All employees who are required to drive must be able to qualify for the EOAC's insurance. Any individual who is required to drive but because of his driving record cannot be insured by the insurance company at normal rates will be subject to immediate dismissal.

All employees are expected to drive EOAC vehicles in a courteous and reasonable manner with due regard for all applicable laws and safety considerations. Individuals who operate EOAC vehicles recklessly or without regard for safety or courtesy may be subject to immediate termination.

All employees must comply with the following rules and regulations when driving EOAC vehicles:

1. Have a valid drivers' license and no outstanding traffic violations or tickets.
2. No employee shall take passengers of any kind except other EOAC employees with them in any EOAC vehicle. It is not permissible to give rides to family, friends or hitchhikers in any EOAC vehicle.
3. EOAC vehicles are to be parked in the appropriate spaces, the keys removed, the doors locked and all material securely stowed away unless another procedure has been designated by EOAC.
4. All accidents or wrecks, regardless of the extent of property damage and whether or not any personal injuries occurred, must be immediately reported to the police and to the office before you leave the scene of the accident.
5. The proper maintenance of all vehicles is important. Employees must report any problems with the vehicle which they are driving and any maintenance which should be conducted when they return to the office. No employee shall continue to drive any vehicle which he believes is unsafe.
6. No alterations or additions shall be made to any vehicles without permission of the management. Any addition made to any vehicle by any employee shall

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become the property of EOAC.

7. Employees are to show courtesy in operating all vehicles. Employees are particularly instructed to stop for all funeral processions and to remove their caps or hats during such funeral processions.

## **5.29 CONTRACTS AND CREDITS APPLICATIONS**

It is essential that all EOAC contracts and expenditures are made in the proper manner. Therefore, all applications for credit and all contracts must be approved by and executed by the Executive Director.

## **5.30 FUND RAISING PROJECTS**

All fund raising projects must be approved by the Executive Director in advance. The request for approval must be in writing and must describe the project in detail. Any use of or need for EOAC funds must be specifically noted in the request. The written approval of the Executive Director must be obtained before work on the project begins.

## **5.31 HANDBOOKS, FORMS AND POLICIES**

It is the desire of EOAC to use universal handbooks, forms and policies to the extent possible and to only create additional handbooks, forms or policies when they are clearly necessary. Any handbook or forms which are distributed to parents, students, or others obtaining service or to the public and all policies for any program must be approved in advance by the Executive Director.

## **5.32 SUBPOENAS**

The Executive Director shall be immediately notified of all subpoenas received by any EOAC employee regarding EOAC business.

## **5.33 NOTIFICATION OF NAME CHANGE, ADDRESSES, DEPENDENT STATUS**

The Finance Department shall be notified within ten (10) days of any name change, address change, divorce, marriage, or change in dependent status including the addition or subtraction of any dependent.

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## **SECTION 6 - POLICY/PROCEDURES**

### **6.1 DISTRIBUTION OF PERSONNEL POLICIES AND PROCEDURES**

All individuals employed by the EOAC shall receive a copy of the Personnel Policies and Procedures, including their own job description, at the time of employment. Individuals in supervisory positions also receive copies of job descriptions for each employee under their supervision. Employees acknowledge receipt of the Personnel Policies and Procedures as listed on the Processing "In" Form.

### **6.2 THIS HANDBOOK AND PERSONNEL POLICIES**

This book of personnel policies is intended for orientation and training purposes only and is not an employment contract. EOAC reserves the right to change or make exceptions to all EOAC policies, procedures and benefits, whether contained herein or otherwise communicated to employees (all hereinafter referred to as policies) without advance notice.

No EOAC official, except the Executive Director, has the authority to bind EOAC to policies different from those in this handbook or to make any contract of employment. Any such variation of policies or contracts of employment must be in writing and signed by the Executive Director.

This handbook is the property of EOAC and must be returned upon termination of employment. This handbook replaces EOAC's previous handbooks and policies.

### **6.3 CONTRACT POLICIES**

EOAC may desire to engage a contractor to operate certain programs or to provide services within the operations of programs. However, the employees hired by the contractor shall not be subject to EOAC Personnel Policies unless the contract between EOAC and the contractor so states. In such an event, EOAC will determine that the contractor performs all of its functions in a satisfactory and proper manner in accordance with guidelines provided by the applicable funding sources. EOAC will determine that the contractor shall maintain such records and accounts including property, personnel, and financial as are deemed necessary to assure a proper accounting of all the project funds both federal and non-federal. These records shall be made available for audit to EOAC, to the Comptroller General of the United States or an authorized representative and will be retained for three years after the expiration of the contract or until an audit has been satisfied unless permission to destroy them is granted to EOAC.

### **6.4 HARASSMENT**

It is the policy of EOAC to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, age, disability, marital status, citizenship or any other characteristic protected by law. EOAC prohibits any such discrimination or harassment. It is our mission to provide a professional work and learning environment free of harassment that maintains equality, dignity, and respect for all. It shall be a violation of this policy for any student, teacher/administrator or other employee of ASCA to harass a student, teacher,

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administrator, or other employee through conduct or communication. This policy applies to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to EOAC (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

## **What is Harassment?**

Harassment can take many forms. As used in this Employee Handbook, the term "harassment" includes:

- Offensive remarks, comments, jokes or slurs pertaining to an individual's race, religion, sex, age, national origin or ancestry, disability, citizenship, veteran status or any other protected status defined by law.
- Offensive sexual remarks, sexual advances, flirtations, or requests for sexual favors regardless of the gender the individuals involved.
- Offensive physical conduct, including touching, regardless of the gender of the individuals involved, including threats of harm, violence or assault.
- Offensive pictures, drawings or photographs or other communications, including e-mail.
- Threatening reprisals of an employee's refusal to respond to requests for sexual favors or for reporting a violation to this policy.
- Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, regardless of gender, when:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
  - Submission to, or rejection of, such conduct by an individual is used as a basis of employment decisions affecting such individual.
  - Such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile or offensive working environment.

## **Retaliation**

Retaliation against an individual for reporting harassment or discrimination or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

## **6.6 SEXUAL HARASSMENT POLICY**

Sexual harassment of employees or applicants for employment in any form is unacceptable conduct that will not be tolerated. Sexual harassment includes any unwelcome: sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature. No supervisor or other employee shall threaten or insinuate, either explicitly or implicitly, that another employee's or applicant's refusal to submit to sexual advances will adversely affect that person's employment, work status evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Similarly, no employee shall promise, imply or grant any preferential treatment in connection with another employee or applicant engaging in sexual conduct.

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Any employee who feels that he or she is a victim of sexual harassment by any supervisor, management official, other employee, customer, client or any other person in connection with employment at EOAC should bring the matter to the immediate attention of a Program Director. An employee who is uncomfortable for any reason in bringing such matter to the attention of a Program Director, or is not satisfied after bringing the matter to the attention of a Program Director should report the matter to the Executive Director. Any questions about this policy or potential sexual harassment should also be brought to the attention of the same persons. EOAC will promptly investigate all allegations of sexual harassment and take appropriate corrective action if warranted.

Any employee who is determined, after an investigation, to have engaged in sexual harassment in violation of this policy will be subject to appropriate sanctions up to and including termination.

## **6.5 SUBSTANCE ABUSE POLICY**

**EOAC is committed to providing a safe and productive workplace for its employees. In keeping with this commitment, the following rules regarding alcohol and drugs of abuse have been established for all staff members, regardless of position, including both regular and temporary employees. The rules apply during working hours to all employees of EOAC while they are on school premises or elsewhere on EOAC business.**

- **The manufacture, distribution, possession, sale, or purchase of controlled substances of abuse on EOAC property is prohibited.**
- **Being under the influence of illegal drugs, alcohol, or substances of abuse on EOAC property is prohibited.**
- **Working while under the influence of prescription drugs that impair performance is prohibited.**

**So that there is no question about what these rules signify, please note the following definitions:**

**Company property/EOAC Property:** All Company owned or leased property used by employees.

**Controlled substance of abuse:** Any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act, as amended.

**Drug:** Any chemical substance that produces physical, mental, emotional, or behavioral change in the user.

**Drug paraphernalia:** Equipment, a product, or material that is used or intended for use in concealing an illegal drug, or otherwise introducing into the human body an illegal drug or controlled substance.

### **Illegal drug:**

- a. **Any drug or derivative thereof whose use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage is illegal or regulated under any federal, state, or local law or regulation.**

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- b. Any drug, including — but not limited to — a prescription drug, used for any reason other than that prescribed by a physician.
- c. Inhalants used illegally.

**Under the influence:** A state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage, drug, or substance of abuse.

Consistent with the rules listed above, any of the following actions constitutes a violation of EOAC policy on drugs and may subject an employee to disciplinary action, up to and including immediate termination.

Using, selling, purchasing, transferring, manufacturing, or storing, an illegal drug or drug paraphernalia, or attempting to or assisting another to do so, while in the course of employment.

Working or reporting to work, conducting business or being on EOAC property while under the influence of an illegal drug or alcohol, or in an impaired condition.

## 6.7 SMOKING/TOBACCO POLICY

The use of tobacco products is not permitted anywhere on EOAC premises except in authorized and designated locations. This includes cigarettes, e-cigarettes, chewing tobacco, smokeless tobacco, cigars, and other related are not permitted.

## 6.8 CHILD(REN) ABUSE

All employees are explicitly advised that sexual activity with a child(ren) is illegal and that any employee found in violation will be subject to termination and reporting to appropriate agencies. Employees are required to inform volunteers serving with this agency of this policy. Each employee has the responsibility of reporting suspected physical or sexual abuse of Head Start or other program children whether it occurs inside or outside the program.

## 6.9 PROCEDURE FOR HANDLING SUSPECTED ABUSE AND NEGLECT

The Center Director or designee is the central coordinator for all child abuse and neglect activities, including training, reporting, and follow-up procedures.

- I. If children are in immediate danger or require immediate medical attention, the following steps are used by Head Start staff:
  - A. Follow standard procedures for any medical emergency;
  - B. Notify the Assistant Head Start Director who will immediately contact the Department of Human Services of Child Protective Services. In the event that he/she cannot be reached, the Head Start Director will be contacted;
  - C. Notify CPS/DHS if neither staff member can be reached;

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- D. A child abuse and neglect report form must be completed and submitted to the Center Director within the hour; and
  - E. Notify parent or guardian of action taken.
- II. If children are not in immediate danger or do not require immediate medical attention:
- A. The child (ren) is not undressed to look for additional injuries. It is a professional responsibility;
  - B. The Health or Center Director will immediately file a report with Child Protective Services and/or the Department of Human Services of any suspected abuse and/or neglect;
  - C. The Center Director and the Head Start Director will determine whether the parent should be notified of the report; and,
  - D. Documentation of all observations and actions taken are then compiled.

## **CONFIDENTIALITY**

- A. All records relating to suspected child abuse and neglect will be kept under lock and key.
- B. Persons wishing to review the records will need to follow EOAC Head Start Confidentiality Policy and Procedures.
- C. Head Start will provide the confidentiality of all records pertaining to child abuse and neglect in accordance with state and local laws.
- D. It is possible that records may be requested by the court and used as evidence in a judicial proceeding.

## **6.10 REPORTING ABUSE AND NEGLECT**

Head Start Policy requires the reporting of all instances of suspected abuse and neglect.

### **Staff Responsibilities**

1. Inform parents and staff of the state and local laws regarding child abuse and neglect at the time of application to the Head Start Program.
2. Maintain current information on local medical and social services treatment resources.
3. File an official report with local protective service agencies along with a report to the Executive Director.
4. Discuss report with the family when appropriate.

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## 6.11 ECONOMIC OPPORTUNITIES ADVANCEMENT COMMUNITY ACTION AGENCY CHILD ABUSE & NEGLECT

### **Reporting Requirements:**

Any individual having cause to suspect or believe that a child's welfare has been or may be adversely affected by child abuse is required to report it in accordance with Section 34.02 of the *Texas Family Code*.

- Dial 1-800-252-5400 for the Texas Department of Protective and Regulatory Services (TDPRS) hotline.
- Employees other than Head Start will notify the program director or designee after reporting to TDPRS.
- The Head Start addendum to this policy identifies to whom the notice of reporting child abuse form should be provided.
- A suspected child abuse report form must be submitted in writing to the appropriate person within twenty-four (24) hours.
- The employee may call the program director or Executive Director for reporting information, guidance and support.
- The child abuse reporting form must be completed within twenty-four (24) hours by the person who initiated the phone call to TDPRS. If there are two (2) individuals or more having information on one (1) specific child, each person must complete a separate report form.
- EOAC will not impede reporting or penalize in any way any employee for reporting child abuse.
- EOAC will cooperate completely in all matters relating to the investigation of any report of suspected child abuse. Where EOAC investigates allegations concerning its own staff or students, EOAC will make every reasonable effort to coordinate our investigation with that of law enforcement or Texas Department of Human Services authorities.
- In extenuating circumstances, a telephone call is made to the Executive Director or that of his/her designee at (254) 753-0331.
- Program directors will assure that staff is instructed on signs and symptoms that suggest child abuse.
- The legal duty to report rests with each person who has cause to believe that abuse or neglect has occurred. It is the responsibility of the individual, not EOAC, to make the report. A person who has cause to make a report — but knowingly fails to do so commits a criminal offense. *Texas Family Code* Section 34.07.

### **Definition:**

Physical injury, sexual or emotional maltreatment, deprivation of necessities, or other maltreatment of a child under the age of eighteen (18), by a person or people responsible for the child's welfare, under circumstances which indicate that the child's health or welfare is harmed or threatened

Although definitions may vary, most child abuse falls within four (4) categories: physical abuse, sexual abuse, emotional abuse, and neglect.



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## Child Abuse and Neglect

### Policy Addendum

#### Definition:

Although definitions of child abuse vary, most definitions cover these four (4) types of abuse:

- Physical abuse - which includes but not limited to hitting, beating, kicking, burning, biting, shaking, pushing, pulling and punching a child
- Sexual abuse - which includes using the child to meet the adult's sexual needs through such activities as exposure of genitals, fondling, rape, sodomy (anal and/or oral sex), using the child in pornographic pictures and forcing the child into sexual activities with other children.
- Emotional maltreatment - which includes belittling, ridiculing and constantly ignoring the child's needs.
- Neglect - which includes failing to provide the child with food, clothing, medical attention or supervision.

Technical definition of child abuse: The physical injury, sexual maltreatment, emotional maltreatment, deprivation of necessities or other maltreatment of a child under the age of eighteen (18) by a person who is responsible for the child's welfare under circumstances which indicate that the child's health or welfare is harmed or threatened.

EOAC Head Start staff must report child abuse and neglect in accordance with *Texas Family Code*, Title 5, Chapter 261 - Investigation of Report of Child Abuse or Neglect (261.101 Persons Required to Report; Time to Report)

The State requires every member of the community to report cases of suspected abuse. The State of Texas includes caregivers as "mandated" reporters who face legal penalties for failure to report. Reports of suspected child abuse must be made in accordance with the following policies and guidelines. You do not confirm child abuse before your report. Proving a case of child abuse is the job of the child welfare experts, police investigators and the court. Your job is to make a report any time you suspect that a child has been abused. No one can relieve you of your obligation to report suspected child abuse. When making a report of suspected child abuse through the chain of command, follow up with your supervisor to make sure the report was forwarded to the necessary parties. If they have not forwarded this information, and you strongly feel that a child is at risk, it is up to you to continue to report the suspected abuse. Merely notifying your supervisor of suspected abuse is not enough. You may be reluctant to report a parent's or colleague's actions. Perhaps you are afraid that you will be wrong or that reporting will mean trouble for you, the parents or the child. It is important to remember that **THE CHILD ALWAYS COMES FIRST!** Young children cannot protect themselves. They must depend on you to look after them and to prevent them from being hurt. It helps to remember that you are required by regulation to report suspected child abuse. If you do not make a report when you suspect an abusive situation, you could lose your job.

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- A. A person having cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect by any person shall immediately make a report as provided by state and local laws.
- B. If a professional has cause to believe that a child has been or may be abused or neglected, the professional shall make a report not later than the 24<sup>th</sup> hour after the professional first suspects that a child has been or may be abused or neglected. An EOAC employee professional may not delegate to, or rely on another person to make the report.
- C. The requirement to report under this section applies without exception to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, and a mental health professional.
- D. The identity of an individual making a report under this section is confidential and may be disclosed only on the order of a court or to a law enforcement officer for the purposes of conducting a criminal investigation of the report.

EOAC will preserve the confidentiality of all records pertaining to child abuse or neglect in accordance with state and local law. **REPORTS ARE CONFIDENTIAL.** They are seen by and discussed with only those who need to know about them. Staff must not discuss the case with anyone else. Violating confidentiality is grounds for disciplinary action up to termination.

## **Staff Responsibility:**

### EOAC staff must be alert for the following:

- unexplained injuries
- condition or appearance is worse on Mondays or after a vacation or absence
- a symptom of venereal disease or infection, such as genital discharge or unusual odor
- a child says he/she has been hurt by a parent, another adult or an older child

### EOAC staff must be alert to the following behaviors by parents:

- belittling and humiliating the child
- the use of harsh discipline with the child
- improbably, unconvincing, or no explanations for a child's injuries, or conditions
- drugs/alcohol abuse

All EOAC staff must report abuse. This includes physical abuse, sexual abuse, emotional maltreatment and neglect.

### Staff must be alert for the child:

- who has unexplained injuries while in the program
- who seems uncomfortable with a certain staff member
- who is fearful of certain rooms or areas
- who says he/she has been hurt by a staff member

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## Staff must be alert for colleagues:

- who may be abusing alcohol or other drugs
- who leave children unsupervised
- who have unexplained absences during the course of the work day
- who use harsh discipline with children when they think they are unobserved
- who use harsh language with children

EOAC follows State regulations which prohibit corporal punishment of a child by a staff member. These regulations also prohibit poor care giving practices that could lead to child neglect or child abuse.

## EOAC staff must be aware of and report any situation that may indicate child abuse such as:

- a child shows extreme fear of a staff member
- a child states that he/she has been hurt by a staff member
- a staff member notices fresh blood in a child's underwear just after he/she has spent time alone with another staff member
- a child refuses to go to the bathroom with one particular staff member
- a staff member notices a colleague spends long periods of time out of sight with a child
- a child repeatedly cries when he/she comes into the room
- a child has extreme reactions when the name of a particular staff member is mentioned.

## **HEAD START IN-HOUSE REPORTING PROCEDURE:**

1. An oral report must be made immediately to the Center Director by the person who has identified or who has been informed of suspected child abuse or neglect. A written report must be made within the hour and submitted to the Center Director.
2. The person making the alleged report will, within one (1) hour, make a report of the alleged abuse to the Child Abuse Hot Line and the Head Start Director. Staff must make sure all required information has been completed and provided for referral purposes.
3. The person who has cause to believe that a child has been or may be abused or neglected may not delegate to or rely on another person to make the report.
4. The Center Director and a Child and Family Advocate (CFA) should be present when the report is made however, if neither is available, the staff person must follow the requirements for reporting.
5. The original reporting form must be forwarded to the Health Program Manager within twenty-four (24) hours of the initial report to the Child Abuse Hot Line.
6. A copy of the report must be maintained at the center site and kept separate and apart from the child's central file and marked confidential.
7. Any follow-up information reported by Child Protective Services (CPS) must accompany the initial report and be maintained by the Health Program Manager.
8. If a person strongly feels that a child is at risk, you are required to continue to report the suspected abuse.
9. Staff must notify the appropriate Child and Family Advocate when they think parents need professional help. The CFA will make the appropriate referral or provide information to parents about where they can go to get help for themselves, their children or the family. The

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program will provide families with parent education and information opportunities. The program will:

- provide parents with information on positive guidance
- provide parents with information on appropriate discipline
- provide parents with information concerning child development and age appropriate expectations
- encourage parents to use resource library
- refer parents to organizations in the community that may be of help or support to them

As a childcare giver, you need to know how to protect children from abuse and how to ensure their safety during the time they are in the program. You also need to know how to protect yourself and the program from being accused of child abuse. The best way to do this is to become competent and confident in caring for children.

## **CHILD CAREGIVERS WHO ARE CONCERNED ABOUT CHILD ABUSE IN A CENTER SETTING KNOW HOW TO:**

### I. Recognize Possible Child Abuse and Neglect:

- a child caregiver slaps a child
- a child caregiver shakes a child
- a child caregiver leaves a child unattended
- a child caregiver exposes herself to a child or fondles a child
- a child caregiver belittles or humiliates a child
- a director punishes a child by locking him in a dark office

### II. Prevent Child Abuse & Neglect by Yourself and Others:

- use appropriate guidance with children
- maintain your self-control
- recognize your own limits and take appropriate action
- notice when co-workers are under too much stress and offer support
- be sensitive to unusual family conditions that may cause long term stress in co-workers

### III. Make Head Start a Safe Place for Children

- be sure your classroom environment is safe
- look at your room arrangement and outdoor areas to ensure that you can see all the children at all times
- remove any materials that cover windows to allow for visual access
- never allow children to victimize each other
- know and follow all agency procedures designed to protect children and staff
- participate in training to ensure a quality program

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## **RECOGNIZING HOW POOR CAREGIVING CAN LEAD TO ABUSE AND NEGLECT:**

Child abuse and neglect can occur because child caregivers lack the skills and information they need to protect themselves and children.

The following situations involve risky behaviors that can have serious consequences:

- an employee yells and screams at a child frequently; the child is emotionally damaged
- an employee allows a child to leave the program alone to meet his parent outside
- an employee is not supervising the playground as she is talking to a-coworker
- a Center Director leaves one caregiver alone with a child at the end of the day because the parents were late picking the child up and the director was in a hurry to get home
- an employee slaps and shakes a child because the child is out of control

Each staff person must look at his/her own actions and make sure that what we do is never abusive. Each staff person must become competent and confident so that we will NEVER hurt a child in our care. Keeping ourselves in control and knowing what we can and cannot do when working with children are two important steps.

## **REMAINING IN CONTROL:**

When adults are under stress, they sometimes lose control of their own behavior. They may not mean to hurt anyone, but they sometimes hurt the people they care about the most. Even though they do not mean to hurt anyone, the child whom they injure in this way is abused.

Here are some strategies to keep in mind:

**BE AWARE OF YOUR OWN FEELINGS AND LIMITS:** When you are short of patience and unsure of your ability to remain in control, ask a co-worker to intervene and relieve you. Do not wait until you lash out at a child.

**WORK AS A TEAM:** The more you share the planning and the tasks of taking care of young children, the more you and your co-worker will be able to support each other.

**TAKE CARE OF YOURSELF:** Your health is an important factor in your ability to handle the everyday stresses of caring for young children. Get sufficient rest, exercise and eat a balanced diet each day.

**STOP YOURSELF BEFORE IT'S TOO LATE:** When you raise your hand to strike a child, or forcibly grab a child, **THINK BEFORE YOU ACT!** No matter how trying the child may have been, **CORPORAL PUNISHMENT HAS NO PLACE IN THE HEAD START PROGRAM.**

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## **6.12 POLICY ON TOUCHING**

Expressions such as hugs, holding hands, and a lap to sit in help to build a child's self-esteem. A reassuring touch on the shoulder or a back rub at rest time can help to comfort or relax a child.

Appropriate touch involves having permission of the other for touch. An example of appropriate touch would be to ask a child, "Can I have a hug"? Requiring a goodbye kiss from a child is an example of inappropriate touch. Appropriate touch ALWAYS takes into account the wishes, safety and well-being of the other person.

### **INAPPROPRIATE TOUCH INVOLVES:**

Coercing or exploiting a child in order to meet the needs of the adult at the expense of the child. INAPPROPRIATE TOUCH IS PROHIBITED AND WILL RESULT IN TERMINATION.

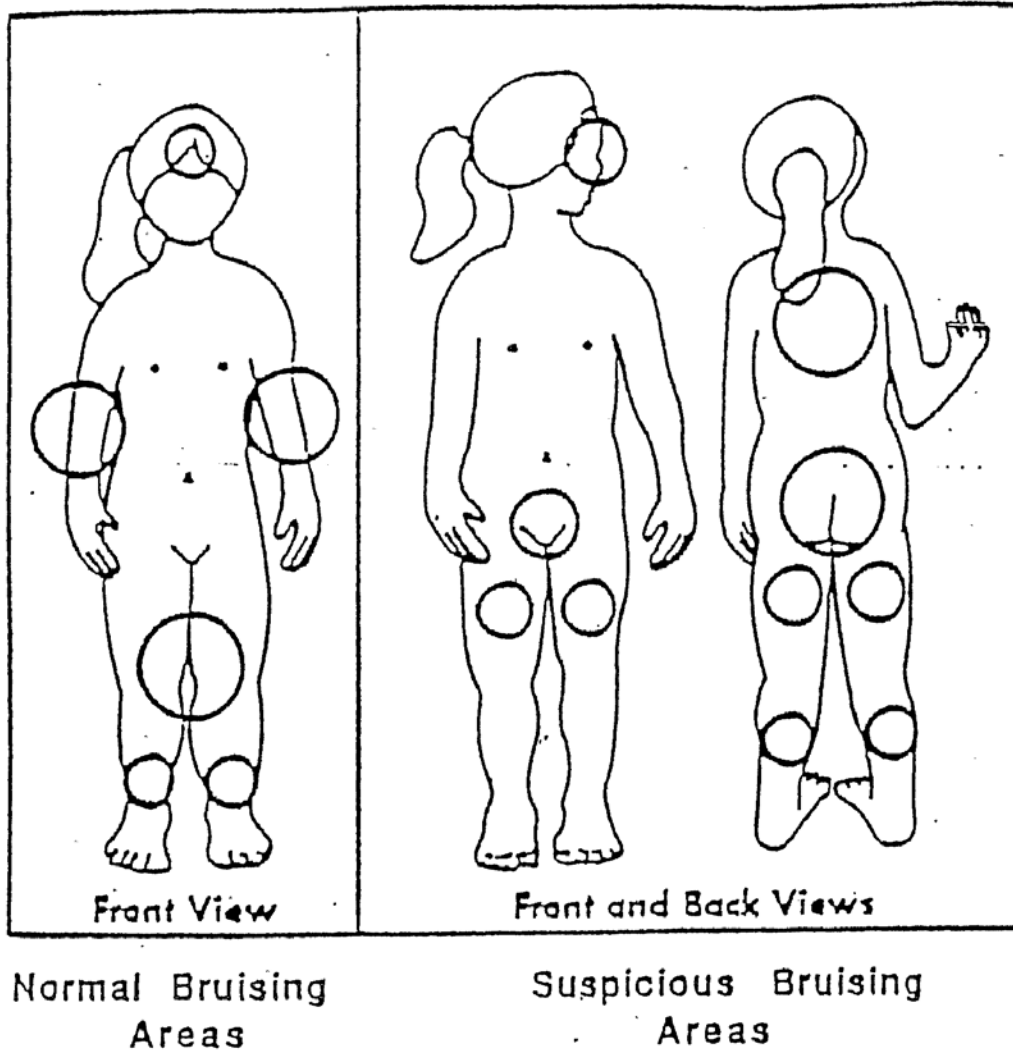
### **INAPPROPRIATE TOUCHING INCLUDES AND IS NOT LIMITED TO:**

1. Any form of physical punishment/abuse such as hitting, shaking, slapping, biting, pulling, pushing, poking, burning, tying a child to a chair or isolating a child.
2. Any form of sexual abuse which includes using the child to meet the adult's sexual needs through such activities as exposure of the genitals, fondling, rape, sodomy, using the child in pornographic pictures and coercing the child into sexual activities with another child.

This list is NOT all inclusive. There are other forms of touch that are considered inappropriate. Staff must look at their own actions to ensure the ways we interact with children are not abusive.

6.13 LOCATION OF INJURIES

LOCATION OF INJURIES



(Diagram 1)

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## **WHEN CHILD ABUSE AND/OR NEGLECT IS SUSPECTED, THE FOLLOWING MUST BE DONE:**

1. A visual observation must be made of the child before he/she is taken to the Health Room;
2. Child must be taken to the Health Room for observation by the health staff; and,
3. A written report must be submitted to his/her immediate supervisor within the hour and a verbal report within ten (10) minutes. The suspected abuse and/or neglect report must also be completed.

NOTE: If an EOAC Head Start employee suspects or knows of any child abuse/neglect and does not report it to his/her supervisor, that employee may be terminated.

Most day care facilities, like most parents, take good care of children. We would like to think that child abuse is rare, and it is very unlikely that anything like this will happen to your child.

If your child volunteers information about abuse, you need to take this seriously. If this information is volunteered to staff at Head Start, we take it seriously.

When a person makes a report of suspected child abuse in good faith, he is immune from any liability. If a complaint is made with malicious intent or revenge, there is no liability protection.

When the department (DHS, CPS) investigates a complaint, the identity of the complainant is not revealed. Everyone, including Head Start Staff and providers, is required by law to report suspected child abuse or neglect immediately.

- I. The center must ensure that discipline and guidance are consistent based on an understanding of individual needs, and development, and promote self-discipline and acceptable behavior.
- II. There must be no cruel, harsh, or unusual punishment or treatment.
  - A. Staff must not shake, bite, or hit children, No child must be spanked. The staff must not put anything in or on the child's mouth as punishment.
  - B. The staff may use brief, supervised separation from the group if necessary, but the staff must not place children in a locked room or in a dark room with the doors closed.
  - C. Parents are not permitted to use abusive language, shake, bite, or hit their children while in care of Head Start Staff.
  - D. Children must never be left unattended in parked cars outside of the building.
  - E. Make sure that the child care staff knows the child has arrived. Make sure that staff are aware when the parent or the designated person come to pick up the child. Do not leave any child at the front door, and never leave a child at the facility before opening.



# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## **RECORDS OF CHILD ABUSE REPORTS**

It is the intent of EOAC to comply with all applicable laws and regulations regarding child abuse. Requirements for reporting child abuse are set forth in EOAC policies regarding child abuse.

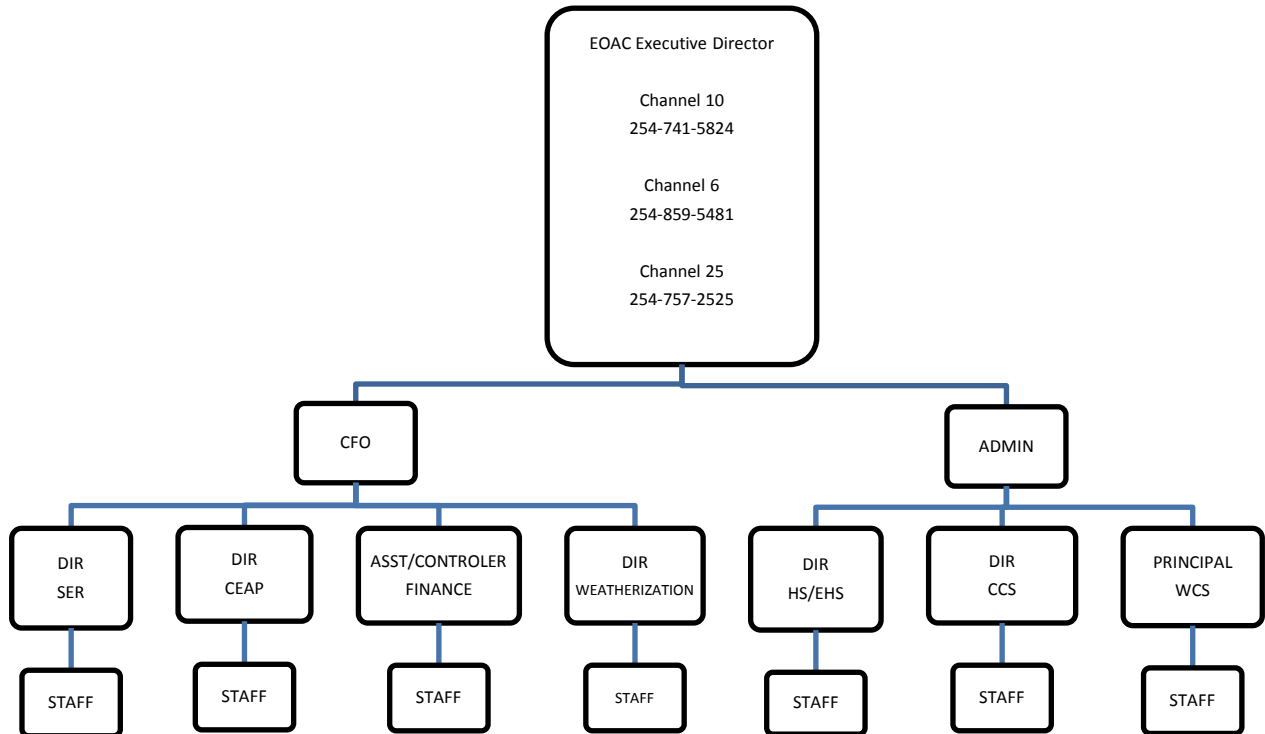
**All suspected child abuse must be reported to Child Care Licensing for Head Start @ 1-800-252-5400 or Child Protective Services for other programs @ and must be reported to the proper authorities within 24 hours.**

Any employee who reports child abuse to any governmental agency shall immediately notify the employee's supervisor of that report and also shall within twenty-four (24) hours of the report deliver a written summary of such report to the employee's supervisor, the program director and Executive Director.

# ECONOMIC OPPORTUNITIES ADVANCEMENT CORPORATION

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## 6.14 EMERGENCY/WEATHER NOTIFICATION LISTING 2013



We will follow Waco ISD's call on weather. For employees out of town, their Program Director or designee will call to alert them. The Executive Director will call Board President, Assistant to Executive Director and Organization Controller. Calls may be made to Program Directors or Executive Director with questions.

# ATTACHMENTS

**SECTION 1 - EMPLOYMENT PROCESS AND  
APPLICATION FORMS:**

- **Application for Employment**
- **Gifts And/Or Gratuities Receipt Form**
- **Cell Phone Disclosure**
- **Exit Interview**

**SECTION 2 – NEPOTISM/CONFLICT OF  
INTEREST FORMS:**

- **Conflict of Interest**
- **Outside Job Report Form**

**SECTION 3 – PERSONNEL/RECORDS  
EVALUATION FORMS:**

- **Code of Business Conduct & Ethics Acknowledgement Form**
- **Disciplinary Action Form**
- **Disclosure and Release**
- **Request for Transfer**
- **Employment Form**
- **I-9 Form**
- **Resume**
- **In-Processing Form**
- **Job Description**
- **Job Interview**
- **Personnel File Checklist**
- **References (3)**
- **State of Texas New Hire Form**
- **W-4 Form**
- **Worker’s Comp Employee Rights Form**

## **SECTION 4 – LEAVE FORMS:**

- **Local Sick Leave Day Donation**
- **Request for Donated Sick Leave**
- **Exhibit A – Family & Medical Leave Act of 1993**
- **Exhibit B – Certificate of Health Care Provider (FMLA)**
- **Exhibit C – Request for Leave of Absence (FMLA)**
- **Exhibit D – Employer Response (FMLA)**
- **Leave With Pay Form**
- **Leave Without Pay Form**
- **Education Train/Retrain Form**

## **SECTION 5 – FINANCE FORMS:**

- **Scholarship**
- **Direct Deposit**
- **Health and Safety**
- **Annualized Compensation Form**
- **Assurant Beneficiary Form**
- **Assurant Dental Enrollment**
- **Assurant Gap Insurance**
- **Assurant Life Insurance**
- **Assurant Long Term Disability**
- **Assurant Voluntary Life Insurance**
- **Auto Insurance Coverage Form**
- **Authorized Driver of EOAC Vehicles**
- **Authorization for Payroll Deductions**
- **Auto Insurance Form**
- **Bloodborne Pathogen Receipt Form**
- **Blue Cross Employee Portion**
- **Blue Cross Insurance Enrollment**
- **Employee Election Plan**
- **Employee Summary Plan**
- **First Report of Injury**
- **Hatch Act Receipt Form**
- **HIPPA Receipt Form**
- **Consolidated Budget Reconciliation Act (COBRA) Notice**
- **COBRA Participant Form**
- **Met Life Change Plan Contact List Form**
- **Met Life Tax Notice**
- **Met Life Withdrawal Request Form**
- **Travel**
- **Motor Vehicle Record Authorization**
- **Notice of Termination of Insurance Coverage**
- **Premium Only Plan/Pre-Tax Form**
- **Workplace Violence Receipt Form**



**SECTION 6 – POLICY/PROCEDURE FORMS:**

- **Child Abuse & Neglect Policy Form**
- **Sexual Harassment Receipt Form**
- **Drug & Alcohol Consent Form**
- **Drug Free/HIV Aids Receipt Form**
- **Personnel Policies Receipt Form**
- **Suspected Child Abuse Form**

## **ADDITIONAL APPROVED POLICIES/FORMS**

- **HS/EHS Pay Schedule 03/24/2014**
- **Family Development Manager 06/02/2014**
- **File Clerk 02/22/2014**