

PHELPS/HARLAN COUNTY CASA

EMPLOYEE HANDBOOK

Revised & Adopted 6/2/2015

Table of Contents
Phelps/Harlan County CASA
Employee Handbook

Introduction

101	Notice to Employees	4
102	Changes to Policy	4

Employment

201	Nature of Employment	4
202	Employee Relations	5
203	Equal Employment Opportunity	5
204	Personnel Files	5
205	Employment of Relatives	5
206	Immigration Law Compliance	6
207	Conflicts of Interest	6
208	Outside Employment	6
209	Non-disclosure	6
210	Amendments to the Handbook	7

Employment Status & Records

301	Employee Categories	7
302	Overtime Pay for Non-exempt employees	8
303	Employee Reference Checks	8
304	Employee Applications	9
305	Performance Evaluations	9

Employee Benefit Programs

401	Employee Benefits	9
402	Vacation Benefits	10
403	Holidays	10
404	Workers Compensation Insurance	11
405	Personal Time Off (PTO)	11
406	Jury Duty	12
407	Witness Duty	13

Time Keeping/ Payroll

501	Time Keeping	13
502	Payday	13
503	Employee Termination	13
504	Administration Pay Corrections	13
505	Pay Deductions	14

Work Conditions & Hours

601	Safety	14
602	Accidents	15
603	Safe Workplace	15
604	Work Schedule	15
605	Use of Communication Systems	15
606	Personal Business & Personal Phone Calls	16
607	Rest & Meal Period	16
608	Overtime	17
609	Use of Equipment	17

Leaves of Absence

701	Family and Medical Leave Act	17
702	Military Leaves of Absence	19
703	Unpaid Personal Leaves of Absence	19
704	Educational Leaves of Absence	20

Employee Conduct & Disciplinary Action

801	Absenteeism & Tardiness	20
802	Guidelines for Appropriate Conduct	21
802	Progressive Discipline	22
803	Complaint Resolution Procedure	23
804	Anti-Harassment Policy	23
805	Drug & Alcohol Use	25
806	Firearms Policy	26
807	American's With Disabilities Act	26
808	No Smoking Policy	26
809	Solicitation & Distribution of Literature	27
810	Resignation Procedure	27

Organizational

901	Organizational Assets	27
902	Company Property	27
903	Business Expense Reimbursement	27

Attachments

A.	Employee Performance Plan	28
B.	Handbook Acknowledgement Form	31

INTRODUCTION

We have written this handbook in order to answer some of the questions you may have concerning the policies of the Phelps/Harlan County CASA. Please read it thoroughly and retain it for future reference. Should you have any questions regarding any policies, please ask the Executive Director.

101 NOTICE TO EMPLOYEES

In drafting this Employee Handbook, we have avoided the use of specific gender pronouns wherever possible. However, where such avoidance would have led to very awkward sentences, we have used the masculine pronoun. This use should be considered to refer to both genders.

102 CHANGE IN POLICY

The policies in this handbook are subject to change at the sole discretion of Phelps/Harlan County CASA. We will notify you of these changes by appropriate means. Changes will be effective on dates determined by Phelps/Harlan County CASA, and you may not rely on policies that have been superseded. No supervisor or manager has any authority to alter the policies.

EMPLOYMENT

201 NATURE OF EMPLOYMENT

The Executive Director may, at her/his discretion, delegate responsibilities contained in these policies to other supervisory personnel.

This handbook is not a contract guaranteeing employment for any specific duration. Both you and Phelps/Harlan County CASA have the right to terminate your employment at any time. No one other than the Executive Director or Board President of Phelps/Harlan County CASA has the authority to enter into any agreement for employment for any specified period or to make any promises or commitments contrary to the policies. Any employment agreement entered into by the Board President shall not be enforceable unless it is in writing and signed by both parties.

All provisions in this handbook are subject to revisions of applicable local, state and federal laws. Any provision that may become unlawful under subsequent law shall be void and unenforceable.

It is inevitable that new policies will need to be written from time to time and that old policies will need to be revised. While Phelps/Harlan County CASA reserves the right to make changes in this handbook or in company policy without notice, we will strive to provide you with those revisions in a timely manner. The only recognized deviations from the stated policies are those authorized and signed by the Executive Director of Phelps/Harlan County CASA, and as approved by the Board of Directors.

202 EMPLOYEE RELATIONS

The employer believes that the work conditions, wages, and benefits it offers to employees are competitive with those offered by other similar organizations. If employees have any concerns about work conditions or compensation, they are strongly encouraged to voice those concerns openly and directly to the Executive Director and/or Board of Directors.

203 EQUAL EMPLOYMENT OPPORTUNITY

Phelps/Harlan County CASA continues to be morally and legally committed to the principle of equal employment opportunity. It is the policy of this organization to ensure that all employment decisions shall be based on merit, qualifications, and competence. Except where required or permitted by law, employment practices shall not be influenced or affected by virtue of an applicant's or employee's race, color, religion, creed, age, sex, national origin or ancestry, marital status, veteran status, sexual orientation, or status as a qualified disabled or handicapped individual, or any characteristic protected by law. In addition, it is the employer's policy to provide an environment that is free of unlawful harassment of any kind, including that which is sexual, age-related, or ethnic. This policy governs all aspects of employment, promotion, assignment, discharge, and other terms and conditions of employment.

Phelps/Harlan County CASA provides equal employment opportunities to all employees and applicants without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, military status, or status as a Vietnam-era or special disabled veteran in accordance with applicable federal and state laws. In addition, Phelps/Harlan County CASA complies with applicable state and local laws governing nondiscrimination in employment in every location in which the organization has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation and training.

204 PERSONNEL FILES

Phelps/Harlan County CASA maintains a personnel file on each employee. You may review your personnel file upon request and in the presence of authorized personnel.

To ensure that your personnel file is up-to-date at all times, notify your Executive Director of any changes in your name, telephone number, home address, marital status, number of dependents, individuals to notify in case of emergency and so forth.

Personnel files are the property of Phelps/Harlan County CASA and access to the information they contain is restricted.

205 EMPLOYMENT OF RELATIVES

Phelps/Harlan County CASA permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of Phelps/Harlan County CASA create actual or perceived conflicts of interest. Favoritism to relatives is unfair to other employees, and the appearance of favoritism is easily perceived. We are committed to monitoring situations in which relatives work in the same area. In case of actual or potential problems, Phelps/Harlan County CASA will take prompt action.

206 IMMIGRATION LAW COMPLIANCE

Phelps/Harlan County CASA is committed to employing only United States citizens and aliens who are authorized to work in the United States and who comply with the Immigration Reform and Control Act of 1986.

As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9 within three (3) business

days after employment. Before commencing work, newly re-hired employees must also complete the form if they have not previously filed an I-9 with Phelps/Harlan County CASA, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid.

This procedure has been established by law and requires that every individual provide satisfactory evidence of his or her identity and legal authorization to work in the United States.

207 CONFLICTS OF INTEREST

To avoid even the appearance of a conflict of interest that would tarnish the image of Phelps/Harlan County CASA and undermine the public's trust in all nonprofits, Phelps/Harlan County CASA employees will avoid any activity or outside interest which conflicts or appears to conflict with the best interest of Phelps/Harlan County CASA. Any involvement with a current or potential vendor, grantee, or competing organization may violate this code and should be cleared with the Executive Director; employees will refrain from participation in or be influenced by any decision or other action of Phelps/Harlan County CASA that could result in a direct or indirect benefit to his or her family or any organization with which the employee is substantially affiliated.

208 OUTSIDE EMPLOYMENT

An employee may hold a second job with another organization as long as he or she satisfactorily performs his or her job responsibilities with this organization. All employees will be judged by the same performance standards and will be subject to the employer's scheduling demands, regardless of any existing outside work requirements.

If the employer determines that an employee's outside work interferes with performance, or the ability to meet the requirements of this organization as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with Phelps/Harlan County CASA.

Notification of secondary employment must be given to the Executive Director or Board President. This notification is solely for determining possible conflicts of interest. Outside employment will present a conflict of interest if it has an actual or potential adverse impact on this organization.

209 NON-DISCLOSURE

The protection of confidential business information and trade secrets is vital to the interest and the success of this organization. Any employee who discloses confidential business or case information will be subject to disciplinary action (including possible discharge), even if he or she does not actually benefit from the disclosed information.

210 AMENDMENTS TO THIS HANDBOOK

The policies contained in this Handbook may be changed as management deems necessary. Do not consider this Handbook to be a fixed document. Phelps/Harlan County CASA reserves its right to make changes as needed. Refer any questions concerning policy changes or interpretation to the Executive Director or Board President. Changes and interpretations can only be made by action of the Board of Directors and can only be issued in a written memo or

letter signed by the Board President. Employees will be notified in writing of any changes to the Handbook.

EMPLOYMENT STATUS AND RECORDS

301 EMPLOYEE CATEGORIES

It is the intent of the employer to clarify the definitions of employment classifications so the employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and the employer.

Tampering, altering or falsifying time records will result in disciplinary action, including potential discharge.

Federal and state law requires EXEMPT employees to work in an administrative, executive capacity or professional capacity. An administrative employee is one whose primary duty is performing office or non-manual work that is directly related to the management or general operation of Phelps/Harlan County CASA, regularly exercises independent judgment and discretion, and regularly assists a bona fide executive or administrative employee, or does special or technical work requiring special experience, training or knowledge, or who performs special assignment under general supervision only. An executive employee primarily engages in managerial responsibilities, regularly and customarily supervises two or more workers, and either has hiring and firing authority or whose recommendations about hiring and firing are given special consideration and regularly and customarily exercises discretionary powers. Professional employees have a primary duty of performing work requiring advanced knowledge acquired after a long course of special instruction rather than through a general academic education and requires exercise of judgment or discretion. If you have any question about your particular classification, please ask your supervisor.

NON-EXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. EXEMPT employees shall be considered to be employed in an administrative, executive, or professional capacity.

In addition to the above categories, each employee will belong to one other employee category:

1. REGULAR FULL-TIME employees are those who are not in a temporary or introductory period status and who work for Phelps/Harlan County CASA's regularly scheduled work week. Generally, they are eligible for the employer's benefit package, subject to the terms, conditions, and limitations of each benefit program.
2. REGULAR PART-TIME employees are those who are not assigned to a temporary or introductory period status and who are regularly scheduled to work less than the full-time work schedule but at least 20 hours per week or those performing executive/administrative duties. Regular part-time employees are eligible for some benefits sponsored by the employer, subject to the terms, conditions, and limitations of each benefit program.

3. PART-TIME employees are those who are not assigned to a temporary or introductory period status and who are scheduled to work less than 20 hours per week. While they do receive all legally mandated benefits (such as Workers' Compensation and Social Security benefits), they are ineligible for all the employer's other benefit programs.

All new and re-hired employees will have an initial trial service period of ninety (90) days. An employee will use this initial period after being hired, rehired, or accepting another position at Phelps/Harlan County CASA, to determine whether the new position meets his or her expectations.

The employer uses this period to evaluate employee capabilities, attitude, and work habits. Either the employee or the employer may end the employment relationship at will at any time during or after the introductory period, with or without cause of advance notice.

Employment with Phelps/Harlan County CASA is at the mutual consent of the employer and the employee, and either party may terminate that relationship at any time, with or without cause and with or without advance notice.

302 OVERTIME FOR NON-EXEMPT EMPLOYEES

It should be recognized that overtime and additional work other than that which is regularly scheduled may be required.

Overtime will be paid to eligible, non-exempt employees in accordance with applicable state law. The pay for regular overtime will be at the federal or state prescribed wage rate, which ever is higher.

All overtime must be authorized prior to its occurrence by your immediate supervisor. All overtime will be clearly noted on your time sheet and should be initialed on a daily basis by your immediate supervisor.

303 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join Phelps/Harlan County CASA are well-qualified and have a strong potential to be productive and successful, it is the policy of the employer to check the employment references of all applicants.

Phelps/Harlan County CASA will respond to reference check inquiries on current and previous employees if: 1) the request is in writing, or 2) the request is by telephone and correct Social Security number is provided. Responses to such inquiries will confirm only dates of employment, wage rates or salary ranges, and position(s) held.

304 EMPLOYEE APPLICATIONS

The employer relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data

will result in the employer's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

305 PERFORMANCE EVALUATIONS

You will be evaluated with respect to the job that you are performing for Phelps/Harlan County CASA. As you demonstrate the ability to take on additional responsibilities, your talents will be utilized in the manner deemed most suitable to your demonstrated ability and the needs of Phelps/Harlan County CASA.

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance reviews are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. The performance of all employees is evaluated according to an on-going 12-month cycle, beginning generally at the fiscal year-end.

Merit-based pay adjustments are awarded by Phelps/Harlan County CASA in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by the Employee Performance Plan (Attachment A, page 33).

EMPLOYEE BENEFIT PROGRAMS

401 EMPLOYEE BENEFITS

Eligible employees of Phelps/Harlan County CASA are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The actual terms and conditions of each benefit are governed by the actual statute or policy granting the benefit. Nothing herein should be interpreted as changing those terms. Phelps/Harlan County CASA reserves the right at any time without notice to cancel in its entirety employee benefits or to modify the amount or scope thereof. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

402 VACATION BENEFITS

All regular full-time and regular part-time employees will begin accruing vacation from the date of hire. Accumulation rates will be computed as follows:

<u>Completed years of Service</u>	<u>Annual Rate</u>
1 Year after Provisional Period	5 days (2.5 days for part-time)
2 Years	10 days (5 days for part-time)
3 Years	15 days (7.5 days for part-time)
4 Years or more	20 days (10 days for part-time)

Employees are not eligible to take vacation until after completing six months of employment. Vacation time cannot be used in advance.

Vacation pay will be calculated based on the employee's straight-time pay rate (in effect when vacation benefits are used) times the number of hours the employee would otherwise have worked on the day (s) of absence. Vacation pay does not include incentive pay, bonuses, or other special forms of compensation. Vacation benefits for salaried employees will be based on their normal wages.

If a scheduled holiday falls on a workday during the vacation period, this will entitle the employee to a corresponding number of additional days of vacation.

Vacations will be scheduled in advance with the employee's supervisor. Request for vacation will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the requested vacation.

Employees are expected to use earned vacation within the year it applies. Vacation accumulation carry over will not be allowed. Unused vacation will be void at the end of the fiscal year (June 30th).

Upon separation from employment, employees will be reimbursed for unused vacation time at the salary rate at the time of separation. Reconciliation and release of vacation pay will transpire on the first payday subsequent to separation.

Phelps/Harlan County CASA recognizes prior service with other nonprofits when determining vacation and retirement benefits.

403 HOLIDAYS

The employer will grant holiday time off with pay to all eligible employees on the holidays listed below. If said holiday falls on a Sunday, the following Monday will be considered the holiday.

New Year's Day	(January 1)
Martin Luther King Day	(third Monday in January)
President's Day	(third Monday in February)
Arbor Day	(last Friday in April)
Memorial Day	(last Monday in May)
Independence Day	(July 4)
Labor Day	(first Monday in September)
Columbus Day	(second Monday in October)
Veteran's Day	(November 11)
Thanksgiving Day	(4 th Thursday in November)
Day after Thanksgiving	(4 th Friday in November)
Christmas Eve Day	(December 24)
Christmas	(December 25)
New Year's Eve	(December 31)

404 WORKERS' COMPENSATION INSURANCE

To provide for payment of your medical expenses and for partial salary continuation in the event of work-related accident or illness, you are covered by worker's compensation insurance.

The amount of benefits payable and the duration of payment depend upon the nature of your injury or illness. However, all medical expenses incurred in connection with an on-the-job injury or illness and partial salary payments are paid in accordance with applicable state law.

If you are injured or become ill on the job, you must immediately report such injury or illness to the on-site supervisor. This ensures Phelps/Harlan County CASA can help you obtain appropriate medical treatment. Your failure to follow this procedure may result in the appropriate worker's compensation report not being filed in accordance with the law, which may delay your benefits in connection with the injury or illness. Questions regarding workers' compensation insurance should be directed to the on-site supervisor. The employer provides a worker's compensation insurance program at no cost to the employee. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

405 Personal Time Off (PTO)

Phelps/Harlan County CASA provides Personal-Time-Off for eligible employees for a variety of personal reasons, including but not limited to, sickness, caring for sick family members, attending a funeral, taking maternity leave, attending activities scheduled during the workday, or other personal reasons. Eligible employees will accrue one-half day of paid personal time off (PTO) each month totaling six (6) days per year. Employees may accumulate up to 30 days of PTO.

Employees who are unable to report to work due to an illness or injury should notify their supervisor before the scheduled start time, if possible. The supervisor should also be contacted each additional day of absence. If an employee is absent for three (3) or more consecutive days due to illness or injury, a physician's statement may be requested by the supervisor, verifying the nature of the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and will be the basis for payment authorization of sick leave benefits. Before returning to work from a sick leave absence of five (5) calendar days or more, an employee may be asked to provide a physician's verification that he or she may safely return to work.

If an employee is eligible for basic Unemployment/Compensation Disability (UCD) benefits, employer-paid sick leave shall be reduced by the amount of the UCD payment the employee is eligible to receive.

This same method of integrated benefits shall also apply to an employee eligible for Worker's Compensation Insurance (WCI) payments.

406 JURY DUTY

All full-time employees who serve on jury duty will be compensated by Phelps/Harlan County CASA for the difference between the pay for jury duty (excluding mileage and travel fees) and their regular rate of pay. Employees must present the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate the employee's absence. Either the employer or the employee may request an excuse from jury duty if, in the employer's judgment, the employee's absence would create difficulties.

The employee is expected to report for work whenever the court schedule permits and should provide the supervisor with verification of any pay received from the court.

407 WITNESS LEAVE

The employer encourages employees to appear in court for witness duty whenever subpoenaed to do so. Employees will be granted unpaid time off for absence due to witness duty. Employees are free to use any available paid leave benefit (e.g. vacation leave) to receive compensation for the period of this absence.

The subpoena will be shown to the employee's supervisor after it is received so that operating requirements can be adjusted, when necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits. If the employee has been subpoenaed as a witness of the employer as a result of a job-related event, he or she will receive paid time off for the entire period of witness duty.

TIME KEEPING/PAYROLL

501 TIME KEEPING

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

All employees will maintain accurate records of time worked. These time sheets will be the basis for release of payroll moneys for non-exempt staff, and for all staff for program cost accounting. It is the employee's responsibility to sign his or her time record to certify the accuracy of all time recorded. The supervisor will review and then initial the time record; both the employee and supervisor must verify the accuracy of the changes by initialing the time record.

Tampering, altering or falsifying time records will result in disciplinary action, including potential discharge.

502 PAYDAY

All employees are paid every two weeks.

503 EMPLOYEE TERMINATION

Your employment with Phelps/Harlan County CASA is voluntarily entered into and you are free to resign at any time. Similarly, Phelps/Harlan County CASA is free to conclude an employment relationship at any time at the sole discretion of the Board of Directors. No one other than the

Board of Directors has the authority to make an agreement that conflicts with the above, and any such agreement must be in writing.

504 ADMINISTRATION PAY CORRECTIONS

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

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

505 PAY DEDUCTIONS

The law requires that the employer make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes.

WORK CONDITIONS AND HOURS

601 SAFETY

It is the policy of Phelps/Harlan County CASA that accident prevention shall be considered of primary importance in all phases of operation and administration.

Establishment and maintenance of a safe work environment is the shared responsibility of the employer and employees from all levels of the organization. The employer will attempt to do everything within its control to assure a safe environment and compliance with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all their work activities. They are asked to immediately report any unsafe conditions to the Executive Director and or Board President. All employees are expected to correct unsafe conditions as promptly as possible.

All accidents that result in injury must be reported immediately to your supervisor, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and initiate insurance and workers' compensations procedures. Any injury that occurs on the job, even a slight cut or strain, must be reported to management as soon as possible. In no circumstance, except an emergency, should an employee leave their work without reporting an injury that occurred.

It is the intent of management to provide safe and healthy working conditions and to establish and insist upon safe practices at all times by all employees. The prevention of accidents is an objective affecting all levels of the organization and its activities.

Every effort will be made to provide adequate training to employees. However, if an employee is ever in doubt about how to do a job safely, it is their duty to ask his or her supervisor for assistance. Safety is everyone's responsibility.

Responsibilities of the employee include:

Obeying the safety rules.

Following safe job procedures.

Keeping work areas clean and free from slipping or tripping hazards.
Using prescribed personal protective equipment.
Immediately reporting all malfunctions to a supervisor.
Using care when lifting and carrying objects.
Observing restricted areas and all warning signs.
Knowing emergency procedures.
Reporting unsafe conditions to supervisors.
Promptly reporting every accident and injury to his or her supervisor.
Following the care prescribed by the attending physician when treated for an injury or illness.
Attending all employee safety meetings.
Participating in accident investigations, serving on safety committee or other loss control activities as needed.

Failure to observe these guidelines may result in disciplinary action, up to and including termination of your employment.

602 ACCIDENTS

No matter how insignificant an injury may seem at the time of occurrence, you should notify the supervisor immediately.

603 SAFE WORKPLACE POLICY

It is the intent of Phelps/Harlan County CASA to provide a safe workplace for employees and to provide a comfortable and secure atmosphere for clients and others with whom we do business. Phelps/Harlan County CASA has a no tolerance guideline for violent acts or threats of violence.

Phelps/Harlan County CASA expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional or veiled threat of harm to any employee or company property will be considered acceptable behavior. Acts of violence or intimidation of others will not be tolerated. Any employee who commits or threatens to commit a violent act against any person while on Phelps/Harlan County CASA premises will be subject to immediate discharge. If an employee, while engaged in Phelps/Harlan County CASA business off the premises, commits or threatens to commit a violent act, that employee will be subject to immediate discharge if the threat or violent act could adversely affect Phelps/Harlan County CASA or its reputation in the community.

604 WORK SCHEDULE

The normal work schedule for all regular full time employees is 40 hours per week. Employees will be advised of the time their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

605 USE OF COMMUNICATION SYSTEMS

It is the intent of Phelps/Harlan County CASA to provide the communication systems necessary for the conduct of its business. Employees are expected to adhere to proper use of all communication systems including but not limited to the telephone, electronic mail (e-mail), and voice mail.

The communication systems are owned and operated by Phelps/Harlan County CASA and are to be used for the business of Phelps/Harlan County CASA. Employees should have no expectation of privacy of any correspondence, messages, or information in the systems.

All telephone, e-mail, and voice mail messages are property of Phelps/Harlan County CASA. Phelps/Harlan County CASA reserves the right to access and disclose all such messages sent for any purpose. All such messages, regardless of content or the intent of the sender, are a form of corporate correspondence, and are subject to the same internal and external regulation, security and scrutiny as any other corporate correspondence. Except as identified, Phelps/Harlan County CASA' communication systems will not be used to solicit or to address employees regarding commercial, religious, or political causes; nor will the system be used in ways that are disruptive or offensive to others.

Employees will not attempt to gain access to another employee's personal telephone, e-mail, and voice mail messages. However, Phelps/Harlan County CASA reserves the right to access an employee's messages at any time, without notice, to the employee.

Transmission of sexually explicit images, messages, cartoons, ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs are specifically prohibited.

Any violation of these guidelines may result in disciplinary action, up to and including termination.

606 PERSONAL BUSINESS AND PERSONAL PHONE CALLS

During business hours, you are requested to keep personal calls to an absolute minimum. If you need to leave your workstation to conduct personal business, contact the supervisor so he is allowed to make modifications to the work schedule if necessary.

Telephones are intended primarily for business and should not be tied up with personal calls. If the telephone is used for important personal matters, the number and length of calls should be limited.

Employees will be required to reimburse Phelps/Harlan County CASA for any charges resulting from their personal use of the telephone, fax, mailing system and photocopying machines. Employees will also be required to reimburse Phelps/Harlan County CASA for any other equipment or materials used. Personal mail and merchandise deliveries should be kept to a minimum. Phelps/Harlan County CASA' address may be used as an employee's personal address only in unusual and temporary situations.

607 REST AND MEAL PERIOD

Each work day, non-exempt employees are entitled to a fifteen (15) minute rest period for every four (4) hours worked.

All regular full-time non-exempt employees are provided with one meal period of sixty (60) minutes in length each work day. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

608 OVERTIME

When operating requirements or other needs cannot be met during regular working hours, non-exempt employees will be given the opportunity to volunteer for overtime work assignments. All overtime work must receive the Executive Director's or Board President's prior authorization. Overtime assignments will be distributed as equitably as practical to all non-exempt employees qualified to perform the required work and compensatory time off will be granted in lieu of overtime compensation.

Records must be kept which accurately reflect overtime earned and taken.

609 USE OF EQUIPMENT

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

Please notify the designated employee if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.

The improper, careless, negligent, destructive, or unsafe use or operating of equipment will result in disciplinary action, including possible discharge.

LEAVE OF ABSENCE

701 FAMILY AND MEDICAL LEAVE

Phelps/Harlan County CASA grants family and medical leave of absence to "eligible employees" for the following:

1. The birth of an employee's child or to care for the newborn child;
2. The placement of a child with the employee for adoption or state-approved foster care;
3. The care of an employee's spouse, child, or parent ("family member") who has a serious health condition; or
4. The employee's serious health condition, which prevents the employee from performing any one essential function of the employee's position. A serious health condition is an illness, injury, impairment, or, physical or mental condition that involves either inpatient care or continuing treatment by a health care provider.

Eligible Employee

An active full-time or part-time employee is eligible for family and medical leave under The Family and Medical Leave Act of 1993 ("the Act") provided that on the date the employee requests leave:

1. He/She has been employed by Phelps/Harlan County CASA for at least 12 months; and

2. He/She has worked 1250 hours during the 12-month period immediately preceding the commencement of leave.

Length of Leave

An eligible employee is entitled to a total of 12-work weeks of unpaid leave within a 12-month period. The amount of leave available to an employee will be calculated by looking backward at the amount of leave taken within the 12-month period immediately preceding the first date of leave. Leave taken for the care of a newborn child or placement for adoption or foster care must be taken as an uninterrupted, continuous leave of absence and must be taken within 12 months of the birth or placement of the child. If both a husband and wife are employed by Phelps/Harlan County CASA, and are eligible for leave, except for leave due to the employee's serious health condition, the two may take a combined total of 12-weeks. Intermittent leave or a reduced schedule may be approved for the employee's serious health condition or a family member's serious health condition where medically necessary and where the need for such leave is best accommodated through such scheduling. An employee requesting intermittent leave/reduced schedule may be transferred temporarily to an available alternative position with equivalent pay and benefits, or to a part-time position if such a position better accommodates the need for intermittent leave/reduced schedule.

Substitution of Paid Leave

An employee taking family and medical leave due to the employee's serious health condition must substitute all accrued sick leave, unused paid vacation, personal leave, paid time off and short-term salary continuation, if applicable, before continuing leave on an unpaid basis. An employee taking leave for reasons other than an employee's own serious health condition must exhaust all accrued unused paid vacation, personal leave and paid time off before continuing leave on an unpaid basis.

Any family and medical leave, whether paid, unpaid, or a combination thereof, will be counted toward the 12-week leave entitlement.

Employee Notification Requirements

If an employee expects to take family and medical leave, the employee must notify Phelps/Harlan County CASA of the intention to take leave at least 30 days in advance of the expected leave. Following proper notification, the employee must complete a Leave of Absence Request form and provide any required medical certification.

If the need for leave is not foreseeable, the employee must provide notification of leave to the employer as soon as is practicable under the circumstances. An employee's failure to provide 30 days advance notification for foreseeable leave may result in a delay of leave.

Medical Condition

An employee who takes leave for the employee's serious health condition or to care for a family member with a serious health condition must submit to Phelps/Harlan County CASA a medical certification of the need for such leave from the applicable health care provider. Failure to provide the certification in a timely manner may result in a delay of leave. Phelps/Harlan County CASA may request a second or third medical opinion at Phelps/Harlan County CASA's

expense for verification of an employee's serious health condition. The opinion of the third health care provider, who is approved jointly by Phelps/Harlan County CASA and the employee, shall be final and binding on the employer and the employee. In addition, while the employee is on leave, Phelps/Harlan County CASA may require the employee to provide periodic re-certification of the employee's medical condition (not to exceed once every 30 days) and the employer may inquire as to the employee's intentions to return to work. An employee on uninterrupted, continuous leave due to the employee's own serious health condition will be required to provide a job-related medical certification of fitness before the employee is allowed to return to work. Failure to provide this certification may result in the delay or denial of job restoration.

Job Restoration

An employee will be returned to the same or an equivalent position when the employee returns from family and medical leave, with no loss of benefits accrued prior to leave. An employee who does not return to work at the end of an authorized leave is subject to termination of employment. In the event an employee's position with Phelps/Harlan County CASA is affected by a decision or event not related to the employee's leave of absence, e.g. job elimination due to a reduction in force, the employee will be affected to the same extent as if he/she was not on leave.

Certain "key employees" as defined under the Family and Medical Leave Act of 1993 may not be eligible to be restored to the same or any equivalent position after leave if doing so would cause substantial and grievous economic injury to the operations of the assigned company. Phelps/Harlan County CASA will notify such employees of their "key employee" status and the conditions under which job restoration will be denied, if applicable.

Questions about Family and Medical Leave

If you have any questions about your rights or responsibilities under this policy, contact the Executive Director or Board of Director President. Phelps/Harlan County CASA will comply with all applicable federal, state and local laws in administering this policy.

702 MILITARY LEAVES OF ABSENCE

Leaves of absence without pay for military or reserve duty are granted to full-time regular and part-time regular employees. If you are called to active military duty or the reserve or National Guard training, or if you volunteer for the same, you should submit copies of your military orders to the Executive Director or Board of Director President as soon as possible. You will be granted a military leave of absence without pay for the period of military service, in accordance with applicable federal and state laws. If you are a reservist or a member of the National Guard, you are granted time off without pay for required military training. However, you may use any earned but unused vacation available. Your eligibility for reinstatement after your military duty or training is completed is determined in accordance with applicable federal and state laws.

703 UNPAID PERSONAL LEAVE

In accordance with the guidelines set forth in this policy, Phelps/Harlan County CASA will consider providing unpaid personal leave to regular full-time employees who wish to take time off from work duties to fulfill personal obligations.

The unpaid personal leave may be granted for a period of up to thirty (30) calendar days every two (2) years. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than thirty (30) days. Pending the Executive Director's or the Board of Director President's approval, employees will take any available sick leave or vacation leave prior to the effective date of the personal leave of absence.

Requests for personal leave will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

Accrual of benefit calculations, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

To the extent possible, employees returning from personal leave will be reinstated to their former position or will be offered the first available comparable position for which they are qualified.

If an employee fails to report to work at the agreed upon time after the expiration of the approved leave period, employment termination will occur (please refer to section 405/Employment Termination).

704 EDUCATIONAL LEAVE

In accordance with the guidelines set forth in this policy, Phelps/Harlan County CASA may consider providing unpaid educational leave to eligible full-time employees who wish to take time off from work duties to pursue course work that is applicable to their job duties with Phelps/Harlan County CASA.

Employees may request educational leave for a period of up to six (6) months every seven (7) years. Requests will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

To the extent possible, employees returning from educational leave will be reinstated to their former position or will be offered the first available comparable position for which they are qualified. If an employee fails to report to work after the expiration of the approved leave period, the employee is subject to disciplinary action or termination.

EMPLOYEE CONDUCT & DISCIPLINARY ACTION

801 ABSENTEEISM & TARDINESS

Phelps/Harlan County CASA is able to secure work based upon our estimates of performance and our history of reliability. Therefore, Phelps/Harlan County CASA expects all employees to assume diligent responsibility for their attendance and promptness. Continued dependability, quality and pride of service are factors over which each individual employee has a great deal of influence. If you are absent and cannot perform your duties on time, or if you produce substandard work, then we all pay the price by losing the confidence of the clients.

The work schedule is constructed around the maximum working hours and capabilities of the staff. It is extremely important that you be punctual in your arrival for work at the beginning of

the workday. If you know that you will be absent or late arriving for work, notify the Executive Director within 1 hour of your scheduled start time by calling our main number. If you are absent for more than three consecutive workdays, a statement from a physician may be required before you will be permitted to return to work. In such instances, Phelps/Harlan County CASA also reserves the right to require you to submit to an examination by a physician designated by Phelps/Harlan County CASA at its discretion.

Unexcused or excessive absenteeism or tardiness is grounds for disciplinary action, up to and including termination. If you are absent for three or more days and fail to properly report your absences, this will be considered a resignation of your position and you will be terminated for abandonment of your job.

802 GUIDELINES FOR APPROPRIATE CONDUCT

As a Phelps/Harlan County CASA employee, you are expected to accept certain responsibilities, follow acceptable business principles in matters of conduct, and exhibit a high degree of integrity at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that you refrain from any behavior that might be harmful to you, your co-workers, Phelps/Harlan County CASA, or that might be viewed unfavorably by current or potential clients or by the public at large. Your conduct reflects on Phelps/Harlan County CASA. You are, consequently, encouraged to observe the highest standards of professionalism at all times.

Types of behavior and conduct that Phelps/Harlan County CASA considers inappropriate include, but are not limited to, the following:

1. Falsifying employment or other Phelps/Harlan County CASA records;
2. Violating Phelps/Harlan County CASA' non-discrimination and/or sexual harassment policy;
3. Soliciting or accepting gratuities from clients.
4. Excessive absenteeism or tardiness;
5. Excessive, unnecessary, or unauthorized use of Phelps/Harlan County CASA property and supplies, particularly for personal purposes;
6. Reporting to work under the influence of drugs or alcohol, and the illegal manufacture, possession, use, sale, distribution or transportation of drugs;
7. Bringing or using alcoholic beverages on Phelps/Harlan County CASA property or using alcoholic beverages while engaged in Phelps/Harlan County CASA business off Phelps/Harlan County CASA' premises, except where authorized.
8. Fighting or using obscene, abusive, or threatening language or gestures;
9. Theft of property from co-workers, customers, or Phelps/Harlan County CASA ;
10. Unauthorized possession of firearms on Phelps/Harlan County CASA premises or while on Phelps/Harlan County CASA business;
11. Disregarding safety or security regulations;
12. Insubordination;
13. Failing to maintain the confidentiality of Phelps/Harlan County CASA or client information.
14. Continually failing to meet the expectations of the job with respect to work performed, behavior, ability and willingness to work productively with others.
15. Failure to maintain a neat, clean, and professional personal appearance.

16. Employees will not allow work performance to be negatively impaired by their personal business.
17. Employer and individual confidentiality will be respected.
18. Federal and state civil rights laws will be followed.
19. Maintain appropriate and accurate organizational documentation.

Should your performance, work habits, overall attitude, conduct or demeanor become unsatisfactory based on violations either of the above or of any other Phelps/Harlan County CASA policies, rules, or regulations, you will be subject to disciplinary action, up to and including termination. Before or during imposition of any discipline, employees may be given an opportunity to relate their version of the incident or problem at issue and provide any explanation or justification they consider relevant.

Where appropriate, a policy of Progressive Employee Discipline will be followed. Major elements of this policy include:

1. **ORAL REPRIMAND.** The first step in Phelps/Harlan County CASA' progressive disciplinary policy is the "oral reprimand." This is an oral warning to an employee that his conduct is unacceptable, and that repeated or continued failure to conform his conduct or performance to Phelps/Harlan County CASA standards will result in more severe disciplinary action. Before receiving an oral reprimand, an employee will be counseled and told what improvements are necessary and expected to correct any performance deficiencies. A record of the notice of the oral reprimand may be made and retained in the employee's personnel file.
2. **WRITTEN REPRIMAND.** The second step is a "written reprimand." This reprimand will describe the unacceptable conduct or performance of the employee and specify needed changes or improvements. A copy of the written reprimand will be retained in the employee's personnel file.
3. **SUSPENSION.** Suspension of the employee's employment may, at the sole discretion of Phelps/Harlan County CASA, be used as a third step. The length of the suspension will vary based upon such factors as the severity of the offense, the employee's performance, and the employee's disciplinary record. An employee may be suspended for repeated instances of minor misconduct, failure to conform his conduct or performance to the standards of his position, or for a single serious offense. A record of the suspension will be retained in the employee's personnel file.
4. **TERMINATION.** The final step in the disciplinary procedure is the termination of the employee. If an employee fails to conform his conduct or performance to the standards required by Phelps/Harlan County CASA, Phelps/Harlan County CASA may, in its sole discretion, terminate the employee's employment.

Notwithstanding the foregoing progressive disciplinary procedure policy, Phelps/Harlan County CASA reserves the right to administer discipline in such a manner as it deems appropriate to the circumstances, and may, in its sole discretion, eliminate any or all of the steps in the progressive discipline procedure.

803 COMPLAINT RESOLUTION PROCEDURE

Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, should a situation persist that you believe is detrimental to your employment with Phelps/Harlan County CASA, you should follow the procedure described here for bringing your complaint to management's attention.

Step One: Discussion of the problem with the Executive Director is encouraged as a first step. If, however, you do not believe a discussion with the Executive Director is appropriate, you may proceed to Step Two.

Step Two: If your problem is not resolved after discussion or if you feel discussion with the Executive Director is inappropriate, you are encouraged to request a meeting with the Board President. In an effort to resolve the problem, the Board President will consider the facts and may conduct an investigation.

Phelps/Harlan County CASA does not tolerate any form of retaliation against employees availing themselves of this procedure. The procedure should not be construed, however, as preventing, limiting, or delaying Phelps/Harlan County CASA from taking disciplinary action against any individual, up to and including termination, in circumstances (such as those involving problems of overall performance, conduct, attitude, or demeanor) where Phelps/Harlan County CASA deems disciplinary action appropriate.

804 ANTI-HARASSMENT POLICY

Phelps/Harlan County CASA has adopted a policy of zero tolerance with respect to unlawful volunteer/employee harassment. The program expressly prohibits any form of unlawful harassment based on race, color, religion, sex, national origin, age, disability, veteran status, marital status or sexual orientation. Interference with the ability of staff members/volunteers to perform their expected duties is not tolerated. Harassment infringes on an employee/volunteer's right to a comfortable work environment, and undermines the integrity of the employment/volunteer relationship. All employees/volunteers should enjoy a work atmosphere free from all forms of harassment.

With respect to sexual harassment, Phelps/Harlan County CASA prohibits unwelcome sexual advances, requests for sexual favors and all other verbal or physical conduct of a sexual or otherwise offensive nature especially where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment/volunteer status
- Such conduct has the purpose or effect of creating an intimidating, hostile or offensive work environment

Types of conduct that are expressly forbidden include, but are not limited to, the following:

- Unwanted pressure for sexual favors and/or dates
- Deliberate touching of hair, clothing

or body, leaning over, cornering or pinching

- Sexual looks, gestures, jokes, remarks or sounds
- Giving inappropriate personal gifts, such as lingerie or underclothes
- Asking personal questions about social or sexual life
- Turning work discussions to sexual topics
- Making sexual comments or innuendoes
- Violating "personal space" or blocking a person's path
- Foul or obscene language
- Suggestive or sexually explicit posters, calendars, photographs, faxes, graffiti or cartoons
- Same sex harassment
- Unwanted or offensive letters or poems, email, voice messages or telephone calls
- Sexual favors in return for employment rewards, or threats if sexual favors are not provided
- Sexual assault or rape
- Any other conduct or behavior deemed inappropriate by the Phelps/Harlan County CASA.

Each employee/volunteer is responsible for contributing to an atmosphere free of discrimination and harassment, sexual or otherwise. Employees/volunteers are responsible for respecting the rights of their co-workers/volunteers. An employee/volunteer who experiences any job-related harassment based on race, color, religion, sex, national origin, age, disability, veteran status, marital status, sexual orientation or another factor, or believes they are being treated in an unlawful, discriminatory manner, should confront and request the harasser to stop. The employee/volunteer should promptly report the incident to the supervisor. If it would be inappropriate to discuss the matter with the supervisor, the employee may report the situation to the Executive Director. Supervisors must refer all complaints to the Executive Director. Upon notice of the complaint, the Executive Director, with the assistance of the Board President and/or personnel committee, will immediately conduct a thorough, objective investigation of the harassment allegation. If the Executive Director is involved in the complaint, an employee/volunteers may go directly to the Board President. The complaint of harassment will be kept confidential to the maximum extent possible.

If the Executive Director determines that an employee/volunteer is guilty of harassing another individual, appropriate disciplinary action, up to and including discharge, will be taken against the offending individual. Phelps/Harlan County CASA prohibits any form of retaliation against any employee/volunteer for filing a bona fide complaint under this policy or for assisting in a complaint investigation.

If after investigating any complaint of harassment or discrimination, the Executive Director determines that the complaint is not bona fide and was not made in good faith, or that an employee/volunteer has provided false information regarding the complaint, disciplinary action, up to and including discharge, will be taken against the employee/volunteer who gave the false information.

All employees/volunteers will act in a responsible and professional manner to establish a pleasant work environment free of discrimination and harassment. Harassment is a form of

discrimination, which is prohibited by state and federal laws. Kearney/Buffalo CASA has a zero-tolerance policy against any form of harassment and takes prompt, corrective action against any employee/volunteer who engages in any form of harassment.

Employees/volunteers have an important role to play in implementing this policy. While the following discussion will focus on sexual harassment, it applies equally to all forms of harassment.

It is an employee's responsibility to:

1. Know what sexual harassment is
2. Educate employees/volunteers about the program's sexual harassment policy
3. Thoroughly and confidentially investigate any complaint of sexual harassment
4. Appropriately discipline any employee/volunteer who is determined to have violated the program's sexual harassment policy.

Sexual harassment is a form of sex discrimination. It is generally defined as unwelcome conduct based on an employee's/volunteer's sex or gender that affects a term or condition of employment. The law defines two types of sexual harassment.

1. Quid Pro Quo Harassment

Quid pro quo harassment occurs when someone demands sexual favors in exchange for a job benefit or continued employment/volunteer status. Courts recognize that discrimination occurs when a supervisor or someone with authority over an employee/volunteer, lets the employee/volunteer know that being dismissed, demoted, given an undesirable assignment or otherwise subjected to an adverse action will occur if the employee/volunteer does not submit to sexual demands.

2. Hostile Environment Harassment

This type of harassment is harder to recognize and can occur even if no request for sexual favors is made. Sexual slurs, innuendo, insults and other unwelcome sexual conduct can make a workplace so offensive and intolerable that it impedes on the employee's or volunteer's ability to perform job duties. Typically, this form of sexual harassment occurs between co-workers, although supervisors, volunteers, board members and trainers can engage in hostile work environment harassment. Regular anti-harassment training should be conducted by a human resources consultant or outside counsel. Employees should be observant and anticipate circumstances in which harassment may occur. Unprofessional conduct should be stopped and reported, even if it does not rise to the level of harassment. Phelps/Harlan County CASA expects employees/volunteers to behave in a professional and ethical manner at all times. Employees should promptly investigate any rumors of harassing behavior. Employees should not wait for an employee/volunteer to lodge a complaint.

As an employer, Phelps/Harlan County CASA is responsible for the environment in which its employees/volunteers work. If harassment is prevalent, openly practiced or well known, the program is responsible for eliminating it even if no one complains of the conduct. An employee who sees or hears of any conduct that could be construed as harassment must do whatever possible to stop the conduct.

To that end, the employee must comply with the following guidelines:

1. Take all complaints seriously. If an employee/volunteer describes behavior that could be harassment, listen to the employee's/volunteer's concerns and assure the employee/volunteer that you will investigate the complaint. Implying that the employee/volunteer should tolerate the behavior, or that the employee/volunteer is over sensitive, could result in substantial liability for the program. Document the situation and investigate the complaint within 30 days.
2. Complaints do not need to be in writing. No matter how information of possible harassment is discovered, staff must follow up to find out what transpired.
3. Explain to the employee/volunteer that once an allegation of harassment is raised, staff has an obligation to investigate the allegation, even if the employee/volunteer requests that the complaint remain confidential and that no investigation will be conducted. If the Phelps/Harlan County CASA is made aware of harassment and fails to investigate, it could be liable for not doing all it could to prevent harassment in the workplace.
4. Assure the employee/volunteer that the investigation will be conducted as confidentially as possible and counsel the employee/volunteer against discussing the complaint with anyone else. Advise the employee/volunteer that only those within the program with a "need to know" status will learn of the complaint.
5. Assure the employee/volunteer that no retaliatory action will be tolerated for lodging the complaint of harassment. Ask the employee/volunteer to report to staff if anyone retaliates against the employee/volunteer for lodging the complaint of harassment.
6. Assure the employee/volunteer that the appropriate disciplinary action will be taken, if the investigation proves that harassment actually occurred.
7. Thank the employee/volunteer for coming forward and calling attention to offensive behavior in the workplace.
8. If the investigation reveals that harassment occurred, the appropriate disciplinary action will depend on the severity of the harassment and the employee's/volunteer's work history. Verbal counseling may be appropriate for first-time occurrences of relatively mild harassment. Verbal counseling should be documented in writing and placed in the employee's/volunteer's personnel file. Written warnings, suspension or discharge may be appropriate in more severe or pervasive situations. The Executive Director may consult outside employment counsel, Board President or personnel committee to determine the appropriate disciplinary action.
9. If after investigating a complaint of harassment or discrimination, it is determined that the complaint was not bona fide and was not made in good faith, or that an employee/volunteer has provided false information regarding the complaint, appropriate disciplinary action will be taken against the employee/volunteer.
10. Liability in harassment cases may depend on how quickly and thoroughly the complaint is investigated and whether effective disciplinary action was imposed. All actions must be documented and maintained in the employee's/volunteer's file. Check back with the employee/volunteer to confirm that the offensive behavior stopped and that no one is retaliating against the employee/volunteer for reporting the behavior. If the employee/volunteer reports that the harasser is continuing to engage in the harassment, the investigation should be reopened. Please note that this process applies to complaints of any form of harassment or discrimination. Phelps/Harlan County CASA may be liable if the investigation was incomplete or inadequate.

805 DRUG AND ALCOHOL USE

The policy of Phelps/Harlan County CASA is to maintain a drug free workplace. The term “workplace” is defined as Phelps/Harlan County CASA property, any company-sponsored activity, or any other site for the performance of work for Phelps/Harlan County CASA. The term “drug” includes alcoholic beverages and prescription drugs, as well as illegal inhalants and illegal drugs. Activities prohibited by this policy shall be considered grounds for discipline, including but not limited to suspension or immediate termination of employment, if the activities occur in the workplace as defined above. Prohibited activities under this policy include the unauthorized use of drugs, as defined above, in the workplace, including distribution, possession, or use of a drug or controlled substance as defined in schedules I through V of the Controlled Substances Act. 21 U.S.C. Sec. 812, 21 C.F.R. Sec 1308, and the state and local law of the jurisdiction where the workplace is located, including, but not by way of limitation, marijuana, opiates (e.g.; heroin, morphine), cocaine, phencyclidine (PCP), and amphetamines. However, the use of prescription drugs, when taken as directed by a duly licensed physician, shall not be a violation of this policy.

All Phelps/Harlan County CASA employees shall be provided a copy of this policy and shall sign an acknowledgement of receipt of the policy and acceptance of its terms. As a condition of employment, all Phelps/Harlan County CASA employees must comply with this policy. **Any** Phelps/Harlan County CASA employee who has been convicted under any criminal drug statute for a violation occurring in the workplace must report that conviction to Phelps/Harlan County CASA no later than five days after the conviction. Within thirty days after receiving notice of the conviction described in this policy, Phelps/Harlan County CASA shall impose discipline on, or require satisfactory participation in a drug abuse assistance or rehabilitation program, by any employee who is convicted of a violation of a criminal drug statute if the violation occurred in the workplace.

806 FIREARMS

It is the intent of Phelps/Harlan County CASA to provide a safe and secure workplace for employees, customers, visitors, and other doing business with us. Phelps/Harlan County CASA expressly forbids the possession of firearms on company property. Phelps/Harlan County CASA has a “zero tolerance” guideline for possession of any type of weapon, firearm, explosive, or ammunition. Phelps/Harlan County CASA property includes, but is not limited to, all company facilities, vehicles, and equipment, whether leased or owned by Phelps/Harlan County CASA or its client. In addition, firearms in employee-owned vehicles parked on company property are strictly forbidden.

The possession of firearms on company property may be cause for discipline including immediate termination of employment. In enforcing this guideline, Phelps/Harlan County CASA reserves the right to request inspections of any employee and their personal effects, including personal vehicles while on company premises. Any employee who refuses to allow inspection will be subject to the same disciplinary action as being found in possession of firearms.

Employees within Phelps/Harlan County CASA share the responsibility of identifying violators of this guideline. An employee who witnesses or suspects another individual of violating this guideline should immediately report this information.

807 AMERICANS WITH DISABILITIES ACT

Phelps/Harlan County CASA supports the requirements of the Americans with Disabilities Act and state laws governing employment of individuals with disabilities. If you are such an individual, please advise us of your disability and the nature of accommodation necessary to enable you to perform the essential tasks of the job. If accommodation of your disability is feasible and does not create an undue hardship in Phelps/Harlan County CASA' operations, we will work with you to find mutually agreeable solutions.

808 NO SMOKING POLICY

Smoking is prohibited in Phelps/Harlan County CASA' offices at all times. Phelps/Harlan County CASA has implemented this program to protect individuals and provide a smoke-free working environment that is safe and healthy for staff, volunteers, and guests.

809 SOLICITATION AND DISTRIBUTION OF LITERATURE

It is the intent of Phelps/Harlan County CASA to maintain a proper business environment and prevent interference with work and inconvenience to others from solicitations and/or distribution of literature.

810 RESIGNATION PROCEDURE

Resignation is a voluntary act initiated by the employee to terminate employment with the employer. Although advance notice is not required, Phelps/Harlan County CASA requests at least two (2) weeks' written notice from all employees.

Upon leaving, employees will be paid at their prevailing rate for accrued but unused vacation time. Vacation and sick leave time used but not yet accrued will be deducted from the employee's final pay.

ORGANIZATIONAL

901 ORGANIZATIONAL ASSETS

All assets and materials will be acquired and maintained in Phelps/Harlan County CASA' name. Disposition of assets remain under the authority of the Board of Directors. All acquisitions are subject to budgetary constraints and are ultimately the responsibility of the Board of Directors.

902 COMPANY PROPERTY

Phelps/Harlan County CASA supplies equipment and tools to employees to use on the job. The tools and equipment remain the property of Phelps/Harlan County CASA and are not to be used for personal projects. Each employee is responsible for the loss of or damage of property due to the employee's negligence. All property provided to the employee must be returned to Phelps/Harlan County CASA in the same condition as when it was received.

If employment with Phelps/Harlan County CASA terminates, the employee must return all property at the time of termination.

903 BUSINESS EXPENSE REIMBURSEMENT

Staff traveling on Phelps/Harlan County CASA' business will be reimbursed for approved business expenses incurred. Normal/approved travel is affirmed through regular communication with supervisors and development of division/position work plans.

Appropriate original documentation/receipts are required for all expense reimbursements. Documentation is the responsibility of the employee submitting the reimbursement request.

Employees required to use personal automobiles to fulfill job duties must have a valid driver's license and be an insured driver of the vehicle and must maintain liability insurance coverage at levels at least equal to state law requirements. Employees will be reimbursed for mileage based on the IRS guidelines. Mileage will only be reimbursed for work-related events, meetings, conferences taking place outside of Kearney and Buffalo Counties. Employees must obtain the Executive Director's approval prior to the event in order for the mileage to be reimbursed.

Phelps/Harlan County CASA will maintain an IRS recognized accounting reimbursement plan for employee business expense.

EMPLOYEE PERFORMANCE PLAN

DESCRIPTION OF BASIC ELEMENTS

The Employee Performance Plan is used by the employee and the supervisor to assist them in the development of work objectives and the review of past accomplishments. The plan provides the employee with both a general direction and specific work assignments to be completed in the coming year.

The plan has three basic elements:

1. Job Objectives – On an annual basis, the employee and the supervisor will set objectives for the coming year;
2. Performance Review – An annual evaluation of the employee's progress and performance during the previous year, based on the job objectives set during the previous year's performance review.
3. Progress Report – At least semi-annually, the employee and the supervisor will review the job objectives and general job performance, with recommendations for adjustment in performance and/or objectives.

Description of Basic Elements:

1. Job Objectives – Normally, the job objectives will be set as part of the annual performance review, which should occur near the anniversary date of hiring of the employee.
 - A. Purpose – The setting of job objectives is designed to provide employees and the supervisor with a system to:
 1. Establish a clear understanding of what is expected in the performance of a job;
 2. Provide a basis for ongoing performance counseling and appraisal;
 3. Form a basis for planning future work activities.

- B. Definition – Objectives are work requirements, special projects or activities assigned based on the job description, work plan or special assignments. A written objective states what is to be accomplished, sets a time frame for the project and sets a priority for it.
- C. Examples – As much as possible, objectives should be specific, measurable and stated in the following way. Specific action plans, showing how the employee plans to achieve the objectives should also be included.
- D. Steps – For setting objectives
 - 1. At least two weeks before the annual performance review, the employee should make a list of obtainable objectives for the coming year;
 - 2. During the performance review, discuss the objectives with the supervisor and make any necessary changes, set priorities, completion dates and review dates;
 - 3. Submit revised, final job objectives, to the supervisor within two weeks after the performance review;
 - 4. At the semi-annual progress report meeting with the supervisor, the job objectives should be re-evaluated and adjustments made, as needed.

2. Performance Review

- A. Purpose – The primary purpose of the annual performance review is:
 - 1. To improve employee and supervisor communications so that the employee knows what is expected and how well expectations are being met;
 - 2. To assist staff in increasing competence in current positions, through fair and honest appraisals, which identify areas for improvement, as well as areas of strength;
 - 3. To provide a basis for salary review;
 - 4. To provide opportunity for employees to discuss career interest and plan for the future.
- B. Guidelines
 - 1. Ongoing informal contacts and conferences during the year should provide for discussion of progress and accomplishments, as well as problem areas. Regular communications will establish a realistic basis for the annual performance review;
 - 2. Mutual understanding of key job elements and performance standards is assumed to have been reached prior to formal performance review. Evaluation comments must be based on representative information, not on isolated or unusual incidents. Suggested areas for improvement should be directed at actual work performance
- C. Steps for Performance Review.
 - 1. Review by the employee and the supervisor of the job description, job objectives and performance standards;
 - 2. Discussion with the employee, by the supervisor, of the completed performance review;
 - 3. Written comments by both the employee and the supervisor on the performance review, signed by both, and placed in the employee's personnel file.

4. Within two weeks of the performance review meeting, the employee is to submit, if required, revised job objectives with a copy put into the employee's personnel file.
5. Any applicable comments from the semi-annual progress report should be included in the performance review discussion.

D. Criteria for Performance Review Ratings

1. "Performed Beyond Requirements" (4): Accomplishments generally exceed expected work levels; meets all objectives and goals; gives extra effort and requires minimum supervision.
2. "Performance Meets Requirements" (3): Accomplishments generally meet expected level of work; steady, dependable performance, solid, dependable, conscientious employee.
3. "Performance Needs Improvements" (2): Accomplishments generally below expected levels; unwilling or unable to meet work expectations; efforts are minimally acceptable at best; further counseling, training and experience necessary to raise performance level.
4. "Performance Does not Meet Requirements" (1): Does not meet expected level of performance; unwilling or unable to meet expectations; work unacceptable.

E. Progressive Discipline Procedures

Should an employee have specific performance problems, progressive discipline procedures will be followed as outlined in the Personnel Policies.

3. Progress Report

A. Purpose

At least semi-annually, the employee and the supervisor will review the job objectives and general job performance, as finalized at the performance review.

B. Steps

Prior to the meeting, the employee and supervisor will complete a Progress Report form, adding recommendations for adjustments in performance and/or objectives, with a copy filed in the employee's personnel file.

**Phelps/Harlan County CASA
Employee Handbook Acknowledgement Form**

I have been given a copy of Phelps/Harlan County CASA employee handbook and have read it or had it read to me carefully. I understand all of its rules, policies, terms and conditions, and agree to abide by them realizing that failure to do so may result in disciplinary action and/or termination. I also understand that this handbook supersedes all previous written and unwritten policies, including any previous handbooks.

I understand that nothing in this handbook in any way creates an express or implied contract of employment between myself and Phelps/Harlan County CASA. I understand and agree that my employment is terminable-at-will, so that both Phelps/Harlan County CASA and I remain free to choose to end our work relationship.

I understand that this handbook has been prepared for the information and guidance of CASA employees. Some information will change from time to time since CASA's policies are under regular review and are revised when appropriate. I understand that these changes will be provided to me in writing and I am responsible to review such changes.

Signed: _____
(Employee)

Date: _____

Signed: _____
(Board member)

Date: _____