



**Cortland County Community
Action Program, Inc.
(CAPCO)**

**Personnel
Policies and Procedures Manual**





TABLE OF CONTENTS

SECTION 1: INTRODUCTORY	1
CAPCO ORGANIZATIONAL CHART	2
Mission, Vision, Values Statements.....	4
Employment Philosophy	5
EMPLOYMENT EXPECTATIONS.....	5
POLICY AND PROCEDURES MANUAL.....	6
Open Door Policy	7
SECTION 2: EMPLOYMENT POLICIES AND PRACTICES.....	8
EMPLOYMENT-AT-WILL.....	8
EQUAL EMPLOYMENT OPPORTUNITY.....	8
POLITICAL AFFILIATIONS.....	10
HARASSMENT	12
SEXUAL HARASSMENT	14
AFFIRMATIVE ACTION	22
CERTIFICATION AND LICENSE REQUIREMENTS.....	22
CHILD ABUSE AND NEGLECT/VULNERABLE ADULT ABUSE	23
AND NEGLECT REPORTING POLICY.....	23
[MANDATED REPORTER]	23
GRIEVANCE POLICY/PROBLEM RESOLUTION	26
REASONABLE ACCOMMODATIONS	28
EMPLOYMENT CATEGORIES AND DEFINITIONS	29
OUTSIDE EMPLOYMENT	31
CONFLICT OF INTEREST.....	32
EMPLOYMENT OF RELATIVES/NEPOTISM	33
EMPLOYMENT OF FORMER EMPLOYEES	35
SUBSTITUTES AND SPECIAL AGREEMENT EMPLOYEES.....	35
RECRUITMENT AND SELECTION.....	37
EMPLOYEE REFERRAL INCENTIVE.....	39
INTERNAL JOB POSTING	40
PRE-EMPLOYMENT INVESTIGATION/BACKGROUND CHECK.....	41
EMPLOYEE ORIENTATION	43
IMMIGRATION POLICY	43
HUMAN RESOURCES RECORDS.....	45
ATTENDANCE.....	47
TELECOMMUTING.....	48
CONFIDENTIALITY OF AGENCY [AND PARTICIPANT] INFORMATION]	49
HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT	50
PROMOTIONS.....	51
TRANSFERS	52
JOB DESCRIPTIONS	53
PERFORMANCE MANAGEMENT	54
INCLEMENT Weather and Other Emergencies.....	55
SECTION 3: EMPLOYEE BENEFITS PROCEDURES	58
Flex Schedules	58
ADAPTIVE WORK SCHEDULES.....	58
HOLIDAYS.....	59
ANNUAL LEAVE	60
SICK LEAVE	63
PERSONAL LEAVE	68
UNPAID LEAVE	69
PERSONAL LEAVE OF ABSENCE	69



FEDERAL FAMILY AND MEDICAL LEAVE ACT (FMLA)	70
PAID FAMILY LEAVE	73
WORKPLACE LACTATION POLICY	74
MILITARY SERVICE	75
JURY DUTY	76
VICTIMS OF CRIME LEAVE	77
WITNESS LEAVE	77
VOTING LEAVE	77
BEREAVEMENT LEAVE	78
BENEFIT PLANS	79
CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)	82
WORKERS' COMPENSATION	83
TRAINING AND DEVELOPMENT	84
EDUCATION ASSISTANCE	85
EMPLOYEE PARTICIPATION IN PROGRAM SERVICES	87
SECTION 4: TIMEKEEPING AND PAYROLL	87
HOURS OF WORK	87
OVERTIME	88
TIMEKEEPING	89
PAYCHECK DISTRIBUTION	90
WAGE AND SALARY ADMINISTRATION	91
PAYROLL DEDUCTIONS	93
TRAVEL/EXPENSE REIMBURSEMENT	94
SECTION 5: EMPLOYEE CONDUCT	95
SAFETY	95
VEHICLE USE POLICY	97
HYGIENE	100
DRESS POLICY AND APPEARANCE	101
General Housekeeping	104
SECURITY/INSPECTION	104
WORKPLACE ACTIVITY MONITORING	105
SAFE ENVIRONMENT	105
WEAPONS	107
SMOKING/TOBACCO USAGE	107
DRUG AND ALCOHOL USE	108
FIRE SAFETY/PREVENTION	110
ELECTRONIC MEDIA USE	111
ELECTRONIC DEVICE USE	113
RECORDING DEVICES IN THE WORKPLACE	115
SOCIAL MEDIA	115
USE OF OFFICE EQUIPMENT, PROPERTY, MAIL, AND SUPPLIES	117
SOLICITATION	118
EMPLOYEE NOTIFICATION BULLETIN BOARDS	119
STANDARDS OF CONDUCT	119
PARTICIPANT RELATIONS/PROFESSIONAL BOUNDARIES	121
CORRECTIVE ACTION	123
SUSPENSION/TERMINATION	124
EXIT INTERVIEWS	125
APPENDIX 1	126
APPENDIX 2	128



SECTION 1: INTRODUCTORY

Welcome to the Cortland County Community Action Program, Inc. (CAPCO)

We welcome you to the CAPCO family. This Policies and Procedures Manual serves as your Employee Handbook to help you become acquainted with CAPCO and answer many of your questions.

The mission of CAPCO is to provide programs and resources that promote self-reliance and dignity. As an employee of Cortland Community Action Program, the importance of your contribution cannot be overstated. You are an important part of this process because your work helps us achieve this goal – we are about *helping people and changing lives*. You make that happen.

We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

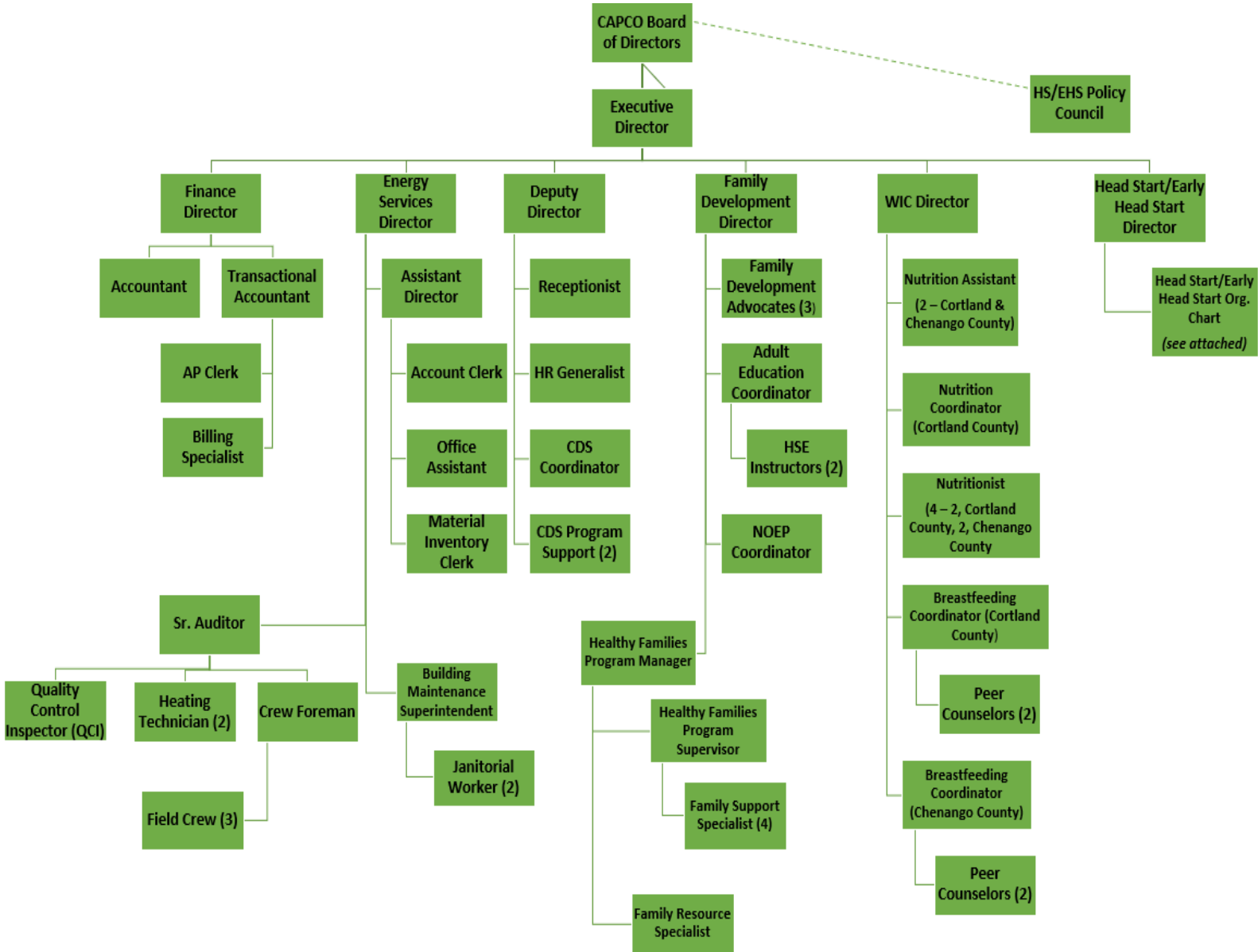
Sincerely,

Greg Richards

Greg Richards
Executive Director



CAPCO ORGANIZATIONAL CHART





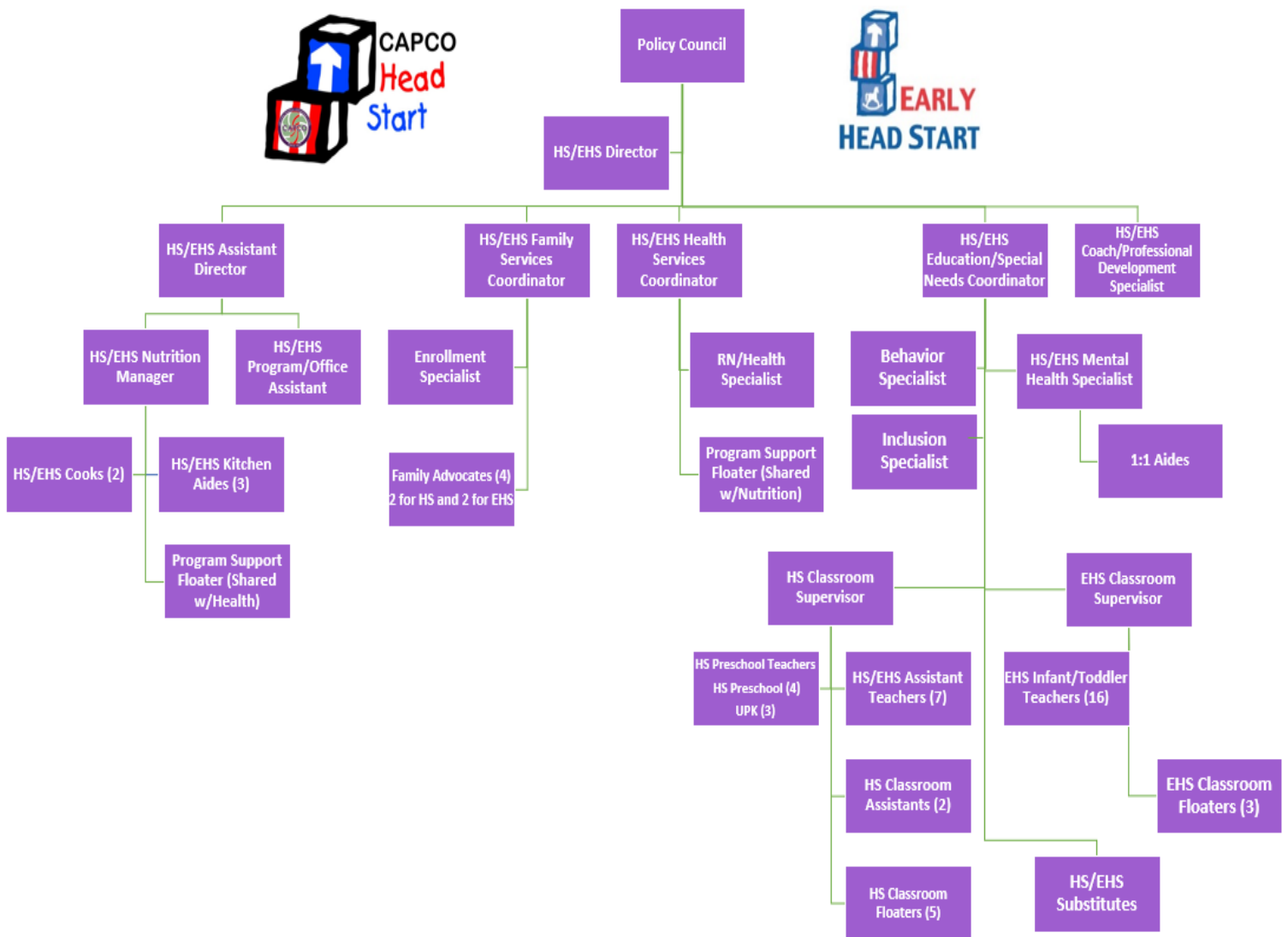
This Agency chart defines the reporting relationships within CAPCO. Solid lines indicate direct reporting relationships. Dotted lines indicate indirect reporting relationships.

[HEAD START SPECIFIC]

The Head Start/Early Head Start Policy Council represents an approval/disapproval relationship regarding specific decisions made within the Agency. Decision specifics are described in 45 CFR Part 1304.50.

45 CFR Part 1304.52(a) Organizational Structure must be defined along with roles and responsibilities. Organizational Chart with staff names and title along with current and accurate job descriptions addresses major functions and responsibilities assigned to each staff person.

Head Start/Early Head Start Organizational Chart:





MISSION, VISION, VALUES STATEMENTS

Definition:

CAPCO's mission statement is a statement of the fundamental purpose of CAPCO; it's the reason for existing.

CAPCO's vision statement outlines what CAPCO wants to be in the future.

CAPCO's values statement contains the shared framework of the Agency which drives our culture.

CAPCO's core mission, vision, and values are:

Mission: CAPCO is dedicated to providing and advocating for community-wide actions and programs that increase individuals' dignity and self-reliance and improve community conditions, engaging all sectors of the community in Cortland County's fight against poverty.

Vision:

- **Family and Individuals** – CAPCO services and supports will provide opportunities for people in Cortland County to increase their self-reliance, improve their economic circumstances, and strengthen their connections to family and community.
- **Community** – CAPCO's programs, advocacy, and leadership role in the community will result in improved conditions and greater influence for individuals and families in community-wide initiative to change the public's response to poverty in Cortland County.
- **Agency Capacity** – CAPCO will increase its capacity to develop and align diverse partnerships, revenues, human resources and organizational systems to address critical community needs, as an effective leader in Cortland County's efforts to break the cycle of poverty.

Values: To truly live our mission and, ultimately, achieve our vision, the following are CAPCO's values:

1. The voices and experiences of the people we serve, and their full participation in our community.
2. Respect for ourselves, and all those with whom we come in contact in our work.
3. Accountability for our resources and results to our participants and our community.
4. Cooperation and partnership within CAPCO and with the individuals and organizations, locally, statewide and nationally, which support our mission.
5. A commitment to understanding our own and others' strengths, and using these strengths to support our program, management and governance activities.

When we make decisions, we must first think about what is the right thing to do (integrity). Then we must consider the decision's effect on the people it touches (caring). Only then can we think about the steps we must take to ensure that a task is done excellently. To be successful, tasks



must be done with teamwork and with perseverance. In other words, it's not just what we do; it is, more importantly, how we do it.

EMPLOYMENT PHILOSOPHY

The personnel policies and procedures at CAPCO are based on the belief that the Agency's success is primarily dependent upon the employees. Employees can expect the Agency to:

- Live and promote the mission, vision, and values through all the Agency does.
- Recognize employees as an important part of the CAPCO team.
- Review employees' performance minimally on an annual basis.
- Maintain competitive wages and benefits for the marketplace and industry.
- Provide a safe, efficient, and pleasant workplace.
- Encourage employees to expand their knowledge and value to the Agency through educational and professional development opportunities.
- Establish and maintain a truly "open door" communications environment.
- Encourage high-quality service to clients.

EMPLOYMENT EXPECTATIONS

Because CAPCO is service-oriented, employees need to be committed to the Agency's mission, vision, and values. Employees are expected to:

- *Give high-quality service to clients.* CAPCO exists because of its mission. Those served are to be treated with the utmost respect, courtesy, promptness, cooperation, friendliness, and confidentiality.
- *Perform at the highest level.* Employees are hired for their skills and abilities in certain areas. Every employee needs to be at work on a regular basis, understand and perform the job well, continue to improve competencies, and be constantly thinking of ways to better serve the community and clients.
- *Strive to make this a great place to work.* Every employee impacts the culture of CAPCO. Cooperating with one another, taking initiative, knowing, and respecting one another's strengths and weaknesses, and treating one another with courtesy is the foundation to creating a positive culture and a great place to work.



POLICY AND PROCEDURES MANUAL

Effective Date: **December 7, 2017**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

This Personnel Policies and Procedures Manual (“Manual”) contains information about the employment policies and practices of CAPCO. All employees, including managers and Supervisors, are expected to familiarize themselves with its contents, as it will provide an understanding and answer many questions concerning policies and procedures and your employment at CAPCO. This Manual serves to provide management and staff members with an understanding and approach to administering personnel, payroll, and human resource department policies and procedures. This Manual supersedes and replaces any and all prior Personnel Policies and Procedures Manuals and Employee Handbooks as well as inconsistent verbal or written policy statements. An employee’s failure to adhere to the policies and procedures contained in this Manual may lead to disciplinary action, up to and including termination of employment.

The Board of Directors and Agency leadership believes that we accomplish the vision and mission of CAPCO together (see Mission, Vision, and Value Statements). Because of this we believe that full transparency about Personnel Policies and Procedures is important.

This Manual covers many of the situations that will affect employees’ day to day work life in the Agency, but not all. This Manual is not an employment contract and does not create contractual obligations, nor is it a contract guaranteeing employment for any specific duration; either the employee or CAPCO may terminate this relationship at any time, for any reason. No oral statements by Supervisors or management can create a contract or modify their status as an employee at-will. As an employee at-will, an employee may quit at any time, with or without notice. CAPCO has the same right to terminate employment. Only the Executive Director or the Board of Directors has the authority to create an employment contract, and such contracts must be in writing and signed by the appropriate parties to be valid.

Please contact your Supervisor or the Designated Human Resource staff member for specific questions and concerns or suggestions for the Manual. The Agency reserves the right to revise, supplement, or rescind any policies or portion of the Manual from time to time as it deems appropriate, in its sole and absolute discretion. Employees will, of course, be notified of such changes to the Manual as they occur through official notices.

PROCEDURE

1. The Manual will generally be distributed to the Board of Directors, administrators, Supervisors, and all current and newly hired CAPCO employees.
2. The Manual applies to employees and, to the extent certain policies are applicable, volunteers.



3. In response to updated regulations, laws, personnel, payroll, and human resources best practices, the Executive Director reserves the right to revise, delete, add, or otherwise change the provisions of this Manual.
4. Changes to this Manual will be communicated to and acknowledged by all staff prior to a changed policy's implementation. Communication and staff acknowledgement of changes to this Manual can be done electronically or via physical distribution/sign-off.
5. Written authorization and approval from the Board of Directors and Head Start Policy Council is required prior to changing/updating the Manual.
6. No oral statements or representations can change the provisions of this Manual.

OPEN DOOR POLICY

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO is committed to promoting and practicing an "open door" attitude among all of the employees to discuss differences of opinions and/or problems that may arise.

PROCEDURE

1. If there is a question, concern, or problem related to employment at CAPCO, the situation should be discussed directly with the immediate Supervisor. CAPCO encourages employee involvement and participation in problem solving.
2. Problems or concerns should be discussed as soon as the issue or problem arises. If an employee is uncomfortable talking to her/his Supervisor about the problem or the concern remains unresolved, he/she may approach the Program Director for guidance. If the problem remains unresolved, the employee may approach the Designated Human Resource staff member for guidance. If, after speaking with the Supervisor, Program Director, and the Designated Human Resource staff member, the matter remains unresolved, the employee may seek progressive levels of involvement and discussions, in the specific order presented, with reference to CAPCO's grievance policy.
3. To the extent that another policy within this Manual provides for a more specific reporting procedure (e.g., Sexual Harassment), employees should follow the more specific reporting procedure contained in such policy.



SECTION 2: EMPLOYMENT POLICIES AND PRACTICES

EMPLOYMENT-AT-WILL

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO is an at-will employer. Employees who do not have a written employment agreement or operate under a collective bargaining agreement are employed at the will of CAPCO for an indefinite period. Employees may resign from the Agency at any time, for any reason with or without notice. Employees may be terminated by the Agency at any time, for any reason except as expressly prohibited by law, with or without notice, and with or without cause.

Only the Executive Director or Board of Directors has the authority to create an employment agreement and such agreements must be in writing and signed by the appropriate parties to be valid.

PROCEDURE

1. No one may modify this policy for any employee or enter any agreement contrary to this policy, except for the Executive Director or Board of Directors, as set forth above. No one may make any representation to any employee or applicant concerning any term or condition of employment with the Agency that is not consistent with this policy.
2. No statement contained in the Manual, employee handbook, employment application, recruiting material, or other written materials provided to any employee in connection with her/his employment will be construed as contradicting this policy by creating any express or implied contract of employment.
3. At the time of hiring, each employee will be informed that he/she is employed at the will of the Agency and is subject to termination at any time, for any reason, with or without notice, and with or without cause.
4. Completion of an introductory period will not change an employee's status as an employee-at-will or in any way restrict the Agency's right to terminate an employee.

EQUAL EMPLOYMENT OPPORTUNITY

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO is committed to providing a policy of equal employment opportunity for all employees. Employment decisions are based on merit, qualifications, competence, and the needs of the



Agency. CAPCO prohibits discrimination on the basis of an employee or applicant's race, color, religion, creed, gender, gender identify, age, sex, national origin, disability, sexual orientation, military service, veteran's status, marital status, arrest or conviction record, pregnancy, childbirth, genetic information, domestic violence victim status, familial status, reproductive health decision-making or any other characteristic protected by law. This policy governs all aspects of employment, promotion, assignment, discharge, and other terms and conditions of employment. All employees are required to have proof of identity and authorization to work.

This policy applies to all personnel actions including, but not limited to: hiring, transfers, promotions, demotions, compensation and benefits administration, participation in Agency-sponsored training, education and social programs, layoffs, recalls and termination of employment.

CAPCO's commitment to equal employment opportunities includes prohibiting discrimination on the basis of an employee's or an employee's dependent's reproductive health decision-making (including a decision to use or access a particular drug, device, or medical service). Discrimination on the basis of an employee's or the employee's dependent's reproductive health decision-making is a violation of the law and the Agency's policy. An employee who believes that he or she has been the target of discrimination on the basis of reproductive health decision-making is encouraged to immediately notify Designated Human Resources staff. Retaliation against an employee who exercises any rights guaranteed under the law that prohibit reproductive health decision-making discrimination is unlawful and a violation this policy. Aside from the Agency's process, employees may also choose to pursue legal remedies by bringing a civil action alleging a violation of the law that prohibits discrimination on the basis of reproductive health decision-making. Remedies available to a target of reproductive health decision-making discrimination may include: reinstatement, back pay, front pay, compensatory damages, punitive damages, and attorneys' fees.

CAPCO is committed to providing a work environment free from discrimination. You may discuss equal employment opportunity related questions with the Human Resources Director or any other member of management.

PROCEDURE

1. The Human Resources Director is responsible for overseeing the administration of the EEO Policy and may act through the Executive Director as necessary to carry out this policy.
2. The Agency is responsible for ensuring that it does not illegally discriminate, harass, or retaliate in any policy, practice, or procedure on the basis of any non-merit factor as outlined in the federal and state laws and regulations.
3. The Human Resources Director will administer the Agency's applicant tracking system and compiling data for required EEOC reports, ensuring the Agency meets all EEOC-related requirements, including confirming appropriate notices are posted on the bulletin boards of the various programs and sites. This information may also be used to ensure that employment-related decisions are made in compliance with federal and state non-discrimination laws and this policy.



4. The Human Resources Director will arrange for EEO and diversity training for all employees and volunteers. All employees are responsible for creating and maintaining a work environment free of discrimination and harassment.
5. CAPCO is committed, and required by law, to take action if it learns of discrimination, harassment, or retaliation in violation of the Agency's EEO Policy, whether or not the aggrieved employee files a complaint.
6. An employee, or applicant, or volunteer will be given the option to file a discrimination, harassment, or retaliation complaint with the Human Resources Director. Both parties will be promptly informed at the conclusion of the investigation whether allegations have been found to be founded, unsubstantiated, or unfounded.
7. The Designated Human Resource staff is responsible for promptly responding to, reporting, and/or investigating any suspected acts of unlawful discrimination, harassment, and retaliation in violation of CAPCO's EEO Policy. The Human Resources Director must immediately report suspected unlawful discrimination, harassment, and retaliation to the Executive Director.

POLITICAL AFFILIATIONS

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO, its management and administration will ensure, as far as reasonably possible, that all program activities are conducted in a manner which provides assistance effectively, efficiently, and free of any influence of partisan political bias.

CAPCO employees may not:

1. Use her/his official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office.
2. 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 political party, committee, agency, or person for a political purpose.
3. Be a candidate for elective public office in a partisan election.

PROCEDURE

1. Programs will not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with:



- a. Any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office.
- b. Any voter registration activity, unless otherwise mandated by the funding source.
- c. Any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election.

The Hatch Act

The Hatch Act applies to the political activity of certain state and local government employees. Covered employees under the act are persons principally employed by state or local executive agencies in connection with programs financed in whole or in part by federal loans or grants. The act does not apply to the political activity of persons employed by educational or research institutions or agencies supported in whole or in part by (a) states or their political subdivisions, or (b) religious, philanthropic, or cultural organizations.

It should be noted that some statutes make Hatch Act provisions applicable to other categories of individuals, e.g., persons employed by private, non-profit organizations that plan, develop, and coordinate Head Start and certain other types of federal assistance.

State and Local Hatch Act Do's

Covered state and local employees *may*:

- i. run for public office in nonpartisan elections
- ii. campaign for and hold office in political clubs and organizations
- iii. actively campaign for candidates for public office in partisan and nonpartisan elections
- iv. contribute money to political organizations and attend political fundraising functions

State and local Hatch Act Don'ts

Covered state and local employees *may not*:

- i. be candidates for public office in a partisan election
- ii. use official authority or influence to interfere with or affect the results of an election or nomination
- iii. directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

Community Services Block Grant (CSBG) Act

- (a) Treatment as a state or local agency.-- For purposes of chapter 15 of title 5, United States Code, any entity that assumes responsibility for planning, developing, and coordinating activities under this subtitle and receives assistance under this subtitle shall be deemed to be a State or local agency. For purposes of paragraphs (1) and (2) of section 150(a) of such title, any entity receiving assistance under this subtitle shall be deemed to be a State or local agency.
- (b) Prohibitions, C Programs assisted under this subtitle shall not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel, in a manner supporting or resulting in the identification of such programs with—



- i. any partisan or nonpartisan political activity or any political activity associated with a candidate, or contending faction or group, in an election for public or party office;
- iii. any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or
- iii. any voter registration activity.

HARASSMENT

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO is committed to maintaining a work environment that is free from unlawful harassment where employees at all levels of the Agency are able to devote their full attention and best efforts to the job. Harassment, either intentional or unintentional, will not be allowed in the workplace. CAPCO prohibits and will not tolerate any form of harassment of or by any employee or individual within the Agency (whether managerial or non-managerial) based on race, color, religion, creed, gender, gender identify, age, sex, national origin, disability, sexual orientation, military service, veteran's status, marital status, arrest or conviction, pregnancy, childbirth, genetic information, domestic violence victim status, familial status, reproductive health decision-making, or any other characteristic protected by law.

The purpose of this policy is not to regulate the personal morality of employees. It is to ensure that the workplace is free from unlawful harassment.

CAPCO takes very seriously its commitment to providing a respectful work environment and will not tolerate disrespectful or bullying behavior toward anyone for any reason. We look to all employees to create and maintain a respectful and professional work environment.

Offensive conduct directed at an individual because of their race, color, religion, creed, gender, gender identify, age, sex, national origin, disability, sexual orientation, military service, veteran's status, marital status, arrest or conviction record, pregnancy, childbirth, genetic information, domestic violence victim status, familial status, reproductive health decision-making or any other characteristic protected by law is prohibited.

All employees should understand that submission to, or acceptance of, any form of harassment is not a term or condition of employment. No employee is required to submit to, or accept, any form of harassment in order to maintain their position, promotional opportunities, benefits, or to meet any other condition of employment.

PROCEDURE

Reporting Procedures

1. Any individual, regardless of position, who has a complaint of, or who witnesses, harassment or at work by anyone has a responsibility to immediately report the matter to



the one of the following members of the management who have been designated to

receive such complaints: Greg Richards, Human Resources Director, at (607) 753-6781 and 32 N. Main Street, Cortland, NY 13045 or Lindy Glennon, Executive Director, at (607) 753-6781 and 32 N. Main Street, Cortland, NY 13045. If an employee reports an incident, the designated management member is responsible for immediately investigating the alleged incident. If an employee makes a report to any of these members of management and the manager either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the matter to one of the other members of management designated in this policy to receive complaints.

2. CAPCO will make every reasonable effort to conduct all proceedings in a discreet manner that will protect the confidentiality of all parties to the extent feasible. Parties to the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved. Adverse action will not be taken against an employee because he or she, in good faith, reports or participates in the investigation of a complaint of a violation of this policy.
3. Complainants will be asked to provide a written description of their complaint to the designated management member.
4. Once a complaint has been accepted for review, an investigation will begin. The investigation may include, but is not limited to, review of written statements from both parties, witness interviews, obtaining witness declarations, review of documentation, and on-site investigation. Any person conducting an investigation will maintain a written record of all witness interviews, evidence gathered, the outcome of the investigation, and any other appropriate documents. Records of such an investigation will not be maintained in personnel files unless they are part of a formal corrective action.
5. Results of the investigation will be shared with the appropriate people. When there is sufficient evidence to support the complaint, written notification of investigative findings will be sent to the complainant and the respondent.
6. If it is concluded that discrimination, harassment, or retaliation has occurred, a determination will be made as to the appropriate sanctions or corrective action. Violations of this policy are not permitted and may result in disciplinary action, up to and including discharge.

Bullying

Disrespectful and bullying behavior toward anyone is unacceptable workplace behavior. Bullying or victimizing another employee is also considered "harassment" under this policy. Bullying is defined as conduct including, but not limited to:

1. Repeated infliction of verbal abuse such as derogatory remarks, insults, or epithets.
2. Verbal or physical conduct that is threatening, intimidating, or humiliating.



3. Sabotage or undermining of an employee's work performance.
4. Exploitation of an employee's psychological or physical vulnerability.

SEXUAL HARASSMENT

Effective Date: **September 27, 2018**

Policy Review/Update Effective Date: **May 12, 2023**

Cortland County Community Action Program (CAPCO) is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but CAPCO recognizes that discrimination can be related to or affected by other identities beyond gender. This policy is one component of CAPCO's commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with CAPCO, or with a government agency or in court under federal, state or local antidiscrimination laws.

PURPOSE/POLICY

1. CAPCO's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of CAPCO who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or Human Resources Department. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on [Legal Protections](#).



4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject CAPCO to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. CAPCO will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. CAPCO will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, CAPCO will act as required. In addition to any required discipline, CAPCO will also take steps to ensure a safe work environment for the employee(s) who experienced discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.
6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Human Resources Department.

What Is “Sexual Harassment”?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Sexual harassment includes any unwelcome conduct which is either directed at an individual because



of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it. Sexual harassment does not need happen in person for it to be a violation of CAPCO's policy. CAPCO's policy also covers harassment that happens in remote work settings.

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy.
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - Repeated requests for dates or romantic gestures, including gift-giving.



- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job; Sabotaging an individual's work; Bullying, yelling, or name-calling; Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. Harassers can be anyone in the workplace.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if it occurs away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation



Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts; reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

PROCEDURE

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment; however, supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager or to the Human Resources Department. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or the Human Resources Department.

Reports of sexual harassment may be made verbally or in writing. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.



Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on [Legal Protections](#).

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the Human Resources Department. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they fail to report suspected sexual harassment, allow sexual harassment to continue or engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help. A bystander can:

1. Interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. Ask a third party to help intervene in the harassment;
3. Record or take notes on the harassment incident to benefit a future investigation;
4. Check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. Can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace.

Complaint And Investigation Of Sexual Harassment

All complaints or information about sexual harassment will be investigated. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. CAPCO will take disciplinary action against anyone engaging in retaliation against



employees who file complaints, support another's complaint, or participate in harassment investigations.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the Human Resources Department:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions if necessary.
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation.
3. Will seek to interview all parties involved, including any relevant witnesses.
4. Will create a written documentation of the investigation.
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

Sexual harassment is not only prohibited by CAPCO, but it is also prohibited by state, federal, and, where applicable, local law. The internal process outlined in the policy above is one way for employees to report sexual harassment.

Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York Division of Human Rights (DHR)

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State and protects employees and covered individuals. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **within three years** of the alleged sexual



harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to CAPCO does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website also contains contact information for DHR's regional offices across New York State. Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint.

United States Equal Employment Opportunity Commission (EEOC)

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.



AFFIRMATIVE ACTION

Effective Date **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO recruits and hires a diverse workforce and provides equal opportunities to all candidates to better reflect our job market, the people we serve, and to provide better service to our clients.

PROCEDURE

1. When recruiting for open positions, it is the responsibility of the Program Director, applicable hiring manager, and Designated Human Resource staff member to advertise and recruit in media and markets that offer equal opportunities.
2. The Designated Human Resource staff member reviews hiring records to promote diversity in the workforce.
3. The Designated Human Resource staff member will be responsible for monitoring and maintaining the affirmative action records.
4. All advertisements will state equal opportunity employer.
5. Advertisements must be approved by the Designated Human Resource staff member.

CERTIFICATION AND LICENSE REQUIREMENTS

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO requires employees to obtain and maintain all job-related licenses and certifications.

PROCEDURE

1. Prior to beginning work, employees whose position requires licenses and/or certifications must show the original for verification to the hiring manager and/or Designated Human Resource staff member. A copy of the license and/or certification will be kept in the personnel file.
2. Where licenses or certifications are required, renewal must be made according to federal and/or state law. It is the employee's responsibility to ensure the licenses and/or certifications are kept current and copies are submitted to the appropriate Supervisor and/or Designated Human Resource staff member.



3. Failure to keep required licenses and/or certifications current may result in suspension/termination.
4. If allowable by the funding source, CAPCO will pay toward the renewal of licenses and/or certifications deemed to be relevant and related to the employee's position.

**CHILD ABUSE AND NEGLECT/VULNERABLE ADULT ABUSE
AND NEGLECT REPORTING POLICY
[MANDATED REPORTER]**

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO must respond to suspected or known child abuse and neglect or child sexual abuse whether it occurs inside or outside of the program. CAPCO must respond to suspected or known vulnerable adult abuse and neglect whether it occurs within or outside of the Agency. Each person within the Agency must report suspected abuse and neglect in accordance with the provisions of applicable state or local law.

PROCEDURES

1. Individuals in the Agency will preserve the confidentiality of all records pertaining to known or suspected child or vulnerable adult abuse or neglect in accordance with applicable state law.
2. No one within the Agency will undertake on their own to investigate or treat cases of suspected child or vulnerable adult abuse and neglect.
3. Any person in the Agency suspecting child or vulnerable adult abuse or neglect will report it immediately to the Program Director, or designee. The Program Director, or designee, and the reporting employee will work together to make the report.
4. Each person in the Agency will cooperate fully with child protective service agencies, local law enforcement and county social services agencies.
5. CAPCO will make every effort to retain in the program children allegedly abused or neglected.
6. The Program Director, or designee, is designated with responsibility for:



- a. Working closely with the employee suspecting child or vulnerable adult abuse or neglect to ensure reporting to the authorities is handled correctly according to state law.
- b. Establishing and maintaining cooperative relationships with the agencies providing child protective services and adult social services in the community and with any other Agency to which abuse and neglect must be reported under state law, including regular formal and informal communication with staff at all levels of the agencies.
- c. Informing parents and staff of what state laws require in cases of suspected child and vulnerable adult abuse and neglect.
- d. Knowing what community medical and social services are available for families with an abuse or neglect problem.
- e. Reporting instances of suspected child abuse and neglect among Head Start/Early Head Start children reportable under federal (and/or applicable state) law on behalf of the Head Start/Early Head Start program.
- f. Discussing the report with the family if it appears desirable or necessary to do so.
- g. Informing other staff regarding the process for identifying and reporting suspected child and vulnerable adult abuse and neglect.

7. Training:

- a. CAPCO provides orientation and training, which fosters a helpful rather than a punitive attitude toward abusing or neglecting parents and other caretakers, for staff on the identification and reporting of child abuse and neglect.
- b. CAPCO provides information for parents, which fosters a helpful rather than a punitive attitude toward abusing or neglecting parents and other caretakers, on the need to prevent abuse and neglect and provide protection for abused and neglected children.

[HEAD START SPECIFIC]

Our Head Start / Early Head Start programs are legally required to report all situations of **suspected** child abuse and maltreatment to the Child Abuse Registry in Albany (Social Services Law, Section 413). All staff are mandated reporters during work hours. Although not mandated off hours, staff may make a hotline call as a concerned citizen.

Head Start and Early Head Start play an important role in working with families to prevent child abuse and neglect. Staff from both programs help to identify risk factors for abuse, enhance parenting skills, and offer the family emotional support and resources. A Mental Health Consultant is available to provide support to families.

It is the intent of the CAPCO Head Start / Early Head Start not to become an investigation agency.

A hotline call may be made on both families and staff members if there is reasonable cause to suspect child abuse or maltreatment.



In the event of suspected abuse or neglect, the following procedures will be implemented by all staff members.

Operational Procedures:

1. If a staff member recognizes indicators that there are signs of child abuse or maltreatment, either through child or adult disclosure, physical indicators, or tracking of behavioral indicators they are required to make a call to the Child Abuse Registry. The staff person who has a concern is to report the suspicion of child abuse or maltreatment immediately. After the hotline call has been made, the staff person will contact the Family Engagement Coordinator or the Director to notify them of the situation. If they are not available, the staff member should immediately contact any other available management member. Management's role will be to listen and provide support and guidance.
2. If a hotline call is going to be made, the mandated reporter will complete a DSS 2221A reporting form prior to making the call. Reporting forms will be on site at each location. They are also in the forms box at the Main Office.
3. The staff person who suspects abuse or neglect of a child is required to call to the Child Abuse Registry in Albany: 1-800-635-1522. The operator's name and the call ID # should be documented on the report form. If the call is not accepted, it is important to ask why. Also, have operator read back notes to ensure accuracy.
* Please check the "yes" box to request findings of the investigation. Once you receive the letter from local CPS, forward to Family Engagement Coordinator.
4. The completed form is immediately given to the Family Engagement Coordinator (or other management member supporting you through the process) to be mailed to local CPS within the required 24 hours. This completed form should be given to the Family Engagement Coordinator even if the call was not accepted. One copy of the report is filed in the CPS tracking binder, located in the Family Engagement Coordinator's locked file cabinet.
5. The staff person, in cooperation with the Family Engagement Coordinator or Director, will discuss and decide, case by case:
 - A. **WHAT** steps will be taken to ensure that the child is safe.
 - B. **WHAT** type of contact is appropriate and safe, and
 - C. **WHEN** contact should be made.
6. Confidentiality must be maintained at all times. Staff will not tell the family who made the Hotline call, only that someone from the agency did. The family will be notified that the Hotline call was made only after CPS has had contact with the family. Frequent reminders to families that staff are mandated reporters should be conducted throughout the program year. Discretion must be used as to who on staff will receive any or all information pertaining to the report.
7. The staff person who makes the report will contact the local CPS Supervisor (753-5156) to confirm the information and provide their contact number in case any further information is needed. This call to local CPS should be made immediately after the hotline call is made. Be sure to let CPS know of any pertinent demographic information such as: # of children the home, animals present, other adults in the home, and possible weapons.



8. Head Start / Early Head Start staff are expected to cooperate fully with the Department of Social Services staff through the entire investigation. Local CPS will attempt to obtain a release from the family. With or without the release, by law, we are required to share all relevant information.
9. To protect the confidentiality of the source of the Hotline report, Contact notes should not indicate that a Hotline call was made. Contact notes should reflect the follow-up to the Hotline call.

GRIEVANCE POLICY/PROBLEM RESOLUTION

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides means for all persons involved in the Agency to bring problems and concerns regarding their employment to management. CAPCO supports and encourages all employees to use appropriate conflict resolution practices to address their concerns and issues at the most immediate level.

Employees will be given an opportunity to present their concerns and to appeal decisions by management through a formal problem resolution/grievance procedure. All concerns or incidents will be documented and placed in a file separate from the employee's personnel file. This policy in no way alters the policy of employment-at-will.

Non-employees may also be given an opportunity to present their concerns and to appeal decisions by management through a formal problem resolution/grievance procedures. Concerns or incidents will be documented and placed in a file, as applicable.

PROCEDURE

1. **Immediate Supervisor:** Concerns should be presented to an immediate Supervisor in writing using the standardized grievance form. The individual and Supervisor should attempt to address the problem through discussion or after consulting with appropriate management, when necessary. The Supervisor will document the discussion. If the problem involves an employee's immediate Supervisor or if the immediate Supervisor cannot resolve the issue, the employee should proceed to the Program Director. If an employee's immediate Supervisor is the Program Director, the employee will proceed to the Designated Human Resource staff member.
 - a. **Functional Area Coordinator/Manager:**
 - i. This section of the grievance process applies to employees who have a next level supervisor, referred to as a functional area coordinator and/or



manager. If an employee does not have a next level supervisor (i.e., functional area coordinator/manager), she/he should proceed directly to step 2.

- ii. If the problem involves an employee's immediate Supervisor or if the immediate Supervisor cannot resolve the issue, the employee should proceed to the Functional Area Coordinator/Manager. The Functional Area Coordinator/Manager will document the conversation. If an employee's immediate Supervisor is the Functional Area Coordinator/Manager, the employee will proceed to the Program Director.
2. **Program Director**: If there is no resolution with an employee's immediate Supervisor or Functional Area Coordinator/Manager (if applicable), the employee may then present concerns to the Program Director in writing using a standardized grievance form. The Program Director will discuss the complaint with the employee and the appropriate Supervisor, when necessary. The Program Director will document the discussion. After a documented investigation, the Program Director will notify the employee of a decision in writing and provide such documentation to the Designated Human Resource staff member. If the problem is not resolved, the employee should proceed to the Designated Human Resource staff member.
3. **Designated Human Resource staff member**: If previous efforts fail to bring a satisfactory resolution, the individual may petition the Designated Human Resource staff member. The Designated Human Resource staff member counsels and advises the employee, assists in putting the problem in writing, and visits with the employee's Supervisor(s), if necessary. If the problem is not resolved, the employee should proceed to the Executive Director.
4. **Executive Director**: The problem must be presented to the Executive Director in writing. The Executive Director will review and consider the problem. The Executive Director will inform the individual of the decision and forward a copy of the written response to the Designated Human Resource staff member for filing. The Executive Director has full authority to make any adjustment deemed appropriate to resolve the problem.

If the problem involves the Executive Director, the employee should proceed to the Designated Human Resource staff member who will attempt to mediate the problem. If the problem is unresolved, the Human Resources Director will contact the Board of Directors' President and Executive Committee.
5. **Board of Directors Executive Committee**: The problem may be presented to the Board of Directors Executive Committee in writing and within 5 business days of the Executive Director's decision. The Executive Committee will consider and review the problem and may ask the employee to meet with the Committee. The Executive Committee will make its decision within 5 business days of hearing the problem and inform the individual of the decision in writing with a copy of the response to the Human Resources Director for filing. The Executive Committee has full authority to make any adjustment deemed appropriate to resolve the problem. The Executive Committee's decision is final.



REASONABLE ACCOMMODATIONS

Effective Date: **October 28, 2021**

PURPOSE/POLICY & PROCEDURE

CAPCO's commitment to non-discrimination includes making reasonable accommodations for individuals with disabilities or pregnancy-related conditions, victims of domestic violence, and an individual's religious beliefs, in accordance with applicable law. To request an accommodation, notify your supervisor or Designated Human Resources staff of the need for an accommodation. If leave is provided as a reasonable accommodation, the employee must provide the Agency as much advance notice as possible, and such leave will run concurrently with any other Agency leave or statutory leave to the extent permitted by applicable law. The employee may also be required to use any available paid time off during such leave.

Accommodations for Disabilities and Pregnancy-Related Conditions

CAPCO makes reasonable accommodations to persons with disabilities unless to do so would pose an undue hardship on the Agency. The Agency also provides reasonable accommodations to female employees related to pregnancy, childbirth, or related medical conditions, to the extent the accommodation can be made without imposing an undue hardship on the Agency. Upon notifying your supervisor or Designated Human Resources staff of the need for an accommodation, you may be asked for your input concerning the type of accommodation you believe may be necessary or the functional limitations caused by your disability or pregnancy-related condition. The Agency may require additional information or documentation from medical professionals.

Accommodations for Victims of Domestic Violence

The Agency makes reasonable accommodations to persons who are known to be victims of domestic violence, unless to do so would create an undue hardship on the Agency. Employees who require leave as an accommodation and must be absent from work without providing the Agency reasonable advance notice are required to provide written certification verifying the need for the accommodation (e.g., police report, documentation from court, or documentation from a medical professional).

Accommodations for Religious Beliefs

The Agency makes reasonable accommodations for a person's sincerely held religious observances or practices (including, but not limited to, those related to attire, clothing, or facial hair), unless to do so would create an undue hardship on the Agency.

For more information, or if you require an accommodation, please contact your supervisor or Designated Human Resources staff.



EMPLOYMENT CATEGORIES AND DEFINITIONS

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PURPOSE/POLICY

CAPCO classifies employees and defines categories and responsibilities of employment according to the Fair Labor Standards Act (FLSA) and the New York State Labor Law. CAPCO expects all persons associated with the Agency, regardless of relationship, to respect and follow the policies and procedures outlined in this Manual.

PROCEDURE

1. Job descriptions will indicate whether the position is exempt or nonexempt.
2. Classification will be determined based on the FLSA criteria and New York State Labor Law.

The following are the descriptions of each category.

EMPLOYEE CATEGORIES:

Regular Full-Time Employee

A regular full-time employee is an employee regularly scheduled to work at least 37.5 hours per week, may be exempt or nonexempt, 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.

Regular Part-Time Employee

A regular part-time employee is an employee with regularly scheduled hours that are less than 37.5 hours per week, may be exempt or nonexempt, and is not in a temporary status or introductory period. Regular part-time employees are not eligible for CAPCO benefits that include minimum hours for eligibility (except those legally required). Refer to Section 3 of this Personnel Policies and Procedures Manual for benefit eligibility guidelines.

Program Year Employee [HEAD START SPECIFIC]

At the conclusion of a successful Introductory Period, the employee will be placed on a regular Program Year status. All such employees will receive paid approved recesses of the Head Start calendar. The number of weeks of employment will be determined in accordance with the approved Head Start calendar. Personal leave benefits for employees who work part-time with regularly scheduled hours of 20 hours per week or more will be pro-rated based upon the number of actual hours and weeks worked. Minimum hour requirements may impact accruals of leave benefits. Refer to Section 3 of this Manual for benefit eligibility guidelines. Program Year Employees with a full-time work week of 37.5 hours shall receive the Agency's health and life insurance throughout the entire year according to the Agency's benefit requirements.

Introductory (Probationary) Employee

All exempt and nonexempt employees are on an introductory period for the first 90 days of employment. Additionally, current employees who are transferred or promoted to a new



position in a different Program-area, department, and/or functional area are placed on a 90-day introductory period. Before the end of the introductory period, a written evaluation will be made by the employee's immediate Supervisor, based on satisfactory CAPCO standards, for the purpose of determining the employee's continued employment with the Agency. However, the completion of the introductory period does not guarantee employment for any period of time thereafter. Employees who satisfactorily complete the introductory period will be notified of their new employment category.

Head Start/Early Head Start Employee [HEAD START SPECIFIC]

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

*Per OHS Policy Clarification, "...the dollar amount constitutes more than half of the particular individual's compensation."

Temporary Employee

A temporary employee is hired as an interim replacement to supplement the work force or to assist in a specific project.

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., Workers' Compensation (WC) and Social Security), but may be ineligible for any of CAPCO's benefit programs.

NON-EMPLOYEE CATEGORIES:

Volunteer

The term "volunteer" means an unpaid person who is trained to assist in implementing ongoing program activities on a regular basis under the supervision of a staff person in areas such as health, family development, education, transportation, nutrition, and management.

Independent Consultant

A person who receives compensation for professional or technical services at a fee agreed upon and paid by the Agency, who is engaged as an independent contractor (or third-party contractor) for specified services and is not a CAPCO employee. Consultants' compensation will be reported to the IRS and IRS Form 1099 will be issued for all contracts of six hundred dollars (\$600) or more.

Board of Directors

The governing body with legal and fiscal responsibility for administering the programs within the Agency.

Policy Council [HEAD START SPECIFIC]

The formal group of parents and community representatives required to be established by the Agency to assist in decisions about the planning and operation of the Head Start/Early Head Start program.



EMPLOYMENT DEFINITIONS:

Employees are classified as exempt or nonexempt from the overtime provisions of the FLSA (29 CFR Part 541) and state wage and hour laws.

Exempt Employee

Employees in exempt positions are:

- Paid on a salaried basis.
- Paid to do the job and must meet the federal and state DOL requirements for exemption.
- Excluded from specific provisions of federal and state wage and hour laws.
- Not eligible for overtime pay.

Nonexempt Employee

Employees in nonexempt positions are:

- Paid on an hourly or salary basis.
- Entitled to overtime pay for hours worked in excess of 40 in a work week.

Nothing contained in this policy will impact the policy of employment-at-will.

OUTSIDE EMPLOYMENT

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PURPOSE/POLICY

CAPCO's policy regarding outside employment is to ensure other outside employment does not interfere with an employee's performance or ability to meet the job requirements at the Agency. Employees may hold outside employment as long as the outside employment is not with a competitor, supplier or one that may involve the use of or access to confidential or proprietary information of the Agency. Employees are required to discuss potential outside employment with the Agency prior to beginning such employment in order to ensure a conflict of interest does not exist and that the employee will be able to fulfill the responsibilities of her/his position with the Agency.

PROCEDURE

1. Employees who are employed outside the Agency, or are considering employment outside the Agency, are required to review the employment for any conflict of interest with their Program Director.
2. When an employee provides consultation or training to organizations on her/his own time, and the service is rendered entirely outside of the employee's working hours, the service is considered outside employment. In this situation, the use of CAPCO's office



equipment and supplies and the utilization of CAPCO's personnel in the preparation of such services are prohibited.

3. Employees are prohibited from utilizing other CAPCO employees for services not related to Agency business during an employee's regularly scheduled work hours.
4. If it is determined that an employee's outside work interferes with job performance, the ability to meet the requirements of their position, or has an adverse impact on CAPCO due to conflict of interest, the employee may be required to terminate the outside employment if he or she wishes to remain with CAPCO.
5. Employees are not allowed to work for another employer while on designated leave of absence or while absent from the Agency because of illness or illness of a qualifying family member using Agency-provided Sick Leave and/or designated medical leave, including but not limited federal Family Medical Leave under the Family Medical Leave Act (FMLA), New York State short-term disability, New York State Paid Family Leave, and other forms of designated leaves of absence for a qualifying medical reason.

CONFLICT OF INTEREST

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO conducts business ethically and avoids conflicts of interest including the appearance of such conflicts. All persons involved in the Agency operations have an equal obligation to avoid conflicts of interest, as set out in this policy.

PROCEDURE

1. Employees are expected to report conflicts of interest to their immediate Supervisor or Program Director immediately upon discovery or suspicion of the conflict. Examples of conflicts of interest are listed below (but are not limited only to these items):
 - a. An employee has outside employment that competes with the activities or services offered by the Agency.
 - b. An employee has an outside business interest that competes with the activities of the Agency.
 - c. An employee has an outside business that is a purchaser or supplier of goods or services to the Agency.
 - d. An employee has an outside business involvement or employment that interferes with the ability to devote necessary attention to the responsibilities at the Agency (moonlighting).



- e. An employee has a relative or a person with a significant relationship employed by, or has a business interest in companies that compete with, sell to, or buy from the Agency.
 - f. An employee receives purchase inducements (gifts, premiums, money, goods, or services) from vendors that benefit the employee personally (directly or indirectly) or are unauthorized or questionable in nature.
 - g. [HEAD START SPECIFIC]: An employee serves on the Policy Council or policy committees.
2. Personal gifts and favors from people with whom the Agency has a business relationship are prohibited. Minor gifts of more than nominal value \$25.00 should be tactfully declined or returned to avoid any appearance or suggestion of improper influence.
 3. Employees may not accept an honorarium for speaking or teaching assignments in which they represent the Agency, and/or if such assignment(s) occur during regular work hours. If such honoraria are received, they must be turned over to CAPCO.
 4. Members of the Board of Directors, Governing Board, or Administering Board of any public, private, or nonprofit Agency funded by CAPCO, or members of any major policy advisory bodies, are not eligible for employment with the Agency. Former members of these Boards and advisory bodies are eligible for employment following their resignation.
 5. No paid staff member of CAPCO may serve on any board or council of any CAPCO program, unless otherwise specified by the Funding Source, Grant/Contract, and/or approved by the Executive Director.
 6. When the Board votes and a Board of Director member has a vested interest in the vote (e.g., it is their agency, they have family members involved, etc.) that Board member is to leave the room during the entire discussion where conflict may arise and refrain from voting by stepping outside the room while a vote occurs.
 7. CAPCO expects employees to conduct business in accordance with relevant policies, procedures, and laws and to refrain from any illegal, dishonest, or unethical conduct.
 8. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

EMPLOYMENT OF RELATIVES/NEPOTISM

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO prohibits employment of relatives in a direct reporting relationship to avoid creating or perpetuating circumstances in which the possibility of favoritism, conflict of interest, or impairment of efficient operations may occur.



Employees are prohibited from using their positions for a purpose that is, or gives the appearance of, being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other relationships.

No person shall hold a job while she/he or a member of her/his immediate family serves on a board or committee of a grantee or delegate agency if that board or committee has authority to hold personnel action affecting her/his job.

Further, a person with an immediate family member serving on a board or committee, which either by rule or practice, regularly nominates, recommends, or screens candidates for positions with CAPCO may not be employed.

For purposes of this policy, relatives are defined as "immediate family" meaning wife, husband, son, daughter, mother, father, brother, sister, step-relative, or a relative by marriage of comparable degree, significant other, and fiancé.

PROCEDURE

1. Relatives of current employees may not occupy a position that will be working directly for or supervising a relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship.
2. Administrators and managers will exercise caution in hiring decisions to ensure that a new employee is not placed in a direct reporting relationship with a relative as defined by this policy.
3. If, due to promotion, a direct reporting relationship is created between relatives, the Designated Human Resource staff member will work with the employees to resolve the situation. Resolution may include transfer of one family member or a change in reporting relationships. The Designated Human Resource staff member will be contacted to discuss resolution options.
4. If the relative relationship is established after employment, the Designated Human Resource staff member will work with employees to resolve the situation. Resolution may include transfer of one family member or a change in reporting relationships. The employee, immediate Supervisor, and/or Program Director will contact the Designated Human Resource staff member to report the relationship and discuss resolution options.
5. No employees will be transferred into a position that would result in a reporting relationship to a relative.
6. When the Agency cannot adequately staff positions without hiring an immediate family member, the Agency may deviate from this policy. This must be approved by the Agency's Executive Director and Board of Directors.
7. In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting



involved, the employees may be separated by reassignment or terminated from employment.

8. Employees in a relationship will refrain from public workplace displays of affection or excessive personal conversation as the nature of these displays may be offensive to other employees.

EMPLOYMENT OF FORMER EMPLOYEES

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE

CAPCO allows former employees to be rehired provided they are eligible for rehire and there are no prior performance problems or policy violations. Employees rehired within 30 days of their termination date will be reinstated.

PROCEDURE

1. The original date of hire will be used for employees rehired/reinstated within 30 days for sick, annual, and personal leave calculation purposes. However, the 90 day introductory period resets and begins with the date of rehire/reinstatement. Annual or personal leave cannot be used within the 90 day introductory period. Retirement and insurance benefits will be reinstated in accordance with the provisions of the individual plans.
2. Former employees will not be given preference as job applicants for rehiring.
3. If rehired beyond 30 days of their termination date, the Agency will require rehires to complete all pre-employment paperwork and practices as if they are a new employee, except where dictated otherwise by applicable law.

SUBSTITUTES AND SPECIAL AGREEMENT EMPLOYEES

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO supplements the regular work force with substitutes when necessitated by periods of peak workload, employee absences, or other situations as determined by management. In addition, employment opportunities are offered for persons under the sponsorship of various employment programs or those persons interested in utilizing the Agency to complete professional and technical internships.

PROCEDURE



[HEAD START SPECIFIC] Substitutes

A substitute employee is an individual who is hired either full-time or part-time for a limited period (30 consecutive workdays) under the following conditions:

1. Substitute Teachers and Teacher Assistants can be requested by the regular Teacher or Teacher Assistant. A request for a substitute will be made to the Classroom Supervisor.
2. When requesting the services of a substitute, the following information must be provided:
 - a. Reason substitute is required.
 - b. Person the substitute is replacing.
 - c. Functions to be performed.

Consultants/Services Providers

A consultant is a person or company that provides CAPCO with a particular service(s) required to meet the objectives of the program. CAPCO pays the consultant for the services provided and the independent consultant will:

1. Provide professional documents and certification giving evidence of the ability to conduct the services outlined in the contract.
2. Carry the appropriate liability insurance and provide evidence of the insurance. Independent consultants and the Agency will agree upon a scope of work to be performed. Consultants will be oriented to the Agency's expectations of conduct.
3. It is the responsibility of Executive Director to assure that all required reports are completed and submitted in a timely manner.
4. All contracts for consultants will be forwarded to the Executive Director for review. Final approval on all contracts and work agreements must be approved by the Executive Director.

Student Teachers/Internships

Program agreements with educational institutions providing for internships will be subject to the prior approval of the Program Director.

Volunteers

Volunteer workers, when performing work for CAPCO, are required to:

1. File personal information for identification purposes (name, address, and telephone number).
2. Observe established volunteer hours
3. Complete time and attendance records, as applicable.
4. Be accountable to the volunteer coordinator for the specific program.



All special agreement independent consultants or service providers, interns, student teachers, and volunteers, where applicable, are required to follow CAPCO's Policies and Procedures when working with the Agency's staff or clients.

RECRUITMENT AND SELECTION

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

To maintain consistent procedures for recruiting and selecting applicants, CAPCO recruits and selects qualified applicants for available positions in compliance with all applicable federal and state laws and regulations and with the Agency's commitment to Equal Employment Opportunity.

PROCEDURE

Although CAPCO reserves the right to fill positions in its discretion with means it deems appropriate on a case-by-case basis, the following procedures are generally followed:

1. If a position experiences turnover, prior to the recruitment effort, an analysis is conducted to determine if the department and related roles and responsibilities can be realigned and assigned to others. If it is determined a position is needed, the position is defined or redefined to ensure the requirements of the department are met.
2. The Program Director and the Designated Human Resource staff member work closely together to update the position description to capture any changes to the nature of the position or reporting structure. The Designated Human Resource staff member assigns and/or validates the exemption status given to the position. The Designated Human Resource staff member and Program Director conduct an external market and internal budget analysis on the position and determines pay range, as necessary.
3. The hiring manager, Program Director, and Designated Human Resource staff member create the selection criteria that will be used to screen application materials and narrow the pool of candidates.
4. The hiring manager and Designated Human Resource staff member create position appropriate interview questions relevant to the position and that reflect a combination of open and close ended questions.
5. The Program Director and Human Resource department researches and determines the external sourcing strategy and associated costs and seeks approval for strategy and cost from the Executive Director. The Program Director and/or the Designated Human Resource staff member posts internal staff opportunity (please refer to Job Posting policy).



6. The hiring manager and/or Designated Human Resource staff member receive and screen all resumes and application materials received using the selection criteria as the basis of the review to narrow the field of candidates.
7. The hiring manager, Program Director, or Designated Human Resource staff member may conduct a telephone screen to further qualify candidate and determines mutual interest in the opportunity.
8. The hiring manager shares potential finalist with the appropriate director/manager and identifies which candidates will participate in a face-to-face interview process.
9. The hiring manager coordinates the interview schedule and facilitates the interview process.
10. The Designated Human Resource staff member works closely with the hiring manager and Program Director to evaluate and identify the desired candidate.
11. All candidates are required to complete an application form regardless of the level of the position hired. The appropriate management team conducts pre-employment checks on the final candidates for the position. These may include, but are not limited to, criminal record check, references, and education verification.
12. Human Resources or the hiring manager extends the offer to the candidate via a written offer letter and sends rejection letters to all other candidates. The Designated Human Resource staff member maintains records of the selection process, such as applications, evaluation criteria, notes from interviews, and reference checks, in the administration office for one year.
13. Appointment to a senior management position requires the prior approval of the Executive Director. The Executive Director (or similar management position) is appointed by the Board of Directors.

Anniversary Date:

The first day you report to work will be recorded in CAPCO records as your anniversary date. This date may be used to calculate many different CAPCO benefits. If you have any questions regarding your anniversary date, please see your immediate Supervisor and/or the Designated Human Resource staff member.

[HEAD START SPECIFIC]

PROCEDURE FOR HEAD START/EARLY HEAD START EMPLOYEES

1. In addition to the procedures above, when hiring employees working primarily* for the Head Start/Early Head Start program, procedures below must be followed:

*Per OHS Policy Clarification, "...the dollar amount constitutes more than half of the particular individual's compensation."



- a. The Head Start/Early Head Start Policy Council must be consulted in the decision-making process. The Policy Council can be called upon to give advice or information.
- b. The Policy Council must approve decisions before the individual is hired and begins working, with the exception of key Agency Management positions which are approved by the Agency's Board of Directors. Key Agency Management positions include but are not limited to: Head Start/Early Head Start Director, Fiscal Director, Deputy Director, and Executive Director.
- c. The appointments of all Head Start/Early Head Start staff are subject to the recommendation of the Head Start Director and the Agency's Head Start/Early Head Start Policy Council.
- d. Current and former Head Start/Early Head Start and Head Start/Early Head Start parents must be considered for employment vacancies for which they are qualified.
- e. The appointment of the Head Start/Early Head Start Program Director is subject to prior approval from the Executive Director, Board of Directors, and the Policy Council and funding source.

An interview, references verification, and all applicable background checks must be completed prior to an individual starting her/his employment. Please refer to the Agency's Pre-Employment Investigation/Background Check policy in this Manual.

EMPLOYEE REFERRAL INCENTIVE

Effective Date: **January 1, 2019**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO encourages current employees to refer for employment qualified prospective candidates for employment with the Agency for positions for which the Agency is recruiting and the candidate is qualified.

To recognize employees who refer candidates to apply for employment, CAPCO will provide a payroll incentive for employees who refer a candidate who is hired for the referred position following the completion of six (6) months of employment and again if the newly hired employee completes one (1) year of employment.

PROCEDURE

1. Current employees who refer candidates for employment for open positions that CAPCO is actively recruiting for must be identified by the candidate indicating the referral on the Application for Employment.
2. If a candidate is hired as an employee for a position which she/he was referred to apply for by a current employee remains employed for six (6) months following her/his start date, the referring employee is eligible to receive an initial payroll incentive of \$50.00.



3. The referring employee is eligible to receive a secondary payroll incentive of \$100.00 if the referred employee remains employed for one (1) year following the referred employee's start date.
4. Eligibility for the referral incentive will be considered for the referral of candidates to apply for permanent regularly scheduled positions within the Agency.
5. The hiring process for all positions will be in adherence to CAPCO's Recruitment and Selection policy.

INTERNAL JOB POSTING

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO's job posting procedures provide employees with information regarding job opportunities within the Agency. Although CAPCO may from time to time post position vacancies internally, CAPCO reserves the right to recruit and hire external candidates in all cases in its sole and absolute discretion.

PROCEDURE

1. Job openings are posted through the CAPCO email server and on the Main Office bulletin board and normally remain for seven (7) days. Each job posting notice can include, but is not limited to, the date of the posting, job title, component/program, location, job summary, essential duties, skills and abilities necessary to perform the job, and degrees or certification required for the job.
2. To be eligible to apply for a posted job, an employee must have been in their current position for at least 90 days. Employees who have a written record on file of job performance counseling received in the last 90 days, or are in their introductory period, on probation or suspension, are not eligible to apply for posted jobs.
3. Employees interested in applying for an opening should submit a résumé with a cover letter to Human Resources. Employees must possess the necessary knowledge, skills, and abilities (KSAs) to perform the work of the open position to be considered for an interview. Past work history and performance, including attendance will be considered in making the final determination.
4. The hiring manager determines the pool of candidates to be interviewed and conducts interviews with counsel from the Program Director and Designated Human Resource staff member. The hiring manager or designated Human Resource staff member extends offers of employment and informs candidates who were not selected.



PRE-EMPLOYMENT INVESTIGATION/BACKGROUND CHECK

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

To ensure pre-employment checks are conducted within legal and professional limits to be employed in the position for which the candidate is applying, CAPCO conducts pre-employment investigations for applicable selected candidates and employees to determine or verify background information, including criminal history and information in compliance with the Fair Credit Reporting Act (FCRA). Having a criminal history or criminal conviction does not necessarily preclude employment.

To be in compliance with program requirements, CAPCO initiates pre-employment background investigations, including criminal history.

Consumers of the CDPA Program have the option of waiving, in writing, their right to a candidate background check if the candidate is a family member, personal friend, family friend, and/or well-known associate to the consumer. If the candidate is not indicated as known to the consumer in writing, a background check must be initiated.

PROCEDURE

1. Selected candidates are required to sign a background check consent form authorizing the pre-employment investigation. The candidate may also be required to sign a release of information by former employers, educational institutions, or other agencies as part of the reference and background checking process. A refusal to sign such a release form may disqualify the selected candidate from further consideration for employment.
2. Employment is contingent upon the results of the pre-employment investigation.
 - a. The Human Resources department coordinates obtaining the pre-employment investigation. The Program Director and the Designated Human Resource staff member evaluate the relevance of any offense in accordance with federal and state laws.
 - b. An applicant who provides misleading, erroneous, or deceptive information on the application form, résumé, pre-employment paperwork, or in an interview will be eliminated from further consideration for employment.
3. Personal and professional reference checks may be conducted by Human Resources, the hiring manager, and/or Program Director before the job offer is made. Employment is contingent upon the results of the personal and professional reference checks.
4. Employees whose position requires licensure or certification provide a copy of their licensure or certification prior to beginning work. Where licensure or certification is required, renewal must be made according to state law and a copy of the current



licensure or certification is submitted to the Designated Human Resource staff member. Failure to keep required licenses or certifications current may result in termination.

5. Program-specific screenings, such as physicals and TB Tests, must be completed before a selected candidate can begin employment. Reimbursement for the cost of these screenings are dependent on the restrictions of the Program funding source. Hepatitis B vaccinations will be offered to all newly hired employees at the expense of CAPCO.

[HEAD START SPECIFIC]

HEAD START/EARLY HEAD START

In addition to the employment checks detailed above, the following must be performed for Head Start/Early Head Start candidates.

1. Before a person is hired, the following must be obtained:
 - a. A sex offender registry check.
 - b. State or tribal criminal history records, including fingerprint checks.
OR
FBI criminal history records, including fingerprint checks.
2. Within 90 days of hire, the background check process must be completed by obtaining:
 - a. Whichever check was used in 1b (State/tribal or FBI) that was not obtained prior to the date of hire.
 - b. Child abuse and neglect state registry check, if available.
3. Unsupervised access to children must not be allowed until the complete background check process (described in paragraphs 1 and 2 above) is complete.
4. The complete background check (described in paragraphs 1 and 2 above) must be conducted at least once every five years.
5. The Human Resource Department and Program Director must review each employment application and complete the background check to assess the relevancy of any issue uncovered, including any arrest, pending criminal charge, or conviction. The Child Care and Development Fund (CCDF) disqualification factors or tribal disqualification factors must be used to determine whether the prospective employee can be hired or the current employee must be terminated.
6. After employment has been offered, a health exam including communicable diseases is required for Early Head Start/Head Start staff and regular volunteers. Periodic reexaminations are also required.



EMPLOYEE ORIENTATION

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO's new employees must understand mission, vision, values, goals, and objectives. This includes the scope of services and locations and an employee's contribution to the accomplishment of those goals and objectives. All newly hired employees are required to participate in the Employee Orientation Program within 60 days of employment.

PROCEDURE

1. Program Director and Program-Specific Leadership team responsibilities:
 - a. Offer Agency new employee orientation as developed and approved by the Designated Human Resource staff member.
 - b. Provide each new employee with orientation specific to her/his workplace.
 - c. Provide on-the-job training (OJT) needed for new employees to assume their responsibilities.
 - d. Provide new employees with the dates and locations of the orientation program.
2. Designated Human Resource staff member Responsibilities:
 - a. Review and initiate new hire paperwork in accordance to applicable state and federal law and the Agency's policies and procedures. Initiate background investigations for newly hired employees
 - b. Provide new employees with timely and relevant benefit information.
 - c. Provide information and resources concerning Agency-wide policies.
 - d. Provide program/components with strategies, resources, and tools for development of its workplace orientation process.
3. New Employees' Responsibilities:
 - a. Participate in appropriate orientation processes.
 - b. Seek information to enhance her/his orientation process.
 - c. Complete and return appropriate personnel forms.
4. All staff members, volunteers, and consultants are to be provided with information and training about the underlying philosophy and goals of the Agency and the program in which they work.

IMMIGRATION POLICY

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY



CAPCO complies with the regulations of the Immigration Reform and Control Act of 1986 (IRCA) as enforced by the Department of Homeland Security. This Act requires that all employees provide appropriate documentation to prove that they are eligible to work in the United States.

PROCEDURE

1. CAPCO requires, as a condition of employment, that all new hires must complete the employment eligibility verification INS Form I-9.
2. In addition to completing the I-9, all new hires must present the required documentation establishing identity and employment eligibility within the first three days of employment. Failure to do so may result in the offer of employment being withdrawn or withheld.
3. All former employees who are rehired are also required to complete a new I-9 if:
 - They did not complete an I-9 for CAPCO within the previous three (3) years.
Or
 - Their previous I-9 is no longer valid.
Or
 - Their previous I-9 was not retained.
4. I-9s will be maintained in a file separate from that of the employee's personnel file.

INTRODUCTORY PERIOD/PROBATION

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

All of CAPCO's new and rehired employees and all current regular employees who have transferred or been promoted to a new position are placed on introductory status.

The introductory period gives employees the opportunity to decide whether the position suits them and gives the Agency the opportunity to decide whether the employee meets the expectations of the position.

Successful completion of the introductory period does not create a contract of employment or alter the at-will nature of the employment relationship.

This policy does not apply to those employees who are provided employment opportunities through special employment and training program agreements.

This policy will not change the employment-at-will status of an employee.



PROCEDURE

1. The introductory period is defined as 90 days.
2. Upon completion of this introductory period, an employee's immediate Supervisor conducts a formal performance appraisal with the employee to review the employee's progress/performance to date. Introductory periods may be extended, if deemed appropriate, by the immediate Supervisor and/or Program Director.
3. Transferred or promoted employees who do not meet job requirements in their new position during introductory period may be returned to their original job, if a vacancy exists, or be terminated at the discretion of the Agency.
4. Upon completion of the introductory period, an employee will be classified under the "regular" employment classification and may be eligible for certain Agency-sponsored benefits.

HUMAN RESOURCES RECORDS

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO endeavors to ensure the proper handling of confidential information and paper records pertaining to employees and their personnel matters.

PROCEDURE

1. Records are secured in locked file cabinets and secured electronic files and access will be controlled by the Designated Human Resource staff member. Documents containing medical information regarding an employee will be kept in secure files separate from the employee's personnel file.
2. At no time will employee files leave the premises.
3. The Designated Human Resource staff member is responsible for creating and maintaining employee personnel files. Main employee files should have a separate file for each employee and include, but not limited to, information such as the following:
 - a. Employment application
 - b. Job title
 - c. Job description
 - d. Employee classification (exempt from overtime or nonexempt)
 - e. Hire date
 - f. Salary history
 - g. W-4 form
 - h. IT-2104 form



- i. Employment contracts, if applicable
 - j. Employee authorization for release of information
 - k. Employee signature acknowledging receipt and review of policies and procedures and/or receipt of this Manual
 - l. Employee résumé
 - m. Performance appraisal
 - n. Disciplinary documents
 - o. Grievances
 - p. Performance goals
 - q. Scheduled training and completed training records
4. Employees are responsible for notifying the Human Resource department immediately if there is a change in any of the following information:
- a. Legal name
 - b. Home mailing address
 - c. Telephone number
 - d. Marital status
 - e. Number and names of dependents
 - f. Number of tax exemptions on your W-4 and/or IT-2104 forms
 - g. Insurance classification
 - h. Emergency contacts
 - i. Beneficiary changes
 - j. Driving record or status of driver's license, if you operate any Agency vehicles or drive as part of your employment
 - k. Military or draft status
 - l. Training certificates
 - m. Professional license

Failure to inform of personal data changes may have a significant impact on benefits and the ability to contact the employee or a family member in the event of an emergency.

5. Access to personnel files is limited to persons within the Agency on a "need to know" basis. Anyone needing access to an employee's file should contact the Designated Human Resource staff member.
6. Employee files must be reviewed in the CAPCO Human Resource Office.
7. External requests for references or other information directed to the Agency regarding current or former employees must be referred to the Human Resources Department. Only basic employment information (i.e., dates of employment, title of position held) for employment verifications and those requests meeting legal requirements are provided by the Human Resource Department or designee.
8. The Agency will not release detailed personnel information to anyone outside the Agency without prior written consent by the employee, unless required by law.



9. Current employees may review their own personnel files at the CAPCO Main Office located at 32 N. Main Street, Cortland, NY and in the presence of an individual appointed by the Agency. Employees who wish to review their own file should make a written request to the Designated Human Resource staff member. CAPCO will fulfill within seven (7) business days of the written request.

Exceptions to this include:

- a. Letters of reference.
- b. Materials relating to employer staff planning and business development.
- c. Information of a personal nature about another person, the disclosure of which could constitute an unwarranted invasion of privacy.
- d. Investigatory or security records maintained by the employer to investigate employee misconduct or other conduct which could be harmful to the Agency.

ATTENDANCE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

Attendance and punctuality are important factors for your success within CAPCO. CAPCO works as a team and this requires that each person be in the right place at the right time.

CAPCO understands occasions arise when an employee must be absent from work. At the same time, it is important for employees to understand that in order for CAPCO to operate efficiently and effectively, regular attendance by all employees is imperative. Employees need to be present and accountable during their scheduled work time, and there are attendance expectations.

PROCEDURE

1. Authorized Absence—The employee notifies their immediate Supervisor in advance and obtains approval to be away from, or late, to work. This includes absences such as vacations, personal days, approved leaves of absence, etc.
2. Unauthorized Absence—An employee not showing up for work, not calling in, and not having a valid reason for an absence, as determined by the administration. Advance notification of an absence is necessary to make arrangements to handle work in the absence of a scheduled employee.
3. Tardiness—An employee late for work, or leaving early from work on any work day without giving prior notification and receiving approval for the tardiness.
4. Employees should make reasonable efforts to schedule appointments or other personal matters during nonworking hours if possible.



5. A nonexempt employee who does not work or does not work her/his full shift is paid only for the actual time worked. If an employee has not called in to their Supervisor before the start of scheduled work time with a valid reason for absence, the employee is considered as having an unauthorized absence without pay. Time sheets are noted accordingly.
6. An exempt salaried employee who does not work or does not work her/his full scheduled shift is required to use their accrued annual, sick, or personal leave as applicable.

Excessive Absenteeism/Tardiness

1. Excessive Absenteeism or Tardiness—Absenteeism or tardiness that affects the job, Program, and/or Agency performance. If it is determined that absenteeism or tardiness has become unreasonable, the immediate Supervisor should determine the appropriate action, up to and including termination of employment.
2. An employee who is chronically or excessively absent or tardy may be subject to disciplinary action up to and including termination.
3. If an employee is absent for three (3) consecutive days without notifying CAPCO, it is assumed that the employee has abandoned their position with CAPCO and employment automatically is terminated.

TELECOMMUTING

Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides employees a mechanism to manage work and personal responsibilities while delivering high-quality service through the alternate arrangement of telecommuting in limited, pre-approved circumstances. Telecommuting allows employees to work outside of their regular CAPCO workspace(s) on a specific day(s) of the week on either a temporary or on-going basis.

Telecommuting requires a self-disciplined employee who can avoid the distractions not usually found in the office environment. Telecommuting does not alter the focus of the employee on Agency and client needs.

PROCEDURES

1. Employees are eligible if they are currently meeting expectations for the position.
2. The Program Director followed by the Executive Director or designee must approve in writing the telecommuting request and the Program Director is responsible for ensuring appropriate staffing. Not all telecommuting requests will be honored.
3. Not all positions are eligible for the telecommuting work arrangement, nor will all requests for telecommuting be approved.



4. Timeframe will be determined up front with the Program Director by utilizing a Remote Work Authorization Form and periodic reviews to ensure the arrangement continues to make sense for the employee, Program-area, and Agency.
5. Employees must be available to respond to the Agency staff and participants during scheduled work hours. During business hours, the employee must check voicemail and email as frequently as if in the office. On occasion, it may be necessary to call an employee into the office to assist with Agency needs. It will be expected the employee be available for such occasions, even for same day requests.
6. Non-exempt employees must accurately record all working hours while telecommuting to the same extent as while working at a CAPCO worksite.
7. Telecommuting employees must use Agency-provided equipment (i.e. laptop, etc.) unless given express written permission from the designated Program/department Director to use personal equipment. The employee is responsible for internet access (required for telecommuting), office items, and supplies. Telecommuting employees must be able to access the Agency's systems through the current method required by IT. The employee is also responsible for protecting the Agency's equipment, documents, and information from theft, damage, and unauthorized use. The Agency does not accept responsibility for damage or repairs to employee-owned equipment.
8. The Agency assumes no responsibility for injuries occurring in the employee's at-home work space. The employee must have current homeowner's or renter's insurance that will cover him/her in the event of an injury that may occur to him/her while telecommuting. The employee agrees to maintain safe conditions and practices in the at-home work space.
9. Telecommuting arrangements can be terminated at any time in the Agency's sole discretion.

CONFIDENTIALITY OF AGENCY [AND PARTICIPANT] INFORMATION

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO has Confidential Information that should not be discussed with anyone inside or outside the Agency, except when required in the normal course of business. "Confidential Information" shall mean proprietary or secret information relating the Agency, its affiliates, and service recipients, including, but not limited to, information regarding service recipients (e.g., service recipients' names, contact information, medical or financial information) and information of a strategic nature (e.g., future developments or strategies pertaining to marketing, fee structures, service recipient lists, sources of revenues and referral sources), disclosed to or known by you as a consequence of or through your employment with the Agency (including information



conceived, originated, discovered or developed by you), which information is not otherwise generally known in the profession or is public knowledge.

PROCEDURE

1. All information pertaining to CAPCO’s service recipients and participants is confidential and must not be discussed with or divulged to anyone outside the Agency without a written release of information. Inside the Agency, service recipient and participant information is shared on a “need to know” basis. Even the presence of a particular service recipient or participant should not be acknowledged to others without proper authorization.
2. Confidential Information is to be used only in connection with the legitimate functions of an employee’s job duties. The release of Confidential Information may occur only with a proper written release of information authorization. Exceptions will only be made as required by law as in the case of subpoenas or other court orders.
3. If an employee leaves, the employee must surrender all information-bearing items in her/his possession that are the property of CAPCO, whether or not containing Confidential Information, including but not limited to, storage media, notebooks, reports, other information from a third party or anything containing CAPCO Confidential Information.
4. If an employee is contacted about Confidential Information, the employee should direct the inquiring party to the Program Director. Service recipient and participant files should not be removed from the offices of CAPCO unless under the authorization and procedure prescribed by Program guidelines. Accessing electronic service recipient or participant data files must occur through secure data connections. Electronic service recipient or participant files are not to be downloaded onto personal computers that are not sanctioned and secured by the Agency.
5. Violation of this policy will result in disciplinary action up to and including termination of employment.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**



PURPOSE/POLICY

CAPCO complies with the proper handling of all private information and individually identifiable health information and, to the extent applicable, outlines steps in appropriate Health Insurance and Portability and Accountability Act (HIPAA) compliance.

PROCEDURE

1. Any Protected Health Information (PHI) within the meaning of HIPAA is confidential and may not be discussed with anyone except on a “need-to-know” basis in order to perform job duties. PHI contains individually identifiable information such as names, addresses, birth dates, telephone numbers, fax numbers, electronic mail addresses, social security numbers, health plan beneficiary numbers, or any other unique identifying number, characteristic, or code.
2. CAPCO will assign the appropriate agent or officer of the Agency to appropriately handle and protect confidential information.
3. CAPCO is prohibited from using or disclosing PHI except as permitted by law. This includes all personally identifiable health information.
4. CAPCO Program Directors and designees are responsible for developing and implementing privacy policies and procedures as well as ensuring general compliance.
5. Any reported complaint of a violation will be investigated, and appropriate action will be taken to ensure that privacy practices are being followed.
6. Records should be secured in locked file cabinets and secured electronic files and access will be controlled by the appropriate designee(s).

PROMOTIONS

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO ensures each employee has equal access to opportunities for growth and development. In general, CAPCO will attempt to give first consideration to internal candidates who have a history of satisfactory job performance and meet the job qualifications for the vacancies. In all its selection and promotion decisions, CAPCO complies with equal employment opportunity requirements.

PROCEDURE



1. Two types of advancement opportunities are outlined below:
 - a. A promotion is the movement from one position to another position which is in a higher salary grade and may involve a salary increase. A promotion may be within a program or between programs and may result in a title change.
 - b. A reclassification is an approved change in pay grade of an existing position as a result of significant changes in the duties and responsibilities of that position. A reclassification may result in a pay grade and/or title change.
2. Every effort is made to fill vacancies by promoting qualified employees. Program Directors, working with Supervisors, are encouraged to identify employees for promotion. Employees must possess the necessary skills, abilities, and knowledge to satisfactorily perform the work of the advanced position. Past work history and performance, including attendance is also reviewed in order to make this determination.
3. Employees are encouraged to maintain an awareness of vacancies and to seek job opportunities for which they qualify. An expression of interest in a promotion, either by submitting an application or resume and cover letter to the Human Resource Department, hiring manager, and/or Program Director as a result of a job posting or through discussions with the hiring manager and/or Program Director, does not have any adverse effect on the status of the employee's current position.
4. The hiring manager with counsel from the Program Director and Human Resource department selects the appropriate candidate for promotion. Refer to the policy on Recruitment and Selection for more information.
5. The newly promoted employee is subject to an introductory period. Refer to the policy on Introductory Period for more information.

TRANSFERS

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides opportunities wherein an employee may transfer, or may be transferred, when the employee meets the job qualifications and when the transfer will benefit both the employee and the Agency.

PROCEDURE

1. An employee who is transferred temporarily to a higher paying position may receive additional compensation. Temporary assignment constitutes a formal assumption of another position's duties for an established period of time, not the occasional filling in for a job or "helping out."



2. An employee who is transferred temporarily, at the request of CAPCO, to a lower paying position may continue to be paid at her/his existing rate for as long as the temporary transfer is in effect, depending on the circumstances, in CAPCO's discretion.
3. If the employee has not been returned to her/his regular position at the end of 90 days from the date of temporary transfer, CAPCO reviews the situation and either returns the employee to her/his former position, extends the period of temporary transfer, or completes the transfer to the new position.
4. Employees transferred to lower paying positions are paid at the lower rate of the new position at the end of 90 days.
5. Employees must be in their current position for 90 days before being eligible for transfers. Prior to transfer, employees are encouraged to discuss their request with their current Supervisor.

JOB DESCRIPTIONS

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO creates job descriptions and properly determines the exemption status for every job according to the Fair Labor Standards Act (FLSA) and New York Labor Law. Records are maintained of all authorized positions within the Agency. Job descriptions are designed to assist the employee in being successful in performing her/his job and to assist the Agency in meeting its mission and vision.

PROCEDURE

1. Supervisors are responsible for ensuring that employees are performing the tasks included in their jobs. Each description includes, but is not limited to:
 - a. Job's purpose and function
 - b. Essential duties and responsibilities
 - c. Education, credentials, and experience qualifications
 - d. Behavioral competencies
 - e. Bona fide occupational qualification (BFOQ)
 - f. Physical demands
 - g. Work environment
2. Job descriptions indicate whether the position is exempt or nonexempt. Classification is determined based on criteria under applicable law.
3. Newly created positions or changes in position qualifications that may result in salary adjustment require budget review and approval of the Program Director and Executive Director.



4. After review, the Executive Director, working with the Program Director and designated Human Resource staff member, assigns the position to a recommended salary grade and appropriate exemption status under the FLSA and New York Labor Law.
5. All new and/or revised job descriptions will be reviewed and by the Human Resource Department and approved by the Program Director and/or Executive Director.
6. All new job descriptions require a review and approval by the Agency's Board of Directors.
7. Annually, typically during the performance review period, employees and their Supervisors review the job description to ensure they remain relevant and accurately reflect the responsibilities and accountabilities assigned to the position.

PERFORMANCE MANAGEMENT

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO evaluates 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 to assist the employee in being successful in the performance of her/his job. Discussions regarding an employee's job performance are recommended on an informal basis as needed. An effective performance appraisal process is an ongoing, open process between the employee and her/his supervisor. This process will include a formal written Performance Appraisal at least annually.

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

PROCEDURE

1. The Designated Human Resource staff member will provide notification of upcoming appraisals to the individual responsible for writing an evaluation. Notification occurs at least 30 days prior to the performance appraisal's due date. Performance appraisals are 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 may vary based upon the employment arrangement of the employee. The schedule typically follows:
 - a. Evaluation upon completion of the introductory period (90 days).
 - b. On an annual basis between the months of June and August.



3. The Supervisor completes the performance appraisal and then schedules a review with the employee.
4. The employee receiving the performance appraisal completes an Employee Progress and Feedback report and provides it to the Supervisor prior to the review or minimally at the time of the review.
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. Constructive feedback on employee's performance and progress.
 - d. Future expectations and goals.
 - e. Employee training needs and professional development opportunities.
6. The employee may submit comments or statements on the performance appraisal form.
7. The Supervisor signs the completed form. The employee signs the completed review acknowledging that they have read and understand it, although they may not necessarily agree with the appraisal. A refusal to sign should be documented by the Supervisor.
8. The Supervisor documents employee progress on such areas as:
 - a. Successes
 - b. Additional responsibilities
 - c. Awards or recognitions
 - d. Attendance at training, where applicable
 - e. Comments from clients, peers
9. Performance appraisals are placed in the employee's personnel file and may be used for such actions, including but not limited to, transfers, promotions, pay adjustments, salary considerations, and other employment actions.
10. Leaves of absence and breaks in service may affect the timing of performance appraisals.

INCLEMENT WEATHER AND OTHER EMERGENCIES

Effective Date: **December 7, 2017**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO monitors and keeps employees informed of changing weather conditions and other emergency situations before, during, and after the event. The Agency strives for safety for all employees in the event of inclement weather, and other emergency situations, through staff support systems.



PROCEDURE

1. The Executive Director determines if the Agency will open or remain open in the event of severe weather conditions or other emergencies. If the decision is made not to open the Agency, the phone message maybe changed to state that CAPCO is closed due to inclement weather.
2. If the Agency is closed or closes early due to inclement weather, the Executive Director or her/his designee will send a notification to employees using the designated CAPCO contact system. The closure may also be posted on local radio and television stations as available.
3. If the Agency is closed or closes early due to inclement weather, employees are paid for the hours they were scheduled to work.
4. If the Agency remains open and the weather is questionable, employees are to determine if they feel it is safe to try and come to work or leave early. If a nonexempt employee chooses not to come in to work, chooses to leave early, or chooses to come in late, he/she will not be paid for hours not worked, but may use accrued time off benefits, to be determined based on the accrued leave policies stated in this Manual. If an exempt employee chooses not to come to work and is absent and performs no work for a full day, he/she will not be paid for that day, but may use accrued time off benefits. The employee must contact her/his Supervisor prior to the scheduled starting time to indicate if and when he/she will be arriving to work.
5. If the Agency is open and the employee chooses not to come to work or chooses to leave early and then the Agency closes, he/she will receive pay for the hours the Agency closed provided he/she was scheduled to work.
6. Employees who are not scheduled to work, or using personal time off benefits, or on any other paid or unpaid type of absence are not eligible for paid time off due to weather-related or other emergencies.
7. In the event of a fire, storm, or other emergency, safety is most important. Employees are to move to a position of safety or exit the building as quickly as possible. Employees are required to follow written evacuation and safety procedures.

[HEAD START SPECIFIC]

SNOW DAYS

In addition to the procedures above, the Head Start/Early Head Start Program may be delayed or shut down due to inclement weather while the CAPCO Agency remains open. In general, the Head Start/Early Head Start Program makes determinations for delaying or shutting down the program based on the shutdown decisions of the local school districts, particularly when the Head Start/Early Head Start classrooms are located in schools. In rare instances, some Head Start/Early Head Start classrooms may shut down while others remain open. If the school/center



shuts down, Classroom staff reporting to classrooms in shutdown schools/centers will not report. All other Head Start/Early Head Start staff will report unless the Agency closes.

- a. If the Head Start/Early Head Start classrooms are on a delay or shutdown due to inclement weather, the Head Start Program Director or her/his designee will send a notification to Head Start/Early Head Start employees using the designated CAPCO contact system.
- b. The Head Start Program Director or her/his designee will contact local news stations to further communicate with staff and inform participant families of delays and program closings.
- c. The Head Start Program Director or her/his designee will contact area radio stations to further communicate any delays or program closings.
- d. If a Head Start/Early Head Start classroom is on a delay, all Head Start/Early Head Start staff, including Classroom staff, are still to report to work at their regularly scheduled time.



SECTION 3: EMPLOYEE BENEFITS PROCEDURES

FLEX SCHEDULES

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides arrangements to non-exempt employees to ensure hours are kept within their scheduled workweek, not to exceed 37.5 hours per week unless otherwise expressly permitted and communicated.

PROCEDURE

1. If an employee works her/his scheduled hours prior to the completion of the workweek, the employee is to work with her/his immediate Supervisor to determine flex time within the same week that the scheduled hours have been met.
2. The immediate Supervisor must approve the flex schedule request before the employee uses flex time and is responsible for ensuring appropriate staffing. Not all flex schedule requests will be honored.

ADAPTIVE WORK SCHEDULES

Effective Date: **January 1, 2023**

PURPOSE/POLICY

CAPCO is committed to helping employees create their desired work-life balance by offering adaptive work schedules for flexible arrival and departure times for certain identified positions within each Agency department/Program. These arrangements provide employees with increased flexibility with their work schedule while allowing CAPCO to maintain a progressive and productive work environment.

PROCEDURE

1. Within each Program/department, Directors determine what positions, if any, can accommodate an adaptive work schedule and work with employees in each of the identified positions to arrange schedules and ensure adequate Program coverage.
2. Not all Programs/departments and/or functional areas of Programs will be able to accommodate adaptive work schedules. Not all positions will be eligible for an adaptive work schedule arrangement.



3. Each Program/department must have staff coverage during the standard Agency operating hours of 8:00 a.m. to 4:00 p.m.
4. Program/department Directors must approve adaptive work schedules and will ensure adequate Program coverage for the standard Agency hours of operation.
5. Approval for an adaptive work schedule will be granted based on the following, but not limited to: Program staffing needs and resources, employee longevity, job duties, employee performance, and the unique circumstances surrounding the need for an adaptive work schedule arrangement.
6. Employees must adhere to approved and consistent adaptive work schedules with opportunities to re-visit adaptive work schedule arrangements with Program leadership minimally once per year.
7. Failure to adhere to an approved adaptive work schedule may result in disciplinary action, up to and including termination of employment.
8. Adaptive work schedules must include, at a minimum, one of the following acceptable arrival times: 7:00 a.m., 7:30 a.m., 8:00 a.m., 8:30 a.m., 9:00 a.m.
9. Adaptive work schedules may be altered, paused, or revoked at any time without notice by Program Directors and/or the Executive Director.
10. Adaptive work arrangements are not an entitlement or an agency-wide benefit, and in no way changes the terms and conditions of employment with CAPCO.

HOLIDAYS

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **May 25, 2023**

PURPOSE/POLICY

CAPCO provides regular full-time and regular part-time employees with the benefit of paid holidays. Holidays are recognized as non-workdays for employees.

PROCEDURE

1. The following are recognized by CAPCO as a holiday:
 - a. New Year's Day
 - b. Martin Luther King, Jr. Day
 - c. Presidents' Day
 - d. Memorial Day
 - e. Independence Day
 - f. Labor Day



- g. Columbus Day
 - h. Veterans' Day
 - i. Thanksgiving Day
 - j. Day after Thanksgiving
 - k. Christmas Day
2. In addition to the above holidays, CAPCO recognizes a floating holiday that employees can use at their own discretion with a minimum of 2-weeks' notice and supervisory approval. Approval for a requested floating holiday will be made based on Program/Agency needs and coverage.
 - a. Regularly scheduled full-time & part-time employees are eligible for the floating holiday.
 - b. Variable hour & substitute employees are ineligible for the floating holiday.
 - c. Employees must be employed as of December 31st of the preceding calendar year to be eligible for the floating holiday.
 - d. Regularly scheduled full-time & part-time employees employed as of December 31st of the preceding calendar year will be front-loaded with 1-work-day's worth of holiday leave based on the employee's work schedule as of December 31st of the preceding calendar year.
 3. A list of actual holiday dates to be observed by CAPCO is set and communicated to all employees the by first of each New Year.
 4. Holiday pay is calculated based on the employee's regular hourly rate multiplied by the number of hours the employee was regularly scheduled to work that day. If an employee was not scheduled to work, then no holiday pay will be awarded.
 5. If a paid holiday falls during an employee's scheduled annual leave period, holiday pay is provided and he/she still has an annual leave day to use.
 6. Employees on a paid or unpaid approved leave of absence are generally not eligible for holiday pay.
 7. Holiday pay is not counted as hours worked for the purpose of determining overtime.

ANNUAL LEAVE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **June 24, 2022**

PURPOSE/POLICY

CAPCO provides annual leave time for employees to refresh themselves and encourages and supports all employees to use annual leave time regularly. Leave must be preapproved and is not guaranteed to be granted. Leave is approved based on the demands of the program and to ensure all program functions are sufficiently covered. All regular full-time and regular part-time employees earn and use annual leave time in accordance with the guidelines outlined below.

PROCEDURE



1. Employees begin to accrue annual leave time immediately upon hire but are ineligible to take annual leave time until after the successful completion of their introductory period.
2. Annual leave time off accruals are based on an employee's anniversary date.
3. An eligible employee earns annual leave time beginning on his/her first day of employment based on the employee's regular schedule and length of service determined by anniversary date.
4. Non-exempt, regular full-time employees earn annual leave time based on the following schedule:

<u>Completed Years of Service</u>	<u>Annual Leave Accruals per Pay Period</u>
Less than 1 Year	3.693 hours
After 1 Year	4.0
After 2 Years	4.31
After 3 Years	4.616
After 4 Years	4.924
After 5 Years	5.232
After 6 Years	5.539
After 7+ Years	5.847

5. Accruals for part-time employees are prorated, and part-time employees must consistently work at least 40 hours during the pay period to be eligible to accrue annual leave.
6. Exempt, regular full-time employees and specifically identified non-exempt leadership positions earn annual leave time based on the following schedule:

<u>Completed Years of Service</u>	<u>Annual Leave Accruals per Pay Period</u>
Less than 1 Year	5.24 hours
After 1 Year	5.55
After 2 Years	5.85
After 3 Years	6.16
After 4 Years	6.47
After 5 Years	6.78
After 6 Years	7.09
After 7+ Years	7.39

7. Employees should request approval in writing at least two weeks in advance before taking annual leave time. Scheduled absences are preplanned with an employee's Supervisor/Program Director in accordance with department guidelines, negotiating the least impact to the work area.



8. It is necessary that CAPCO provide consistent services to the community as indicated by CAPCO's programs and funding sources. Necessary staffing will be maintained at all times to insure this.
9. Time-off requests can be denied if proper request protocol is not followed and/or program demands do not allow it for the time requested. There will be no additional consideration for time-off requests for employees who have pre-planned leave before actually requesting the time-off. Employees should not make leave plans before the time-off approval has been granted.
10. When scheduling conflicts arise, priority for annual leave is established at the discretion of management. Length of employment may determine priority in scheduling annual leave time. Decisions about annual leave time and scheduling are the responsibility of the Supervisor and Program Director.
11. Annual leave time off can be taken in fifteen (15) minute increments of time.
12. CAPCO does not advance annual leave time.
13. CAPCO strongly encourages employees to take annual leave time every calendar year. Full-time employees are allowed to carry over annual leave from one year to the next calendar year at a maximum of 75 hours; any annual leave time remaining above 75 hours is forfeited. Part-time employees are allowed to carry over annual leave from one year to the next calendar year at a maximum of 37.5 hours; any annual leave time remaining above 37.5 hours is forfeited.
14. Any earned but unused annual leave is paid to eligible employees at the time of termination; provided the employee voluntarily resigns and at least two (2) weeks written advance notice of resignation is given for nonexempt staff and at least thirty (30) days' advance notice is given for exempt staff. All other employees will not be paid for accrued but unused annual leave time upon termination, including but not limited to in instances where an employee is terminated by the Agency. Annual leave time may not be used to extend the termination date.
15. Upon providing written notice of resignation, an employee is not permitted to take accrued leave that was not pre-approved before the resignation notice was provided.
16. If an employee provides advance written notice of resignation that exceeds the minimum notice requirements as set forth in this Manual, the employee will minimally not be permitted to take accrued leave that was not pre-approved during the required notice period.
17. Annual leave time is not earned during any unpaid period of time.

[HEAD START/EARLY HEAD START SPECIFIC]



1. Head Start/Early Head Start classroom staff do not accrue annual leave, and alternately receive the designated and approved paid recesses of the Head Start/Early Head Start Program calendar.
2. Program-Year Head Start non-classroom staff do not accrue annual leave and alternately receive the designated and approved paid recess of the Head Start/Early Head Start Program calendar.
3. Classroom staff for the purposes of this policy are defined as Classroom Teachers (i.e., Preschool Teachers, UPK Teachers, Infant/Toddler Teachers), Assistant Teachers, Classroom Floaters/Assistants, Kitchen Aides, Family Advocates, Home Visitors, and designated Program Cook staff.
4. Early Head Start classroom staff receive the December, February, April, and August Program paid recesses.
5. Program-Year Head Start classroom and non-classroom staff receive the December, February, and April Program paid recesses.
6. This policy does not impact the accruals of Personal or Sick time, nor does it impact receipt of Holiday time for Head Start/Early Head Start staff.
7. This Policy does not impact Head Start employees' status as Program-Year Employees.

SICK LEAVE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides sick leave for employees to rest and recover from illness. CAPCO's Sick Leave Policy adheres to and exceeds the standards set forth in the New York State Sick Leave law (NYSSL).

Regular full-time employees accrue sick leave at the rate of 0.04933 hours per every hour worked. This equates to 1.48 hours for every 30 hours worked and 3.7 hours per pay period. These calculations are prorated for part time, per diem, and substitute employees.

PROCEDURE

1. Sick leave will begin to accrue immediately upon hire.



2. Employees may use/access accrued leave as it is accrued. There is no waiting period or minimum period of employment before an employee can request to use sick leave once a balance is accrued.
3. Time must be taken in fifteen (15) minute increments.
- 4.
5. Sick leave may not be used as additional annual or personal leave, but is permitted to be used only when the employee has a reason for leave which is covered under the law, including:
 - a. The employee is unable to perform her/his assigned duties because of mental or physical illness, injury, or health condition regardless of whether it has been diagnosed or requires medical care at the time of request for leave. Sick leave may also be used for the diagnosis, care, preventative care, or treatment of a mental or physical illness, injury, or health condition. This could include appointments with physicians, dentists, or other recognized practitioners.
 - b. To care for an immediate family member. Immediate family members are defined as: spouses, domestic partners, parents, brothers, sisters, children, step-children, children of domestic partners, grandchildren, grandparents, parents-in-law, and parents of domestic partners. "Parent" is defined as a biological, foster, step, or adoptive parent, or a legal guardian of an employee, or a person who stands in loco parentis when the employee is a minor child. "Child" is defined as a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.
 - c. For "Safe Leave," which is defined as an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - i. to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - ii. to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
 - iii. to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
 - iv. to file a complaint or domestic incident report with law enforcement;
 - v. to meet with a district attorney's office;
 - vi. to enroll children in a new school; or
 - vii. to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.



6. Following Program procedures, each employee is responsible for giving her/his Supervisor prior notice that he/she intends to utilize sick leave. The employee is also responsible for keeping her/his Supervisor informed regularly of her/his status with respect to returning to work.
7. Employees must provide notification for each day of absence unless on an authorized paid or unpaid leave of absence.
8. Sick leave accrues only on actual hours paid. Employees who have unpaid breaks in employment, including leaves of absence (e.g., Family Medical Leave Act, military leave) do not accrue sick leave during their absence.
9. If an employee uses three (3) consecutive days of sick leave, she/he will be required to bring in a medical certification releasing the employee to return to work (with or without reasonable accommodation) and specifying any work restrictions.
10. Employees may use a maximum of 240 approved sick leave hours within the calendar year. Sick leave accruals in excess of the 240 maximum usage allotment will be placed in an Emergency Sick Leave category for designated leaves of absences. There is no maximum accrual balance for sick leave.
- 11.
12. Employees may access that balance of accrued sick leave in the Emergency Sick Leave category for an approved designated leave of absence including: Family Medical Leave Act, NYS Paid Family Leave, NYS statutory disability, and other approved designated leaves of absences.
13. Employees are not paid for any unused sick leave time remaining at the end of a calendar year or upon separation from employment. Any unused sick time remaining upon separation from employment is forfeited. However, employees are allowed to carry over all accrued but unused sick leave hours to the next calendar year. Sick leave accruals in excess of the 240 maximum usage allotment for the calendar-year will be placed in the Emergency Sick Leave category for designated leaves of absences as defined in this Policy.
14. Sick leave is coordinated with family/medical leave (FMLA) and other leaves. To the extent permitted by applicable law and where applicable, the Agency may require employees to use paid sick leave under this policy concurrently with other statutory or Agency-provided leaves of absence.

[CONSUMER-DIRECTED SERVICES SPECIFIC]

CAPCO will provide sick leave in accordance to the New York State Sick Leave law (NYSSL) to Personal Assistants employed by consumers in the Consumer-Directed Personal Assistance Program (CDPAP) and EISEP Consumer-Directed In-Home Services Program (CDIS) on behalf of the employing consumers in the Program(s).



Personal Assistance will accrue sick leave at the rate of 0.033333 hours for every hour worked. This equates to 1.00 hour for every 30 hours worked. These calculations are prorated for part time and per diem Personal Assistants.

Operational Procedures:

1. Sick leave will accrue immediately upon hire with a consumer.
2. Personal Assistants may use/access accrued leave as it is accrued. There is no waiting period or minimum period of employment before a Personal Assistant can request to use sick leave once a balance is accrued.
3. Time must be taken in fifteen-minute increments. Reasonable accommodations may be made in compliance with the Americans with Disabilities Act and the New York Human Rights Law.
4. Sick leave is permitted to be used only when the employee has a reason for leave which is covered under the law, including:
 - a. A Personal Assistant is unable to perform her/his assigned duties because of mental or physical illness, injury, or health condition regardless of whether it has been diagnosed or requires medical care at the time of request for leave. Sick leave may also be used for the diagnosis, care, preventative care, or treatment of a mental or physical illness, injury, or health condition. This could include appointments with physicians, dentists, or other recognized practitioners.
 - b. To care for an immediate family member. Immediate family members are defined as: spouses, domestic partners, parents, brothers, sisters, children, step-children, children of domestic partners, grandchildren, grandparents, parents-in-law, and parents of domestic partners. "Parent" is defined as a biological, foster, step, or adoptive parent, or a legal guardian of an employee, or a person who stands in loco parentis when the employee is a minor child. "Child" is defined as a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.
 - c. For "Safe Leave," which is defined as an absence from work when the Personal Assistant or Personal Assistant's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - i. to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - ii. to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;



- iii. to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
 - iv. to file a complaint or domestic incident report with law enforcement;
 - v. to meet with a district attorney's office;
 - vi. to enroll children in a new school; or
 - vii. to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.
5. Each Personal Assistant is responsible for notifying her/his consumer and/or supervising self-directing other prior to utilizing sick leave. The Personal Assistant is also responsible for keeping her/his employing consumer and/or self-directing other informed regularly of her/his status with respect to returning to work.
6. Personal Assistants must provide notification for each day of absence unless on an authorized paid or unpaid leave of absence.
7. Sick leave accrues only on actual hours worked. Personal Assistants who have unpaid breaks in employment with their employing consumer(s) including leaves of absence (e.g., NYS statutory disability, military leave) do not accrue sick leave during their absence.
8. If a Personal Assistant uses three (3) consecutive days of sick leave, she/he will be required to provide CAPCO Human Resources a medical certification releasing the employee to return to work (with or without reasonable accommodations) and specifying any work restrictions.
9. Personal Assistants may use a maximum of 56 sick leave hours within the calendar year. Sick leave accruals in excess of the 56 maximum usage allotment will be placed in an Emergency Sick Leave category for designated leaves of absences. There is no maximum accrual balance for sick leave.
10. Personal Assistants may access that balance of accrued sick leave in the Emergency Sick Leave category for an approved designated leave of absence including: NYS Paid Family Leave, NYS statutory disability, applicable Family Medical Leave, and other approved designated leaves of absences.
11. Personal Assistants are not paid for any unused sick leave time remaining at the end of a calendar year or upon separation from employment with a consumer(s). Any unused sick time remaining upon separation from employment is forfeited. However, Personal Assistants are allowed to carry over all accrued but unused sick leave hours to the next calendar year. Sick leave accruals in excess of the 56 maximum usage allotment for the calendar-year will be placed in the Emergency Sick Leave category for designated leaves of absences as defined in this Policy.



12. To the extent permitted by applicable law and where applicable, the Agency may require employees to use paid sick leave under this policy concurrently with other statutory or Agency-provided leaves of absence.

PERSONAL LEAVE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **June 24, 2022**

PURPOSE/POLICY

CAPCO provides personal leave for eligible employees. All regular full-time employees will be front-loaded with 37.5 hours (pro-rated for part-time and Head Start Program-Year employees) of personal leave at the start of a new calendar year following the carryover of leave from one calendar year to the next, per the policies and procedures in this Manual. Employees may use personal leave in accordance with this policy.

PROCEDURE

1. Upon hire, Personal leave will be pro-rated and calculated based on hire date and scheduled hours for newly hired and/or rehired employees within the calendar year.
2. Employees may request use of paid personal leave after successful completion of the introductory period. Time must be taken in 15-minute increments.
3. Employees are not paid for any unused personal leave time remaining at the end of a calendar year or upon separation from employment. However, employees are allowed to carry over personal leave hours to the next calendar year, at a maximum of 8 hours.
4. Personal leave must be scheduled one week in advance with exceptions approved by an employee's immediate Supervisor.
5. All personal leave requests must be approved by an employee's Supervisor before taken.
6. The time is paid at the employee's regular hourly rate and is not used in the calculation of overtime.
7. Unused personal days are not paid out upon termination.
8. Personal leave time is not earned during any unpaid period of time.



UNPAID LEAVE

Effective Date: **January 1, 2023**

PURPOSE/POLICY

CAPCO may provide opportunities for employees to use unpaid leave in certain situations where accrued leave is not available to be used.

PROCEDURE

1. Unpaid leave cannot be used in lieu of accrued leave.
2. Unpaid leave is not permitted to be approved if accrued leave balances are available to be used by the employee.
3. An employee who is eligible to use unpaid leave is not guaranteed approval of use of unpaid leave/leave without pay. Unpaid leave approvals are at the discretion of the employee's immediate Supervisor based on the following but not limited to: Program-need, scheduling, an employee's attendance record and accrued leave usage, and/or overall employee performance.
4. Unpaid leave can be taken in fifteen (15) minute increments of time.
5. This policy does not alter the policies of Annual Leave, Personal Leave, and/or Sick Leave as delineated in this Manual. This policy further does not alter the policy expectations of attendance and excessive absenteeism as delineated in this Manual.
6. Excessive requests and/or use of unpaid leave may lead to disciplinary action up to and including termination of employment. Excessive use of unpaid leave may further lead to positions being re-evaluated for status, scheduled hours, and overall need.

PERSONAL LEAVE OF ABSENCE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides personal leaves of absence that are authorized, without pay, to full-time employees with one (1) or more years of continuous service, for up to three (3) months. Personal leaves of absence may be available to employees who have not yet qualified for FMLA and/or whose situation is not a qualifying event. The granting of this type of leave of absence is normally for compelling reasons, including as a form of reasonable accommodation for a



disability, and is dependent upon the written approval of the Executive Director. It is not intended to simply provide employees with additional time off.

PROCEDURE

1. Only the Executive Director may authorize personal leaves of absence.
2. Employees who wish to continue benefits coverage during their leave of absence must bear the full cost of those benefits.
3. Employees on personal leave of absence are informed prior to the leave as to whether or not they are guaranteed that their position or a similar position will be available when they return from their absence. If a comparable position is not available at the time the employee returns to work, the employee may be offered a lesser position. If no acceptable position is available at the time the leave expires, the employee's employment with CAPCO may be terminated.
4. It should be determined whether the personal leave of absence is covered under the Family and Medical Leave Act (FMLA), as this personal leave of absence policy is generally intended to apply in certain extenuating circumstances where an employee is not otherwise eligible for FMLA. See the policy on FMLA for more information.

FEDERAL FAMILY AND MEDICAL LEAVE ACT (FMLA)

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides leaves in compliance with Federal FMLA.

PROCEDURE

1. Employees are eligible for leave under the Federal FMLA if they have been employed by CAPCO for at least 12 months and have worked at least 1,250 hours for CAPCO during the most recent 12 consecutive month period.
2. To the extent permissible under the FMLA and other applicable law, employees are required to exhaust all accrued paid time off benefits concurrently with the use of FMLA leave. When such benefits are exhausted, the remainder of the FMLA leave will be without pay. Paid time off benefits are not earned/accrued during FMLA leave.
3. Under the Federal FMLA, up to twelve (12) weeks of leave may be taken during a 12-month period that begins on the employee's first day of leave for any one or more of the following reasons:
 - a. An employee's own serious health condition.



- b. To care for a spouse, parent, biological child, adopted child, foster child, step-child, legal ward, or a child of a person standing in loco parentis (who is under 18 years of age, or 18 years or older and incapable of self-care because of a mental or physical disability) with a serious health condition.
 - c. For the birth of an employee's child, or placement of a child with an employee for adoption or foster care. Leave for birth, adoption, or foster care must conclude within 12 months of the birth or placement.
 - d. To care for a spouse, son, daughter, parent, or next of kin who is a covered military service member recovering from a serious illness or injury sustained in the line of duty. The eligible employee is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member; this military caregiver leave is available during a single 12-month period, during which an eligible employee is limited to a combined total of 26 weeks of all types of FMLA leave.
 - e. Any "qualifying exigency", as defined in regulations issued by the Department of Labor, arising from the fact that an employee's spouse, child, or parent is on active duty status in the National Guard or Reserves in support of a contingency operation.
4. The 12-month period in which 12 weeks of leave may be taken is the 12-month period measured forward from the date any employee's first FMLA leave begins.
5. Any leave due to the birth and care of a child or the placement of a child for adoption or foster care, and care of the newly placed child, must be completed within one (1) year of the date of birth or placement of the child.
6. FMLA leave may run concurrently with other types of leave.
7. During an approved FMLA leave, CAPCO will maintain an employee's health benefits under the same terms and conditions applicable to employees not on leave.
 - a. If paid leave is substituted for unpaid FMLA leave, CAPCO will deduct the employee-portion of the health plan premium as a regular payroll deduction.
 - b. If leave is unpaid, the employee must pay his/her portion of the premium by making arrangements with the Designated Human Resource staff member.
 - c. An employee's health insurance may cease if his/her premium payment is more than thirty (30) days late. If payment is more than thirty (30) days late, CAPCO will send the employee a letter to this effect. If CAPCO does not receive the employee's copayment within fifteen (15) days of this letter, the employee's coverage will cease.
 - d. If an employee elects not to return to work at the end of the leave for at least thirty (30) calendar days, the employee will be required to reimburse CAPCO for the cost of the premiums paid by CAPCO for maintaining coverage during the unpaid leave unless the employee cannot return to work because of a serious health condition or because of other circumstances beyond the employee's control.
8. When spouses are employed by CAPCO, they are entitled to a combined total of up to twelve (12) weeks leave: (1) for birth, adoption, or foster care and in order to care for such a child; or (2) to care for a parent with a serious health condition. Each individual is entitled twelve (12) weeks leave because of his or her own serious health condition or to



care for the serious health condition of his or her child or spouse without counting leave time taken by the other spouse.

9. Eligible leave under FMLA may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday), in accordance with the provisions of the FMLA.
10. **Medical Certification for a Serious Health Condition:** If an employee is requesting leave because of her/his own or a covered family member's serious health condition, the appropriate health care provider must supply medical certification. Obtain a medical certification form from the Human Resources Director. If possible, the employee should return a completed medical certification within 15 days. If the employee provides at least 30 days' notice of her/his need for medical leave, she/he should provide the medical certification before the leave begins. If the employee does not provide the required medical certification in a timely manner, the leave may be delayed until it is provided.
11. When possible, employees should notify their immediate Supervisor and the Designated Human Resource staff member of leave at least 30 days before the date of the anticipated leave. A written request for time off under FMLA must be completed. In an emergency situation, notice must be given as soon as possible, but no later than 48 hours after the occurrence of the reason for leave. Failure to make timely notification of the need for leave may result in the delaying of leave until proper notification is received.
12. If leave is taken for an employee's own serious health condition (except if taken intermittently), the employee must provide a fitness-for-duty certification from the treating medical provider indicating the employee is able to return to work before she/he returns. Employees failing to complete the return-to-work medical certification will not be permitted to resume work until it is provided.
13. The taking of another job while on family or medical leave or any other authorized leave may lead to disciplinary action, up to and including discharge.
14. Where state or local family and medical leave laws offer more protection or benefits to employees, the protection or benefits provided by such laws will apply.

Military Leave Provisions (FMLA)

Qualifying Exigency Leave- Eligible employees who are the spouse, son, daughter, or parent of a military member may take up to 12 weeks of FMLA leave during any 12-month period to address the most common issues that arise when a military member is deployed to a foreign country, such as attending military sponsored functions, making appropriate financial and legal arrangements, and arranging for alternative childcare. This provision applies to the families of members of both active duty and reserve components of the Armed Forces.

Military Caregiver Leave- Eligible employees who are the spouse, son, daughter, parent or next of kin of a covered service member may take up to 26 weeks of family/medical leave during a single 12-month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary



disability retired list, for a serious injury or illness incurred or aggravated in the line of duty on active duty. This provision applies to the families of members of both the active duty and reserve components of the Armed Forces.

PAID FAMILY LEAVE

Effective Date: **December 7, 2017**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

Beginning January 1, 2018, the New York State's Paid Family Leave (PFL) program will provide employees with wage replacement during time away from their job for the following reasons:

- (1) To participate in providing care, including physical or psychological care for a family member (spouse, domestic partner, child, parent, parent-in-law, grandparent, or grandchild) of the employee made necessary by a serious health condition of the family member.
- (2) To bond with the employee's child during the first 12 months after the child's birth; during the first 12 months after the placement of the child for adoption or foster care; or before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed.
- (3) Due to any qualifying exigency (as set forth in the FMLA) arising out of active duty or an impending call or order to active duty in the Armed Forces of the United States for the spouse, domestic partner, child or parent of the employee.

PROCEDURE

1. In general, an employee whose regular employment schedule is 20 or more hours per week will become eligible to receive PFL benefits after 26 weeks of employment. An employee whose regular employment schedule is less than 20 hours per week will become eligible to receive PFL benefits after 175 days worked. Eligibility for PFL does not necessarily mean an employee is eligible for leave under the Family and Medical Leave Act ("FMLA").
2. Paid Family Leave will run concurrently with FMLA but employees cannot receive PFL and Disability benefits at the same time. An employee who is eligible for both New York State short-term disability benefits and PFL benefits during the same period of 52 consecutive calendar weeks may not receive more than 26 total weeks of combined New York State short-term disability benefits and PFL benefits during that period of time. Employees may not use PFL during periods of time when the employee is receiving workers' compensation benefits for a total disability.
3. An employee may choose whether to charge all or part of the family leave time to unused vacation/personal leave or sick time (to the extent applicable) and receive full salary; or, to not charge benefit time and receive the benefit provided.



4. To be eligible, employees must present certification from a health care provider treating the family member. For adoption and foster care of child, documentation is also required. Employees must provide at least 30 days advance notice of their intention to use Paid Family Leave, or if the event was not foreseeable, notice must be provided as soon as practicable.
5. Income replacement will be paid for by an insurance policy procured by the Agency on behalf of the employees, **the full cost of which will be paid by payroll contributions of the employee.**
6. The provisions of the New York State Paid Family Leave program and the Federal Family and Medical Leave Act are not the same. When an employee simultaneously qualifies for both PFL and any other statutorily required leave of absence or any other leave of absence under the Agency's policies, the employee's PFL and other leave run concurrently to the extent allowable by applicable law.
7. On or after January 1, 2021 the length of allowable PFL and paid benefit rate is: up to 12 weeks during any 52 consecutive week period, paid at 67% of the employee's average weekly wage (not to exceed 67% of the statewide average weekly wage).

WORKPLACE LACTATION POLICY

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO recognizes that breast milk promotes optimum growth and development of infants and accommodates mothers who choose to continue breastfeeding after returning to work. CAPCO will not discriminate in any way against an employee who chooses to express milk in the workplace.

PROCEDURE

1. CAPCO will provide reasonable paid break time each day to allow an employee to express breast milk for her nursing child for up to three (3) years following child birth.
2. CAPCO shall provide written notification to employees who are returning to work, following the birth of a child, of her right to take paid leave for the purpose of expressing breast milk.
3. An employee wishing to avail herself of this benefit is required to give her immediate Supervisor or Program Director advance notice. Such notice shall preferably be provided



prior to the employee's return to work following the birth of the child in order to allow CAPCO an opportunity to establish a location and schedule work coverage if needed.

4. Reasonable paid break time is sufficient time to allow the employee to express breast milk. Each break shall generally be in twenty (20) minute increments at least once every three (3) hours if requested by the employee. Employees can elect to take shorter unpaid breaks for this purpose.
5. CAPCO will make a reasonable effort to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. The room or location provided by CAPCO will not be a restroom or toilet stall.
6. Should there be more than one employee at a time needing access to a lactation room, CAPCO may dedicate a centralized location for use by all such employees.

MILITARY SERVICE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO complies with all applicable statutes that require reservists and National Guard personnel to be given leave of absence for active duty and training exercises under Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. The time off will be unpaid, except where applicable law dictates otherwise.

PROCEDURE

1. It is the employee's responsibility to inform their immediate Supervisor as soon as orders for military duty have been received. Employees are required to give advanced notice of their service obligations to CAPCO unless military necessity makes this impossible.
2. When requesting a military leave of absence, the employee should present a copy of the training orders to their immediate Supervisor and/or the Designated Human Resource staff member.
3. Employees are able to substitute accrued annual leave to offset the "without pay" provision of military leave.
4. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.



5. When an employee returns from military leave, she/he is assigned to a position as required by law. Military leave time is immediately credited to the employee's length of service and all benefits apply as if the employee had never left her/his job. The employee's salary will be equal to or greater than the salary at the time the leave commenced unless salaries have declined.

JURY DUTY

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO accommodates all employees who are called to serve on jury duty.

PROCEDURE

1. All regular full-time and regular part-time employees are eligible for the payment of regular wages for up to five (5) days of designated jury duty. Additional required days off are granted without pay from CAPCO.
2. Jury duty pay is calculated based on employee's rate of pay at the time of the absence and the number of hours the employee would have been scheduled to work. If an employee was not scheduled to work, he/she is not paid for that time.
3. Employees must present a copy of all fees, except travel, received for serving on the jury to their immediate Supervisor and/or Human Resource department. The employee receives the difference between any fees received and the wages missed during the regular payroll cycle for all paid jury time.
4. For employees who are paid a daily wage that is less than the New York State jury fee, New York State makes up the difference.
5. Employees are expected to report for work whenever the court schedule permits.
6. Employees must provide proof of jury service issued by the court to their immediate Supervisor and/or the Human Resource department upon return to work.
7. Jury duty pay is not used in the calculation of overtime.
8. Eligible employees will continue to receive and accrue benefits during CAPCO-paid jury duty leave including annual leave, sick leave, personal leave, holiday pay, and health insurance coverage.



VICTIMS OF CRIME LEAVE

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides reasonable and necessary time off of work for employees who are victims of a crime to attend or participate in legal proceedings pertaining to the crime.

PROCEDURE

1. Time off for court proceedings are provided without pay. Employees may elect to use accrued annual or personal time while out on a victims of crime leave. Sick leave is also available to employees subject to the policy provisions of sick time usage.
2. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.
3. Affected employees must give their immediate Supervisor reasonable notice that leave under this policy is required.

WITNESS LEAVE

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO provides employees necessary time off to attend or participate in a court proceeding in accordance with state law.

PROCEDURE

1. Time off for court proceedings are provided without pay. Employees may elect to use accrued annual or personal time while out on witness leave.
2. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.
3. Employees should notify their immediate Supervisor of the need to take witness leave as far in advance as is possible.

VOTING LEAVE

Effective Date: **July 19, 2019**



Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO believes that every employee should have the opportunity to vote in any local, state, or federal election, general primary, or special primary.

PROCEDURE

1. Any employee who is a registered voter and whose work schedule does not provide her or him adequate time to vote while the polls are open, generally four (4) consecutive hours, will be granted up to two (2) paid hours off, at the beginning or end of your scheduled shift, in order to vote. An employee's immediate Supervisor reserves the right to select the hours she/he is excused to vote.
2. Employees should notify their immediate Supervisor of the need for voting leave not less than two (2) days before the election.

BEREAVEMENT LEAVE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

Immediately upon hire, CAPCO provides compensation for regular full-time and regular part-time employees who must be off work due to the death of an immediate family member as defined by this policy. Paid leave for the death of a non-immediate family member may also be available.

The term "immediate family" includes spouses, domestic partners, parents, brothers, sisters, children, children of domestic partners, grandchildren, grandparents, parents-in-law, parents of domestic partners and immediate step-relatives.

PROCEDURE

1. Employees will be paid their hourly rate of pay for up to three (3) work days due to the death of an immediate family member as defined in this policy. The bereavement leave may be taken to make funeral arrangements, attend a funeral, and/or to take care of personal affairs normally associated with a death.
2. Full-time and part-time employees are eligible immediately upon hire to be paid their hourly rate of pay for up to one (1) work day due to the death of a relative not considered an immediate relative as listed above.



3. Employees who need to take time off due to a death of an immediate family member or other approved relative should notify her/his Supervisor as soon as possible and inform them of the expected date of return.
4. If an employee needs to take additional time off (in addition to the 3 paid bereavement days), she/he may use other accrued personal or annual to leave to extend bereavement. This needs to be discussed with and approved by the employee's immediate Supervisor. If sick leave is used, it must be used in accordance with the Sick Leave Policy.
5. Employees continue to accrue annual, personal, and sick leave time during the bereavement leave.
6. Bereavement pay is calculated based on the employee's rate of pay at the time of the absence and the number of hours they would have been scheduled to work. If an employee was not scheduled to work, she/he is not paid for that time.
7. Bereavement pay is not used in the calculation of overtime.

BENEFIT PLANS

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

This policy is intended as a brief introduction to CAPCO's benefit programs. A more thorough explanation of the benefit plans and programs discussed herein are contained in the summary plan descriptions (SPD) and insurance policies. If there is an inconsistency between this Manual description and the summary plan descriptions or insurance policies, the terms of the SPD and insurance control. CAPCO reserves the right, in its discretion and without prior notice, to modify, add or discontinue the benefits for eligible employees described in this employee handbook, including but not limited to changing the share of premiums which the Agency pays.

CAPCO provides benefit offerings, including, but not limited to, medical insurance, dental insurance, life insurance, New York State disability insurance, and a 401(k) savings plan to employees of the Agency. Employees should refer to their SPD for plan details. The Agency's designated Human Resource staff member is the point-of-contact for employee benefit plans. The following procedure provides a summary of benefits provided by the Agency's current insurance provider(s). This policy and procedure is not all-inclusive.

PROCEDURE

Medical Insurance



1. Full-time and part-time employees that work at least thirty (30) hours per week (or have an hours increased to thirty per week) are eligible to enroll in CAPCO's health insurance program the first (1st) of the month following sixty (60) days of employment and/or from the time the employee's hours increase. (*The Agency's introductory period remains at 90 days*).
2. A SPD and information on cost of coverage is provided to eligible employees in advance of enrollment, usually by the Human Resource department. Refer to the actual plan document and summary plan description if you have specific questions regarding this benefit plan. Those documents are controlling.
3. Upon termination you may be entitled to continuation or conversion of the group medical insurance plan in accordance with applicable state and federal law. For more information, contact the Human Resource department .

Dental Plan

1. Full-time employees that work thirty-seven and a half (37.5) hours per week (or have an hours increase to thirty-seven and a half per week) are eligible to enroll in CAPCO's dental insurance program the first (1st) of the month following sixty (60) days of employment and/or from the time the employee's hours increase. (*The Agency's introductory period remains at 90 days*).
2. A SPD and information on cost of coverage and other plan details is provided to eligible employees in advance of enrollment, usually by the Human Resource department . Refer to the actual plan document and summary plan description if you have specific questions regarding this benefit plan. Those documents are controlling.
3. Upon termination you may be entitled to continuation or conversion of the group dental insurance plan in accordance with applicable state and federal law. For more information, contact the Human Resource department.

Life Insurance

1. Full-time employees that work thirty-seven and a half (37.5) hours per week (or have an hours increase to thirty-seven and a half per week) are eligible to enroll in CAPCO's life insurance program, including Accidental Death & Dismemberment, the first (1st) of the month following sixty (60) days of employment and/or from the time the employee's hours increase. (*The Agency's introductory period remains at 90 days*).
2. A SPD and information on cost of coverage and other plan details is provided to eligible employees in advance of enrollment, usually by the Human Resource department . Refer to the actual plan document and summary plan description if you have specific questions regarding this benefit plan. Those documents are controlling.
3. Eligible employees must complete an enrollment form and designate a beneficiary.
4. Upon termination, options for continuing life insurance benefits may be available. For more information, contact the Human Resource department.



New York State Disability Insurance

1. CAPCO complies with Article 9 of the New York Workers' Compensation Law, Disability Benefits Law, by contracting with a NYS disability carrier to provide temporary cash payments for eligible wage earners who are incapacitated by an illness or disability from a non-occupational injury.
2. Employees should see the Designated Human Resource staff member regarding applying, eligibility, length of leave, payments, and other specific plan provisions for NYS Disability Insurance.

401(k) Savings Plan

All employees become eligible to participate in employee elective deferrals the first pay period in which hours are worked and payroll payment is provided.

1. Newly hired employees are automatically enrolled in a salary reduction deferral for 401(k) retirement savings plan contribution as of the first payroll worked and paid unless an alternate deferral is elected or enrollment is waived by the employee. Employees who do not change their salary reduction deferral for 401(k) retirement savings plan contribution will be auto escalated after one (1) full year in the Plan.
2. Employees are eligible for the Agency's matching or base contribution the first payroll following the calendar month after completing one (1) year of service and one thousand (1,000) hours, calculated as of the employee's anniversary date.
3. The Agency contributes a two percent (2%) base contribution of an employee's bi-weekly gross pay after fulfillment of eligibility requirements. The Agency contributes up to an additional one percent (1%) dollar-for-dollar matching contribution to the employee's elected deferrals for a total maximum contribution of three percent (3%).
4. A SPD and plan details are provided to employees at the time of enrollment, usually by the Human Resource department. Refer to the actual plan document and summary plan description if you have specific questions regarding this benefit plan. Those documents are controlling.

Employee Assistance Program (EAP)

1. Eligible full-time and part-time employees may participate in our Employee Assistance Program immediately upon hire.
2. The administrative cost of this program is fully paid by CAPCO.
3. Our EAP helps eligible employees and their immediate families with a wide range of life challenges and opportunities. Employee conversations and records with our EAP are strictly confidential.



4. Complete details of this program may be obtained from the Human Resource department and the available SPD.

Section 125 Plans

CAPCO offers a pretax contribution option for select and permissible benefit plans for employees. This employee benefit is known as a Section 125 plan.

A Section 125 plan is a benefit plan that allows employees to make contributions toward premiums for medical insurance, dental insurance, and out-of-pocket medical expenses and dependent care expenses on a “before-tax” rather than an “after-tax” basis. An employee’s premium contributions and qualified expenses are deducted from an employee’s gross pay before income taxes and Social Security is calculated.

Employees must meet eligibility requirements to participate in CAPCO’s Section 125 plans. If eligibility is met, an election form must be completed and returned to the Human Resource department. Employees cannot make any changes to their pretax contributions until the next applicable open enrollment period unless eligible for a special open enrollment due to a qualifying event as specified under the plan.

Social Security

During your employment, you and CAPCO both contribute funds to the federal government to support the Social Security program. This program is intended to provide you with retirement benefit payments and medical coverage once you reach retirement age.

CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

When an eligible employee terminates employment with CAPCO, the employee or qualified beneficiary is entitled to continue participating in the Agency’s group health plan for a prescribed period of time, usually 18 months. In certain circumstances, such as an employee’s divorce or death, the length of coverage period may be longer for qualified dependents. CAPCO’s COBRA compliance is administered by the Agency’s designated health insurance broker.

PROCEDURE

1. General notice of coverage is provided to employees and spouses covered by the plan within 90 days of individual’s coverage date.



2. Written notice of continued health insurance coverage is provided to the terminated employee and/or dependents by the Agency's insurance broker within 14 days of the qualifying event.
3. Employees must decide whether to continue coverage within 60 days after the date coverage would otherwise terminate due to the qualifying event.
4. If a former employee chooses to continue group benefits under COBRA, she/he must pay the total applicable premium plus an administrative fee up to two percent (2%) or up to one hundred and two percent (102%) of the full premium cost, except in the case of an 11-month disability extension where you may be required to pay up to one hundred and fifty percent (150%) of the full premium cost for coverage.
5. The first COBRA payment must be received forty-five (45) days after the initial election, and thereafter, within thirty (30) days of the due date (the grace period). Each month's premium is due prior to the first day of the month of coverage. You or your dependent is responsible for making timely payments.
6. Coverage ceases if the former employee fails to make premium payments as scheduled, or within thirty (30) days of the scheduled payment, becomes covered by another group plan or becomes eligible for Medicare, or when the plan terminates for all employees.
7. For detailed information or questions on COBRA, employees are requested to check with the Designated Human Resource staff member.

WORKERS' COMPENSATION

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO employees who suffer a work-related illness or injury, regardless of fault, may be entitled to benefits under Workers' Compensation. CAPCO's insurance carrier determines which claims are job-related and therefore covered.

PROCEDURE

Employee Responsibilities

1. If an employee is injured on the job, no matter how slightly, she/he should report the incident immediately to her/his Supervisor.
2. The employee should inform her/his immediate Supervisor of the injury or accident as soon as possible and no later than 24 hours after the accident. The employee should immediately fill out a CAPCO accident report which will include the following:
 - a. Date, time, and place of injury or accident.



- b. Brief description of and conditions that caused the injury or accident.
 - c. Description of injured parts of the body or disease resulting from the injury or accident.
 - d. Medical attention sought and time away from work, if any.
3. If applicable, request doctor to promptly provide information requested by the employer about the condition of the employee.
 4. Keep records of all bills, dates of treatment, compensation payment dates worked and not worked, to whom the injury or accident was reported, and any other information relating to the employee's injury or accident.
 5. Failure to follow procedures may affect the ability of the employee to receive Workers' Compensation benefits.

Supervisor Responsibilities

1. Promptly conduct a thorough investigation to determine if the injury or accident was caused by a work-related incident.
2. Notify the Program Director and the Human Resource department of the accident or injury, and work with them to resolve or correct the cause of the accident or injury.
3. Fill out a Supervisor Accident Investigation Report, and forward to the Program Director and Human Resource department for notification of the insurance company.

TRAINING AND DEVELOPMENT

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO believes employees are a valuable partner in meeting the Agency's mission, values, and vision. CAPCO supports the development of employees' and volunteers' skills through both in-house and external training opportunities.

PROCEDURE

1. It is a joint responsibility between the immediate Supervisor(s), Program Director(s) and employees to identify training opportunities and needs. Training and leadership development plans are part of the annual job performance review process.
2. Safety training and employee orientation are provided to all employees. Please see specific policies for details.



3. Other training courses are offered on an annual or “as needed” basis and may include, but are not limited to, the following:
 - a. Computer training
 - b. Diversity training
 - c. Harassment training
 - d. First aid and CPR
 - e. Abuse and neglect reporting (see Head Start Specific information below)
4. It is the responsibility of the immediate Supervisor and the Program Director to assign employees to the training sessions to ensure they receive the required training on a regular basis.
5. An employee desiring training must complete a written request for the specific training to their Program Director for review and approval.

All-Staff Days

CAPCO holds two (2) All-Staff Training Days per year, usually in the Fall and Spring of the year. These are mandatory staff training days. Any accrued leave requests that fall on an All-Staff Day will generally not be approved by an immediate Supervisor or Program Director, except as otherwise required by law. Any requests for time-off that falls on an All-Staff Training Day must be made directly to the Executive Director. Generally, no requests for leave that fall on an All Staff Training Day will be approved unless deemed to be an extenuating circumstance by the Executive Director. The Executive Director has the final say in any and all All-Staff Training Day requests.

[HEAD START SPECIFIC]

Head Start/Early Head Start

1. Head Start/Early Head Start staff must participate in additional ongoing, structured training to acquire knowledge and skills as mandated by State regulations and Federal Head Start Performance Standards.
2. Applicable Head Start/Early Head Start employees participate in training enabling them to obtain a Child Development Association (CDA) credential. In the event that the employee is not a Head Start/Early Head Start employee and not eligible for Head Start/Early Head Start classes, her/his courses may be reimbursed through the Education Assistance policy.
3. Orientation is provided to all new staff, consultants, and volunteers.

EDUCATION ASSISTANCE

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**



PURPOSE/POLICY

This policy applies only in accordance with available Program resources and funding source guidelines and restrictions. CAPCO recognizes that the skills and knowledge of its employees are critical to the success of the Agency. The Education Assistance Program encourages professional development through formal education so employees can elect to maintain and improve job-related skills or enhance their ability to compete for jobs within CAPCO.

PROCEDURE

1. Eligible employees include:
 - a. Those who have completed one (1) full year of service as a regular full-time employee and have received at least a “meets expectations” rating on performance appraisals.
 - I. Exceptions may apply for training/education requirements of the Head Start/Early Head Start Program [HEAD START SPECIFIC]
 - b. Those who remain on the active payroll and are performing their job satisfactorily through completion of each course may continue to receive education assistance.
 - c. Those who have completed and submitted a written request and obtained prior approval from the Executive Director.
 - d. Those whose training is explicitly authorized by the Executive Director or a funding agency.

The guidelines for reimbursement include courses taken and passed with a grade of “B” or better in the course and from an accredited, academic institution. This will entitle the employee to receive reimbursement of tuition only at a designated percentage, so long as all other conditions for reimbursement are satisfied as set forth in this policy.

2. Approval for participation in the program and percentage of tuition reimbursed depends on availability of funds in the budget and is at the discretion of the Agency.
3. Courses submitted for reimbursement are not to exceed more than two (2) per semester or quarter unless otherwise approved by the Executive Director. Reimbursement does not take place until course completion and proof of grade is provided to the Executive Director.
4. Individual courses or classes that are part of a degree, licensing, or certification program must be related to the employee’s current job duties or a foreseeable future position in the Agency in order to be eligible for educational assistance.
5. While educational assistance is expected to enhance employee performance and professional abilities, CAPCO cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or any pay increase.
6. If an employee voluntarily separates from CAPCO employment within three (3) years after education assistance payment by the Agency, the employee is required to repay up to 100% of the original educational assistance payment.



7. Costs of additional education at an undergraduate or postgraduate college level, including that provided at the Agency's own facilities, will be paid only when the course or degree pursued is relative to the field in which the employee is now working or may reasonably be expected to work, and are limited to:
 - a. Tuition charged by the educational institution or, in lieu of tuition, instructors' salaries and the related share of indirect costs of the educational institution to the extent that the sum thereof is not in excess of the tuition which would have been paid to the participating educational institution.

EMPLOYEE PARTICIPATION IN PROGRAM SERVICES

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO employees may participate in programs or services operated by the Agency. Employees must meet all program eligibility requirements and are not given priority or preferential treatment over other applicants.

PROCEDURE

1. Employees should be advised that the services' application process may include more oversight than usual in order to avoid any appearance of conflict of interest. Employee questions about the process should be directed to Executive Director.
2. All employees are required to pay fees if a program requires a fee for service(s).

SECTION 4: TIMEKEEPING AND PAYROLL

HOURS OF WORK

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO maintains work hours in accordance with federal and state regulations and in accordance with workload, program participants' requirements, and the efficient management of personnel resources.

PROCEDURE

1. The Agency pay period begins 12:00 a.m. Saturday and ends 11:59 p.m. Friday on a bi-weekly basis. Pay periods are based on the Agency's pay period and pay date schedule,



which is made available to all employees. Questions regarding these schedules can be answered by your immediate Supervisor.

2. Standard Agency operating hours are 8:00 a.m. to 4:00 p.m. Monday through Friday. An employee's regular scheduled work hours may vary from standard Agency hours.
3. Employees may be required to work hours different from their regular schedule, such as evenings or weekends, depending on the needs of the Agency.
4. Employees receive an unpaid meal period of thirty (30) minutes in length if she/he works a shift of more than six hours, which extends over the noon-day meal period. Additional meal period times may be provided to employees according to their work schedules, per applicable law.
5. Lunches should be taken away from the employees' work area between the hours of 11:00 a.m. and 2:00 p.m. and accommodate staffing needs and operating requirements.
 - a. [WIC SPECIFIC]: For WIC scheduled work days that span from 11:00am-7:00pm, lunch breaks are granted in 30 minute increments to accommodate program needs.
6. During the meal break, employees are relieved from duty and are free from interruptions. Nonexempt employees are prohibited from performing work during the meal period. If a nonexempt employee is unable to take an uninterrupted meal break during her/his shift, the employee must notify her/his immediate Supervisor, who assigns relief so the meal break can be taken or authorize the additional time. Employees may not work through meal periods without prior approval from the Program Director.
7. Nonexempt employees scheduled to attend a meeting, training class, workshop, or seminar at the request of the Agency are compensated for the hours of the meeting or seminar and the travel time to and from the work site, per Department of Labor regulations.
8. The Agency retains the option to determine the mode of transportation for which it pays travel time for any given trip. An employee is not paid for travel time exceeding the time required for selected mode of transportation (i.e. driving time).
9. Travel time to and from home (i.e., the regular commute) is not considered work time and therefore is not paid.
10. Exempt employees that attend a meeting or class will not receive additional compensation.

OVERTIME

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY



CAPCO maintains work hours in accordance with federal and state regulations and in accordance with workload, program participants' requirements, and the efficient management of personnel resources. In order to meet client needs, it may be necessary for employees to work hours in addition to their normal work schedule.

PROCEDURE

1. Immediate Supervisors must approve any deviations from regularly scheduled work hours in advance.
2. Program Directors must approve all overtime hours in advance and initial employees' timecard/activity reports. Disciplinary action may be taken when a non-exempt employee works overtime without obtaining prior approval, refuses to work required overtime as requested by the Agency, or failure to record time (including overtime) worked.
3. Nonexempt employees will be paid at one and one-half times their regular rate of pay for actual hours worked in excess of 40 hours in a workweek. When calculating overtime, only actual time worked is used. Training and eligible travel time may be counted as time paid in the calculation of overtime. Paid time off for holidays, annual leave, personal leave, sick time or any other form of paid time off for hours not actually worked is not considered time worked for purposes of overtime.

TIMEKEEPING

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

Federal and state law and regulations require CAPCO to maintain accurate records of all time worked by employees. Employees must record all time actually spent on the job performing assigned duties or other work-related projects.

PROCEDURE

1. New employees receive training during orientation on procedures for completing time sheets/personal activity reports (PAR).
2. CAPCO utilizes a secure online timekeeping/timesheet system for which all employees receive training.
3. All employees must accurately record the following daily:
 - Beginning and ending work time.
 - Beginning and ending of each unpaid meal period.



- Beginning and ending time of any split shift or other personal departures from work.
 - Approved time-off (annual, personal, sick holiday, jury, etc.).
4. Employees are responsible for recording and verifying their own time worked. Tampering, altering, or falsifying time records or recording time on another employee's time sheet is not allowed and may result in disciplinary action, up to and including suspension/termination. Under no circumstances is an employee allowed to record time for another employee.
 5. Employees who are late to work should record the time they actually started work. Lateness may be reflected in paychecks in accordance with applicable law. Excessive tardiness may be cause for disciplinary action (see Policy on Attendance).
 6. Time sheets/activity reports must be submitted to an employee's immediate Supervisor by the end of a pay period at the specified time designated by the employee's associated program or immediate Supervisor. It is the responsibility of the employee to submit the time sheet/activity report on schedule to her/his immediate Supervisor.
 7. Supervisors must submit reviewed, approved, and signed timesheets to the CAPCO Fiscal Office no later than 12:00 p.m. noon on the Monday of a payroll week.
 8. On occasion, the due date of timesheets may be affected by holidays. Specifics will be communicated to employees and Supervisors in advance.
 9. Failure to timely submit a timesheet, either on the part of the employee or the Supervisor, may result in disciplinary action as well as the employee not receiving pay for time worked on the scheduled and corresponding pay date.
 10. It is the employees' responsibility to approve/sign time sheets/PARs to certify the accuracy of all time recorded. The immediate Supervisor reviews and initials the time sheets/PARs before they are submitted and processed for payroll. In addition, if corrections or modifications are made to the time sheets/PARs, both the employee and the immediate Supervisor must verify the accuracy of the changes by initialing the time sheets/PARs.
 11. Any exceptions to the above procedures must be approved by the Fiscal Director.

PAYCHECK DISTRIBUTION

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO is committed to maintaining appropriate control regarding the security and distribution of employee paychecks.



PROCEDURE

1. Employees receive paychecks or direct deposit vouchers on a bi-weekly basis. You will be paid biweekly on Friday for the period that ends the previous Friday. When a payday is a holiday, you normally will be paid on the last working day before the holiday.
2. Payroll checks may be electronically deposited to an account at a financial institution that the employee designates. Employees are responsible for notifying the Human Resource department of any change in banks or bank accounts to ensure the proper direct deposit of payroll to the employee's account.
3. During emergencies and/or times when it is not safe for employees to physically pick-up paychecks, check will be mailed to the address officially on file with CAPCO Human Resources as soon as administratively possible in an effort to allow proper mail time so checks are received by the designated pay day.
4. Employees who do not have direct deposit may pick up paychecks at the CAPCO Main Office on paydays during the hours of 9:00 a.m. and 3:00 p.m. For security reasons, paychecks are only released to the individual whose name appears on the check and identification and a signature are required. All remaining paychecks are mailed to the address on record after 3:00 p.m. on the pay date. Employees are responsible for keeping their mailing addresses current.
5. Notify the Human Resource department immediately if a paycheck is lost, stolen, or destroyed. If the check has not been negotiated, a duplicate check is issued to the employee, but the employee may be responsible for any stop payment charges assessed by the banking institution.

WAGE AND SALARY ADMINISTRATION

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE /POLICY

Being responsive to market influences and federal and state prevailing wage requirements, CAPCO strives to recruit and retain highly qualified individuals. Equitable and compliant wage and salary administration not only recognizes different levels of experience, qualifications, and performance among employees, but also provides financial incentive for employees at all levels of the Agency.

PROCEDURE

1. Employees receive fair and equitable compensation not to exceed salaries for similar positions in the community and human services industry. Employees do not receive less than minimum wage.



2. Suggested salary increases guidelines must be approved by the Program Director and the Executive Director.
3. Employees may receive wage/salary adjustment based on the following situations:
 - a. Workload or job responsibilities adjustment
 - Adjustment for substantial, documented reassignments or changes in the duties/responsibilities within the same position may be initiated after consultation with the Program Director.
 - b. Change in position
 - An employee who moves from one position to another will be considered for a pay rate adjustment based on the established pay rate for the position, market research, and an employee's experience/qualifications for the new position.
 - Employees whose current salary is already within the pay range for the higher level position may be granted a salary increase dependent upon the availability of funds, internal equity, and other pertinent factors.
 - c. Merit increases
 - Increases may be based on level of performance identified through documentation, including an outstanding appraisal, among other relevant factors.
4. All salaries including any adjustments are recorded in a wage compensation schedule and updated accordingly.
5. Employees who receive a pay rate adjustment must sign-off on a Notice and Acknowledgement of Pay Rate and Payday acknowledging the change in pay rate.

Incentive Compensation

Contingent upon available funding, each program may assert the option of distributing additional pays. A pay distribution may be allocated on a fair and consistent basis to all regular status program employees and is not based on performance evaluations. Additional pays can be allocated on a pro-rated basis for employees hired during the program year. Any incentive payments must be approved by the Executive Director and the Board of Directors.

Cost of Living Increase (COLA):

1. Cost of living increases are determined by funding agency guidelines.
2. Cost of living increases, when given, are given as soon as administratively possible upon being awarded by the funding source.



3. Employees who receive a salary increase as a result of a promotion or change in job responsibilities within the current grant/contract year corresponding to the COLA may not receive a cost of living increase.
4. Cost of living allowances, if any, are determined annually and are subject to the approval of the Board of Directors. Cost of living allowances, including retroactive COLAs, are only paid to actively employed staff.

PAYROLL DEDUCTIONS

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO makes paycheck deductions from employee paychecks according to various laws and to pay for employee elected benefits. Various federal and state laws require CAPCO to make deductions for federal, state, and local income taxes and payments, as well as social security. In addition, eligible employees may voluntarily authorize deductions from their paychecks to cover contributions to the 401(K) Savings plan, health insurance, supplemental life insurance, etc.

PROCEDURE

1. Mandatory deductions and wage attachments that are required by law are automatically made from all paychecks issued by CAPCO. These deductions may change as they are affected by changes in the amount earned, legislation, and the number of dependents declared.
2. Employees desiring to change the amount withheld for taxes may submit a revised form to the Designated Human Resource staff member.
3. Additional deductions the Agency is authorized to make, or which are required by law (e.g., garnishments, child support), are automatically deducted and will not be stopped until proper documentation has been received.
4. Court orders, wage deduction summonses, tax levies, and other similar orders against an employee should be immediately forwarded to the Designated Human Resource staff member.
5. The Designated Human Resource staff member will:
 - a. Notify the employee of the legal action being taken against her/him.
 - b. Provide the employee with a copy of the official court order or tax levy.
 - c. Inform the employee of the dates the garnishment will be deducted from the employee's paycheck.
 - d. Advise the employee of her/his rights under the Consumer Credit Protection Act (CCPA).



6. In the event that garnishment or similar proceedings are instituted against an employee, the Agency deducts and remits the required amount from the employee's paycheck in accordance with CCPA guidelines.
7. An employee may not be terminated for having a garnishment served against her/him.

TRAVEL/EXPENSE REIMBURSEMENT

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO advances and/or reimburses employees for actual and necessary travel and other expenses incurred while conducting Agency business.

PROCEDURE

1. Employees required to travel for business must obtain advance approval from the applicable Program Director and/or Executive Director.
2. Funds will be advanced for upcoming travel only upon receipt of a completed and properly approved travel authorization form. Overnight travel status for staff must be authorized on an "Out of Town Travel authorization/advance form" in advance by the appropriate Program Director or her/his designee and the Executive Director. Advances will be allowed within one week prior to the date of travel.
3. All requests for out of town travel for Program Directors must be approved by the Executive Director or her/his designee.
4. CAPCO reimburses employees for reasonable meal, transportation, lodging, and incidental expenses actually incurred (or per diem rates) while traveling for business purposes. Employees are expected to limit expenses to reasonable amounts and within the standard per diem rates based on locality, published in the federal per diem rate chart. If locality is not listed, the Continental U.S. (CONUS) rate will be used. The Agency follows IRS policies for per diem rates for meals and incidentals based on the number of days the travel will cover. These rates are updated annually by the IRS and will be adjusted by the Agency accordingly.
5. In the event that meal(s) are covered by someone other than the traveler, (included in conference etc.) then the per diem amount for the meal must be deducted from the daily allowance.
6. CAPCO does not reimburse for personal activities while traveling or other expenses such as entertainment, dry cleaning, etc.



7. Employees must submit a travel expense report within fourteen (14) days of completion of travel in order to receive reimbursement. Expenses are paid to the employees on the next regularly scheduled date reimbursement checks are cut following receipt of the request.
8. Employees sign an agreement form to repay advances where receipts are not submitted within fourteen (14) days or the amount will be deducted from their pay. The Agency does not require the return of receipts if the per diem rate is used for travel advances for means and incidentals.
9. Mileage is reimbursed at the approved Agency rate based on the prevailing IRS rate (which encompasses expenses for general maintenance, insurance, gas, oil, etc.) for travel other than to and from the employee's residence and regular work site and includes:
 - a. Travel from an employee's residence to a different meeting site (or returns) further than the regular work site, in which case only the additional mileage is reimbursed. If the mileage is less, no reimbursement will be made.
 - b. Travel from the regular work site to a different site of official business and subsequent return to the regular work site is reimbursable for the mileage in both directions.
 - c. There is no advance given for mileage reimbursement.

SECTION 5: EMPLOYEE CONDUCT

SAFETY

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

To provide employees with a safe place to work, CAPCO operates as safely as possible in accordance with the Occupational Safety and Health Administration (OSHA) and other applicable federal and state laws and regulations.

PROCEDURE

1. The designated Human Resource staff member, in coordination with the Agency's Safety Committee, is responsible for establishing and communicating all safety policies and procedures including, but not limited to:
 - a. Inspecting work areas.



- b. Training employees in health and safety matters, and ensuring that all staff and volunteers can demonstrate safety practices.
 - c. Maintaining safe practices in work areas.
 - d. Identifying unsafe conditions and eliminating any possible hazards present.
 - e. Investigating all accidents immediately.
2. All employee safety and/or health-related inspections, accidents, or incidents must be reported to the Designated Human Resource staff member immediately.
 3. Each employee, as a condition of continuing employment, is required to work safely, to observe all safety rules and regulations, to wear required safety equipment, and to perform her/his job in a manner to avoid accidents and injury to others.
 4. A list of emergency telephone numbers that is readily accessible to employees is posted at CAPCO facilities.
 5. The Designated Human Resource staff member completes, submits, and maintains records and reports in accordance with established OSHA and the Department of Labor requirements including:
 - a. A log of all recordable occupational injuries.
 - b. Information and services with the insurance carrier.
 6. CAPCO promotes safety awareness among children and parents by incorporating it into child and parent activities as well as in interactions with all clients served.
 7. CAPCO maintains readily available, well-supplied first aid kits appropriate for the ages served. The first aid kits are maintained at each location and available on outings away from the site. Each kit is accessible to staff members at all times and is kept out of the reach of children.

INJURY REPORTING PROCEDURE

If an employee is injured on the job, no matter how slightly, she/he must report the incident immediately to her/his Supervisor. The employee should inform her/his immediate Supervisor of the injury or accident as soon as possible and no later than 24 hours after the accident. The employee should immediately fill out a CAPCO accident report which will include the following:

- a. Date, time, and place of injury or accident.
- b. Brief description of and conditions that caused the injury or accident.
- c. Description of injured parts of the body or disease resulting from the injury or accident.
- d. Medical attention sought and time away from work, if any.

The Agency and the law prohibit discharging or discriminating against employees for reporting work-related injuries or illnesses.



VEHICLE USE POLICY

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

Employees in certain positions may be required to drive CAPCO or personal vehicles to conduct business on behalf of CAPCO. Employees must operate vehicles in a safe and responsible manner, and in compliance with all motor vehicle and traffic laws.

PROCEDURE

Driver's License

1. Any employee who drives a CAPCO or personal vehicle to conduct Agency business must possess a valid driver's license that is free from major infractions and meets Agency safety standards at the time of hire and throughout employment.
2. Following a conditional offer of employment, the Agency will conduct Motor Vehicle Record (MVR) checks of final applicants and employees who apply for positions that explicitly or may involve driving.
3. A MVR check will occur on an annual basis, or more or less frequently based on the business needs of the Agency, for all current employees whose positions may require the use of a vehicle to perform their job duties. All requests for information regarding an applicant's or employee's motor vehicle record or background will be in compliance with the Fair Credit Reporting Act (FCRA).
4. Employees who drive on Agency business must immediately notify their Supervisor of any moving violations or license suspension or revocation during working or nonworking hours.
5. An employee is not allowed to drive on Agency business with a suspended or revoked license. The employee is responsible for paying the cost of any traffic or parking tickets, moving violations, or fines that result from driving on Agency business.
6. If an employee's Agency driving privilege is suspended and that employee's position requires regular use of a vehicle in order to perform her/his job duties, the employee may either be reassigned to another comparable position if available, or he/she will be terminated for being unable to perform the duties of her/his job.

Use of Personal Vehicles for Agency Business



1. There may be times when an employee is asked to use her/his personal vehicle for Agency business purposes. An employee who drives a personal vehicle to conduct Agency business must provide proof of acceptable auto liability insurance (for both bodily injury and property damage). If an employee's liability insurance lapses, the employee's Supervisor must be notified immediately.
2. CAPCO does not assume any liability for injury to the public caused by the negligence of an employee who is driving a personal vehicle in the course of Agency business.
3. CAPCO is not responsible for any damage to an employee's personal vehicle or loss or damage to personal property contained within the vehicle.
4. In the event CAPCO is brought into a lawsuit involving an automobile accident caused by an employee, the employee's personal insurance coverage will provide protection for the employee and the Agency, followed secondarily by the Agency's insurance program.

Use of Agency Vehicles

1. Agency-provided vehicles may be assigned to employees for the purpose of conducting Agency business. Only authorized employees are allowed to drive Agency vehicles. Agency vehicles must be used only for authorized CAPCO business and may not be used for personal use or to transport unauthorized individuals or materials.
2. An employee is not permitted to transport program participants in an Agency vehicle unless they are conducting authorized Agency business. If transporting a program participant under the age of 18 without the parent or legal guardian, written consent must be obtained from the parent or legal guardian prior to providing transportation.
 - A. [HEAD START SPECIFIC]: At least two (2) staff members must be in the vehicle when transporting any number of program participants.
3. At no time are there to be riders in an Agency vehicle except authorized program participants and Agency staff. Unauthorized riders include, but are not limited to family members, friends, etc.
4. Operators of CAPCO vehicles are responsible for the safe operation and cleanliness of the vehicle and obeying all state traffic laws. Papers and garbage are to be removed from the vehicle at the end of each usage.
5. Smoking is prohibited in CAPCO vehicles. Vehicles should be maintained in a safe and secure condition when not in use. Any employee found to be smoking in an Agency vehicle will result in a minimal three (3) day suspension without pay and may be subject to additional disciplinary action.



6. It is the employee's responsibility to notify the appropriate Program Director when an Agency vehicle is in need of maintenance or repair work.
7. Accidents involving a CAPCO vehicle must be reported to your immediate Supervisor and Program Director immediately. They are responsible for reporting it immediately to the Executive Director or Fiscal Director, or designee.

Vehicle Safety Regulations

1. The use of safety belts is mandatory for operators and all passengers of CAPCO vehicles and employees driving personal vehicles on CAPCO business. The driver is responsible for ensuring passengers wear their safety belts.
2. In accordance with New York State regulation, an employee is not allowed to make or receive calls or messages on a cell phone while operating a vehicle unless a headset or hands-free device is used. Cell phone calls and messages should be made when the vehicle is parked. It is illegal for drivers to use handheld portable electronic devices while their vehicle of operation is in motion. This includes a hand-held mobile telephone, laptop computer, pager, broadband personal communication device, two-way messaging device, electronic game, or portable computing device.
3. Employees must not operate a vehicle, personal or Agency provided, at any time when her/his ability to do so is impaired, affected, influenced by alcohol, illegal drugs, prescribed or over-the-counter medications, illness, fatigue, or injury.
4. Employees who drive Agency vehicles must become familiar with the vehicle before driving. Employees should check the glove box to make sure the registration and insurance cards are available. Driver Vehicle Check Lists and log-sheets found in Agency vehicles must be filled out before and after the usage of an Agency vehicle.
5. Each CAPCO vehicle must have an updated insurance card in the glove compartment at all times. Please be sure that all employees using CAPCO vehicles know where to locate the card. Also, all CAPCO employees using CAPCO vehicles must carry a valid NYS Driver's license.

In Case of an Accident

1. Find the closest point to move your car off the road if possible.
2. Notify the police, even if there appears to be no injuries or damage to the vehicles.
3. Call medical aid if necessary.
4. Remain at the scene unless there is danger, such as a fuel spill. If you must move away from your car, keep it in sight, so that you will see when the police or emergency vehicles arrive.



5. If this information can be obtained safely, record names, address of driver, witnesses and occupants of other vehicles and any medical personnel who may arrive on the scene. Obtain the license plate number of the other vehicles involved, insurance company names, date and time of the accident.
6. Note the weather and road conditions. One or both could have contributed to the accident, potentially affecting CAPCO's insurance and whether you are ticketed or charged with a crime.
7. Under no circumstance should an employee risk his or her own safety, or the safety of any passengers or witnesses to obtain the information listed above. If the other party or parties involved appear threatening in any way, stay in your vehicle if you can safely do so, and wait for law enforcement. If you cannot remain in your vehicle, maintain a safe distance from the threatening parties and wait for law enforcement.
8. Do not discuss the accident with anyone at the scene except law enforcement officers. No statements should be shared with anyone other than the law enforcement officers. Do not accept any responsibility for the accident. Do not argue with anyone.
9. Employees must notify their Supervisor or the Executive Director of any accident, theft, or damage involving an Agency vehicle or personal vehicle being used for Agency business. Notification must happen as soon as practical, but no later than 24 hours following the incident.
10. As soon as all the above steps are taken, immediately report back to the office to begin the claim process. Any delay in notifying the Agency could affect the amount of the claim, and may result in disciplinary action, up to and including termination of employment.

HYGIENE

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO promotes a safe and clean environment, including hygiene. Personal hygiene and good grooming are expected at all times. All staff and volunteers are required to follow the hygiene guidelines specified below which includes sanitation and safety.

PROCEDURE



1. Employees, volunteers, and children must wash their hands with soap and running water (at a minimum):
 - a. After diapering or toilet use.
 - b. Before food preparation, handling, consumption, or any other food-related activity (e.g., setting the table).
 - c. Whenever hands are contaminated with blood or other bodily fluids.
 - d. After handling pets or other animals.
 - e. Before and after giving medications.
 - f. Before and after treating or bandaging a wound.
 - g. After assisting a child with toilet use.
2. Nonporous (e.g., latex or similar) gloves must be worn by employees and volunteers when they are in contact with spills of blood or other visibly bloody bodily fluids.
3. Spills of bodily fluids (e.g., urine, feces, blood, saliva, nasal discharge, eye discharge, or any fluid discharge) must be cleaned and disinfected immediately in keeping with professionally established guidelines (e.g., standards of the Occupational Safety Health Administration, U.S. Department of Labor). Any tools and equipment used to clean spills of bodily fluids must be cleaned and disinfected immediately. Other blood-contaminated materials must be disposed of in a plastic bag with a secure tie.
4. Employees and volunteers must follow and conduct all sanitation and hygiene procedures for diapering to ensure the adequate protection of the health and safety of children.
5. Cribs and cots must be at least three (3) feet apart to avoid spreading contagious illness and to allow for easy access to each child.

DRESS POLICY AND APPEARANCE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **December 7, 2023**

PURPOSE/POLICY

CAPCO employees, volunteers, and representatives are required to present a positive image to the public and clients. Accordingly, each employee is required to wear appropriate attire for the work being performed. Appropriate dress is defined below, although job and work location should be taken into account as well.

PROCEDURE

1. At all times appearance is neat, clean, and professional. Employees and volunteers, regardless of community and client contact, are expected to wear appropriate attire.



2. An employee's (or volunteer's) immediate Supervisor, working with the Human Resource department, is responsible for monitoring the dress policy.
3. Employees/volunteers are expected to dress appropriately while conducting CAPCO business.

Appropriate dress includes, but is not limited to:

- Blazers and sport coats
- Casual dresses (appropriate cut and length, no less than mid-thigh)
- Skirts (appropriate cut and length, no less than mid-thigh)
- Casual shorts (appropriate cut and length, no less than mid-thigh)
- Shirts (oxford, polo, blouses, button-down, turtleneck, appropriate t-shirts, pull-overs)
- Sweaters
- Tank tops (professional; straps must meet the two (2) finger width test; no undergarments showing or visible)
- Slacks
- Jeans (must not be torn or frayed)
- Stretch clothing (spandex, leggings, lycra, etc.) with appropriate coverage
- Loafers, dress shoes, sneakers, boots, flats, sandals, high heels
 - Heels for all shoe types must not exceed 3 inches.

Dress which is not appropriate or acceptable includes, but is not limited to:

- Form fitting stretch clothing (spandex, leggings, lycra, etc.) that is see through in any way or shows any private body parts or outlines of private body parts
 - Sweatpants/sweat suits/jogging suits/warm-up suits
 - Sleepwear (unless expressly permitted for Agency functions)
 - Sport shorts and/or other athletic wear
 - Halter tops/low-cut tops/cropped tops/spaghetti strap tops/tube tops/strapless tops
 - Any clothing that shows or allows to be visible under garments
 - Dresses, skirts or shorts less than mid-thigh in length
 - Hats, caps, sweatbands, bandanas*
 - *This standard may be different for employees working outside.
 - Torn, worn, or frayed clothing*
 - *This standard may be different for employees working outside. Employees working in construction or maintenance jobs must clarify with their supervisor acceptable standards of "torn, worn, or frayed clothing".
4. Clothing and/or accessories that contain derogatory, discriminatory, or offensive graphics or messages representing alcohol or other controlled or illegal substances, are not permitted in the workplace or outside the workplace while conducting business. Determinations of offensive clothing and/or accessories are at the discretion of Agency Management. Generally, staff may not wear any clothing, jewelry, or other insignia that:
 - Advocates or encourages the use or abuse of drugs, tobacco, or alcohol.
 - Expresses or advocates prejudice or discrimination against people based on race, ethnicity, gender, religion, national origin, or sexual orientation.
 - Advocates or encourages illegal activity.



- Clothing which has been deemed by local law enforcement or other experts to be gang related.
- 5. Tattoos and body art containing derogatory, discriminatory, or offensive graphics or messages, including but not limited to tattoos and body art representing alcohol or other controlled or illegal substances and all standards set forth in procedure 4 of this policy, are not permitted in the workplace or outside the workplace while conducting business and must be always covered while conducting CAPCO business.
- 6. Body piercings and jewelry must be safe for the specific job function of the employee or volunteer. The employee/volunteer's Supervisor is responsible for monitoring this and making safety determinations around piercings and jewelry.
- 7. Employees and volunteers are prohibited from wearing excessive fragrances as others may be sensitive or allergic.
- 8. If an employee/volunteer is inappropriately dressed or groomed, she/he is instructed to go home, make necessary changes, and to return to work in a reasonable amount of time. This time will not be compensated. Any questions regarding what is or is not appropriate attire at the agency should be directed to the Human Resource department.
- 9. Reasonable accommodations to this policy will be made for an employee's disability, medical condition, or religious beliefs (see Reasonable Accommodations policy for further information).

[HEAD START SPECIFIC—CLASSROOMS & KITCHEN]

Performance Objective: *In addition to the Agency's Dress and Appearance Policy*, the following dress code is **REQUIRED** for CAPCO Head Start/Early Head Start staff working in classrooms or kitchen settings and anyone volunteering in a Head Start or Early Head Start center. This policy also applies to non-classroom staff when entering a classroom or kitchen space.

Operational Procedures:

Employees and volunteers working in classrooms or the kitchen, including playground and outdoor learning areas, must wear shoes that are appropriate to maintain professionalism and the safety of themselves, colleagues, and program participants. Sandals, open-toe shoes, and shoes with heels more than 3 inches in height are **NOT ALLOWED**.

Identification Badges

Employees will be issued an identification badge upon hire. Employees must have identification badges accessible at all times when working. Badges are to be returned upon termination of employment.



GENERAL HOUSEKEEPING

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO promotes a neat, clean, and orderly work area that contributes to efficiency and creates a good impression for those served.

PROCEDURE

1. Employees are encouraged to keep beverages in lidded containers to avoid accidental spills that may damage office equipment or other work materials.
2. Empty soda cans, coffee cups, and food containers are to be kept to a minimum for health and safety purposes.
3. Personal items brought into the work area should not overwhelm employees' desks or otherwise create a work hazard.
4. Space heaters and other electrical equipment must be pre-approved prior to use to prevent work place hazards.
5. Music and sound devices should only be utilized in a non-disruptive manner to those around you including other employees and those served. Headphones are permitted with prior approval from an employee's immediate Supervisor, and when they do not impact the employee's ability to fulfill her/his duties or jeopardize the safety of the employee or other (i.e. reception).

SECURITY/INSPECTION

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO has the right to use and inspect all Agency equipment and property.

PROCEDURE

1. Operations often require others to have access to work areas, desks, files, or computers. Authorized individuals may have access and business needs to retrieve



information on Agency-provided voicemail and e-mail systems. As such, employees should not maintain any expectation of privacy to such equipment or systems.

2. All Agency equipment and property are provided for business purposes. Management has the right to access and inspect them.
3. Security concerns may warrant inspection of a facility and any personal property on the premises, including vehicles, purses, backpacks, lunch containers, electronic devices, and other items.

WORKPLACE ACTIVITY MONITORING

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO maintains the right to conduct workplace monitoring for the purposes of quality control, employee safety, security, and the satisfaction of those serviced by CAPCO. CAPCO is sensitive to the legitimate privacy rights of staff, volunteers, and those served. Every effort will be made to conduct workplace monitoring in an ethical and respectful manner.

PROCEDURE

1. Employees who regularly communicate with those served by CAPCO may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify positive interactions and to collect and correct performance problems through targeted training.
2. CAPCO may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.
3. Employees can request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legitimate business reason to protect confidentiality or an ongoing investigation.

SAFE ENVIRONMENT

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**



PURPOSE/POLICY

To maintain a safe work environment and prevent workplace violence, CAPCO does not tolerate acts of workplace violence committed by or against employees and/or all persons involved in CAPCO's operation. Employees are prohibited from making threats or engaging in violent acts.

PROCEDURE

1. All employees, volunteers, and community members should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, horseplay, or other conduct that may alarm or be dangerous to others.
2. All threats of violence, or violent acts, whether direct or indirect, should be reported immediately to an employee's immediate Supervisor, Program Director, and the Human Resource department. This includes threats or stalking by employees, clients, community members, vendors, solicitors, or other members of the public. The employee's immediate Supervisor, Program Director, and Designated Human Resource staff member should attempt to obtain the most specific and detailed information as possible from the affected individual.
3. The Human Resource department, working with the Executive Director or designee and applicable Program Director, determines whether threats of physical violence will be reported to Law Enforcement.
4. All suspicious individuals or activities should be reported as soon as possible to an employee's immediate Supervisor.
5. Conduct that threatens, intimidates, or coerces another employee, parent, child, or member of the public at any time, including off-duty periods, is not tolerated. This prohibition includes all acts of harassment (refer to Harassment Policy).
6. CAPCO thoroughly and promptly investigates all reports of threats of violence, actual violence, or suspicious individuals and activities.
7. Anyone determined to be responsible for threats of or actual violence or other conduct is in violation of these guidelines and is subject to prompt disciplinary actions up to and including suspension/termination and/or legal action as appropriate.
8. CAPCO will investigate disputes or differences among employees that are reported by an employee to the Human Resources department. Such disputes or differences should be reported to the Designated Human Resource staff member department before the situation escalates into potential violence. The Agency is eager to assist in the resolution of employee disputes and does not retaliate against employees for raising bona fide concerns.
9. Dangerous or hazardous devices or substances are prohibited on the premises.



WEAPONS

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO strictly prohibits firearms and weapons on the Agency's owned, leased or rented property. Employees are also strictly prohibited from carrying firearms, knives, or other weapons while they are in the course of their employment, regardless of whether they are on the Agency's property or at a location where firearms or weapons are otherwise allowed. This restriction during the course of employment applies to all employees, and includes any location where the Agency's service is conducted.

This policy does not pertain to authorized security or law enforcement personnel.

PROCEDURE

1. Any employees in violation of this policy are subject to disciplinary action, up to and including suspension/termination and/or legal action as appropriate.
2. All employees must report the presence of weapons and incidents of threats or acts of physical violence of which they are aware. The report should be made to their immediate Supervisor, Program Director, and the Human Resource department.

SMOKING/TOBACCO USAGE

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO programs and services will be conducted in a tobacco-free environment in order to promote wellness and maintain a safe, healthy, and efficient work environment. This policy applies to all persons in CAPCO facilities.

The term "tobacco-free" refers to all forms of tobacco and nicotine products, consumed by smoking or non-smoking means.

PROCEDURE

1. No one may use tobacco anywhere on CAPCO's premises at any time. There are no designated smoking or tobacco areas.



2. Employees who want to use tobacco during work hours must leave the premises (building and property) during designated unpaid meal periods and be off CAPCO property at least twenty (20) feet from any building entrance. This includes all CAPCO-owned, rented, or leased properties.
3. Any employees in violation of this policy are subject to disciplinary action, up to and including suspension/termination.

DRUG AND ALCOHOL USE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO ensures the health and safety of others in accordance with the Drug Free Workplace Act of 1988 and is committed to providing employees with a work environment that is free of the problems associated with the unlawful use and possession of illegal drugs and alcohol.

Illegal drugs include all controlled substances under federal or state law not prescribed for current personal treatment by a licensed medical professional and all other substances not prescribed for the employee by a licensed medical professional whose use is capable of creating adverse effects on a person's physical, emotional or mental state, including, but not limited to, all types of narcotics, hallucinogens, depressants and stimulants. "Controlled substances" are defined as those drugs listed in Schedules I through V of Section 202 of the federal Controlled Substances Act, 21 U.S.C. 812, and include but are not limited to marijuana, cocaine (including "crack" and other cocaine derivatives), morphine, codeine, phenobarbital, heroin, amphetamines, and many barbiturates.

All employees are prohibited from using, selling, purchasing, dispensing, distributing, possessing or manufacturing alcohol or illegal drugs, or attempting to do any such act, on CAPCO's property, including in CAPCO's vehicles, or during working hours, and from reporting to work or performing any work with alcohol or illegal drugs in their system.

Further prohibited is the use, sale, possession, distribution, dispensation, formulation, manufacture or transfer of illegal drugs on non-working time to the extent such conduct impairs an employee's ability to perform his/her job or affects the reputation of CAPCO to the general public or threatens its integrity.

Notwithstanding the foregoing, this policy does not prohibit the legal, off-duty use of cannabis products off of the Agency's premises. That said, employees are prohibited from performing Agency work while impaired by the use of cannabis; meaning the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, or such specific articulable symptoms interfere with the Agency's obligation to provide a safe and healthy workplace, free from recognized hazards, as required by state and federal occupational safety and health law. In addition, the Agency reserves the right to take action with respect to an employee (including disciplining the employee, up to and including termination), for otherwise legal, off-duty use of cannabis



products: (i) as required by state or federal statute, regulation, ordinance, or other state or federal governmental mandate; or (ii) when not acting would cause the Agency to be in violation of federal law or would result in the loss of a federal contract or federal funding.

This policy does not prohibit the possession and proper use of prescribed or over-the-counter drugs. If you are taking drugs prescribed by a physician, dentist or other licensed practitioner which could affect your ability to safely perform your job, you should consult with a practitioner or review dosing information to determine whether the medication could have an effect on your ability to safely perform your job. Report any work restrictions to your supervisor or the Human Resources designee. You are not required to reveal the name of the medication or underlying medical condition. The Agency will evaluate each situation on a case-by-case basis, consistent with the reasonable accommodation process. Any employee who cannot work safely and who does not advise the Agency may be subject to disciplinary action.

Any employees in violation of this policy are subject to disciplinary action, up to and including suspension/termination and/or legal action as appropriate.

PROCEDURE

1. Employees are required to notify their immediate Supervisor and the designated Human Resource staff member of any criminal conviction under a drug or alcohol statute for a violation occurring in the workplace no later than five days after such conviction.
2. CAPCO maintains a drug and alcohol free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace.
 - b. CAPCO's policy of maintaining a drug-free workplace.
 - c. Availability of drug counseling, rehabilitation, and Employee Assistance Program (EAP).
3. Employees who have a problem with the use of controlled substances are encouraged to seek professional advice and assistance. One source of assistance may be a drug rehabilitation program acquired through a health insurance provider or an Employee Assistance Program. Participation in the rehabilitation program is confidential and is encouraged by CAPCO; however, it does not preclude normal disciplinary action or relieve an employee of responsibility for performing assigned duties.
4. An employee with a drug or alcohol problem that has not resulted in, and is not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program under CAPCO's health insurance benefit coverage or another legitimately recognized rehabilitation program. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all policies, rules, and prohibitions relating to conduct in the workplace; and such leave will not cause CAPCO undue hardship.
5. CAPCO has the right to require blood and/or urine samples in any of the following situations:



- a. CAPCO has reasonable suspicion that an employee's behavior is being influenced by one or more illegal drugs, alcohol, or misuse of a controlled substance.
 - b. Each prospective employee is informed of the Drug-Free Workplace policy minimally at the time of the employment offer.
 - c. A current employee involved in any accident involving injury or Agency owned, rented, or leased property damage at a worksite or while on duty, where there is reason to believe impairment by illegal drugs or alcohol may have played a role.
6. Employees refusing to submit to a test, failing to cooperate in the testing process, or testing positive for drugs or alcohol in violation of this policy will be subject to disciplinary action up to and including suspension/termination.
 7. Any employee testing positive has the right to appeal the results and have the original sample retested at her/his own expense. If the test again indicates a positive result, CAPCO may take disciplinary action up to and including immediate suspension/termination.

FIRE SAFETY/PREVENTION

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO maintains a safe environment through fire prevention and communicating appropriate procedures for all persons to follow in case a fire should occur within CAPCO buildings.

PROCEDURES

Fire Prevention:

1. Know the location of the nearest fire extinguishers and ensure they are kept accessible at all times.
2. Notify the designated Human Resource staff member if an extinguisher is used or if the seal is broken. Extinguishers rated A, B, or C can be used for paper, wood, or electrical fires.
3. All flammable liquids must be stored in approved and appropriately labeled safety cans and not exposed to any ignition source.

In Case of Fire:

1. If the fire is small and contained, locate the nearest fire extinguisher. This should only be attempted by employees who are knowledgeable in the correct use of fire extinguishers.



2. Dial 911 or the local fire department if necessary.
3. If possible, immediately contact your immediate Supervisor. Evacuate all people from the area. Assist clients and vulnerable people to evacuate.
4. If the fire is out of control, leave the area immediately. No attempt should be made to fight the fire.
5. Proceed in an orderly fashion to a predetermined location near the building. Be present and accounted for during roll call.
6. When the fire department arrives, direct the crew to the fire. Do not re-enter the building until directed to do so by the fire department.

Emergency Evacuation:

1. Stop all work immediately.
2. Contact outside emergency response agencies, if needed.
3. Shut off all electrical equipment and machines, if possible.
4. Assist clients and vulnerable persons in the area to evacuate.
5. Walk to the nearest exit, including emergency exit doors.
6. Exit quickly, but do not run. Do not stop for personal belongings.
7. Proceed in an orderly fashion to a parking lot near the building. Be present and accounted for during roll call.
8. Do not re-enter the building until instructed to do so.

ELECTRONIC MEDIA USE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

All persons with access to CAPCO-provided Internet, intranet, and e-mail systems are responsible for seeing that they are used properly and in accordance with this policy. Questions concerning the policy should be directed to the Assistant Director and/or Human Resource department .

PROCEDURE



1. CAPCO's internet, intranet, and e-mail systems (referred to as "electronic media systems") are provided for business purposes. Conducting personal business, including accessing social media, should be limited to non-working time, such as lunch breaks and before or after work. Employees may not engage in personal uses of CAPCO's electronic media systems during working time, which, for purposes of this policy, means time that the employee is or should be engaged in performing his/her work tasks for the Agency. Employees are not permitted to access or send personal emails from CAPCO servers.
2. Employees using the Agency's electronic media systems are expected to comply with all Agency Policies and Procedures. At no time should any subject matter of a sexual or violent nature be viewed, printed, or distributed.
3. The Agency may block Internet sites or protocols that the Agency deems to be inappropriate or may contain the risk of harmful or malicious programs. A site that is not blocked should not necessarily be considered acceptable. Employees must immediately leave inappropriate sites they encounter.
4. There is no personal privacy in any material created, received, or sent from the Internet or e-mail system. CAPCO, at its discretion, reserves the right to monitor and access any matter created in, received through, or sent from the Internet or e-mail system.
5. Messages sent during working hours should be sent only with good business reason for doing so. Copies should be forwarded only for good business reasons.
6. Each employee is responsible for the messages that are sent from her/his account. Employees with e-mail passwords should not share their passwords with anyone. Passwords are to be kept strictly confidential.
7. Sending e-mail messages under an assumed name or obscuring the origin of an e-mail message sent or received without authorization by the Executive Director is strictly prohibited.
8. All e-mails must follow Agency policy banning solicitation and distribution. Chain letters, pyramid schemes, promoting religious beliefs or tenets, and other solicitations are prohibited to the extent that they violate the Agency's solicitation policy.
9. Employees are prohibited from engaging in any communication that is in violation of federal, state, or local laws.
10. No e-mail that constitutes intimidating, hostile, or offensive material on the basis of race, color, religion, gender, age, national origin, disability, sexual orientation, military service, veteran's status, marital status, arrest or conviction record, genetic information, domestic violence victim status, familial status, reproductive health decision-making, or any other characteristic protected by law may be created, sent, or received at any time. CAPCO's policy against harassment applies fully to the Internet and e-mail system.
11. The unlawful use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. Employees are also



responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

12. To ensure a virus-free environment, no files may be downloaded from the Internet unless the origin of the message is known. E-mail messages and attachments should not be opened unless the sender is known to the receiver.
13. All Confidential Information (as defined in the Confidentiality of Agency Information policy) sent over external networks by any means must be encrypted with approved Agency technology. Certain types of transmissions may require additional controls. Please contact Agency Administration for further guidance.
14. Employees must not disclose any Agency Confidential Information (as defined in the Confidentiality of Agency Information policy) on external bulletin boards, blogs, web pages, instant messages, etc., without an Agency's executive approval. This applies to all social media sites and other similar types of external locations.
15. Employees may not use stock tickers, partake in internet gaming, or use the Agency's electronic media systems in a manner that interferes with normal business functions or productivity.
16. CAPCO purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, neither CAPCO nor any of its employees may reproduce such software for use on more than one computer.
17. Employees who become aware of misuse of the Internet, intranet, or e-mail system should promptly contact the Assistant Director and/or Designated Human Resource staff member.
18. Any employees in violation of this policy are subject to disciplinary action, up to and including suspension/termination.

ELECTRONIC DEVICE USE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO ensures public safety and a productive work environment in regards to the use of personal electronic devices at the Agency. Personal electronic devices include, but are not limited to, cell phones, tablets, and e-readers.

PROCEDURE

1. While employees may carry and use personal cell phones and other electronic devices while at work, employees are prohibited from engaging in personal uses of electronic



devices while on working time. For purposes of this policy, “working time” means time that an employee is engaged or should be engaged in performing his/her work tasks for the Agency. If employee use of a personal cell phone causes disruptions or loss in productivity, the employee may become subject to disciplinary action per Agency policy.

2. Personal cell phones shall be turned off or set to silent or vibrate mode during meetings, conferences, and in other locations where incoming calls and/or texts may disrupt normal workflow. In the case that an employee needs to be available by cell phone for an emergency reason, an exception may be made if discussed and approved by the immediate Supervisor and/or meeting chairperson.
3. Employees are prohibited from sending, receiving, or storing Agency-related information, including, but not limited to, protected participant and administrative documentation and communications on personal devices.

[HEAD START SPECIFIC]

1. General Use of Cell Phones:
 - a. Cell phone ringers are to be placed on vibrate.
 - b. Cell phones are to be used only during break and other non-working times.
 - c. Personal cell phone conversations will be considered “breaks” and are to take place away from the work area.
2. Prohibited Uses of Cell Phones: Cell phones are not to be used for outgoing or incoming calls or text messaging when staff and/or volunteers are in CAPCO Head Start/Early Head Start classes, large and small group meetings, planning sessions with coordinators and/or training sessions.
 - a. Those who need to be able to contact staff and/or volunteers in case of emergency can be given the center numbers and these are the numbers to be utilized.
 - b. For out-of-office meetings, planning staff will provide an emergency contact number to all participants.
 - c. Cell phone messages may be checked during a break in the meeting or class.
3. Emergency Cell Phone Use
 - a. If an emergency phone call is expected and unavoidable, the staff member to receive the phone call must receive approval from their immediate Supervisor.
 - b. The staff member will put their cell phone on vibrate and will be in a location where they quickly and quietly step out to take the call.



RECORDING DEVICES IN THE WORKPLACE

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

Employees of CAPCO are prohibited from recording or taking photographs of Agency participants or service recipients.

Limited exceptions will apply when the employee in possession of the recording device has been provided advance written authorization to use the recording device by an authorized member of CAPCO management and the recording device is being used in an authorized manner to further CAPCO business.

PROCEDURES

1. Violations of this policy may result in immediate discipline (including the possibility of employment termination) and retention of the recording device for inspection by CAPCO and/or legal authorities.

SOCIAL MEDIA

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO has determined that social media is a tool that can be used to further the mission and goals of the Agency. Social media can provide a cost-effective method of engaging communities in discussion, fostering positive relationships with clients, and representing CAPCO in these emerging electronic communications.

Social media tools create new opportunities for communication and collaboration, but also lead to new rights and responsibilities. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's blog, personal website, social networking or affinity website, bulletin board, or a chat room, whether or not associated or affiliated with the Agency.

While CAPCO has no intention of controlling employees' actions outside of work, it is important that employees practice caution and discretion when using Internet-based social media websites and posting content that could affect CAPCO's business operations or reputation. Nothing in this policy is intended to interfere with employees' rights under the National Labor Relations Act.

Ultimately, each individual is solely responsible for what they post online. Before creating online content, consider the risks and rewards that are involved. Keep in mind that any conduct that



adversely affects job performance, the performance of fellow employees, or otherwise adversely affects clients, suppliers, or people who work on behalf of the Agency or the Agency's business interests may result in disciplinary action, up to and including termination.

Always be fair and courteous to fellow employees, customers, or people who work on behalf of the Agency. Also, keep in mind that work-related complaints are more likely to be resolved by speaking directly with co-workers or supervisors and following the grievance policy than by posting complaints to a social media outlet. Avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage customers, employees, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, color, religion, gender, age, national origin, disability, sexual orientation, military service, veteran's status, marital status, arrest or conviction record, genetic information, domestic violence victim status, familial status, or any other characteristic protected by law.

When posting information or news, be sure to always be honest and accurate. If a mistake is made, correct it quickly. Do not post any information or rumors that are known to be false. Do not post internal reports, policies, procedures, or other internal business-related confidential communication, or Confidential Information.

Refrain from using social media while on work time or on equipment provided by the Agency unless it is work related as authorized by management. Do not use the Agency's e-mail addresses to register on social networks, blogs, or other online tools utilized for personal use.

While all CAPCO employees are welcome to participate in social media, employees who participate in online commentary are expected to understand and to follow the following simple but important guidelines.

PROCEDURES

1. Employees should:
 - a. Be transparent. If they are writing about CAPCO, they are to use their real name, identify that they work for CAPCO, and be clear about their role.
 - b. Never represent themselves or CAPCO in a false or misleading way. All claims must be substantiated.
 - c. Protect Confidential Information (as defined in the Confidentiality of Agency Information policy), including information related to clients and service recipients. Efforts to be transparent should never violate CAPCO's privacy, confidentiality, and legal guidelines for external communication. Participants and clients of CAPCO should never be discussed.
 - d. Stick to their area of expertise and feel free to provide unique, individual perspectives on non-confidential activities at CAPCO.



Always protect themselves, their privacy, and CAPCO's confidential information. Social media users should always be aware that these types of communications are considered public records.

- e. Never make statements on behalf of CAPCO, including but not limited to statements related to legal matters, litigation, or any parties CAPCO may be in litigation with.
2. Personal use of social media is the right of every employee using their own equipment and on their own time. It must be clear that the views expressed are not necessarily that of CAPCO.
3. Any employees in violation of this policy are subject to disciplinary action, up to and including suspension/termination.

Contact with the Media

All media inquiries seeking a statement on behalf of CAPCO must be referred to the Executive Director. Only the Executive Director is authorized to make or approve public statements on behalf of CAPCO. No employees, unless specifically designated by the Executive Director, are authorized to make statements to the media on behalf of CAPCO.

USE OF OFFICE EQUIPMENT, PROPERTY, MAIL, AND SUPPLIES

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO's telephone and mail facilities are available during working hours for effective communication with the Agency's service recipients and business associates. The Agency's mail system and supplies are not for personal use.

PROCEDURE

1. Use of the Agency's telephone lines should be confined to business calls. Incoming and outgoing personal telephone calls should be limited to those that are necessary and should be as brief as possible.



2. Office supplies are not for personal use. Agency stationery may not be used for personal use or correspondence, as any communication sent out on Agency stationery might be considered official communication.

Care of Equipment

Employees of CAPCO are expected to demonstrate proper care when using CAPCO's property and equipment. No property may be removed from the premises without the proper authorization of management. For CAPCO equipment explicitly assigned to an employee to be used on and off the CAPCO premise, employees must sign and adhere to the terms of the CAPCO Equipment Agreement Form. If an employee loses, breaks, or damages any property, the employee must report this immediately to her/his supervisor.

SOLICITATION

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

To protect employees from unnecessary interruptions and annoyances, CAPCO prohibits employees from directly soliciting other employees, non-employees, or participants through the distribution of literature in work areas, and prohibits solicitation and distribution of literature during an employee's working time. For purposes of this policy, "working time" means the time an employee is engaged or should be engaged in performing her/his work tasks for the Agency.

Solicitation or distribution of any kind by non-employees on the Agency's premises is prohibited at all times.

Disciplinary action up to and including termination of employment may be taken for violations of this policy.

PROCEDURE

1. Solicitation includes, but is not limited to, directly asking employees for funds or contributions, directly offering goods for sale, directly asking employees to sign a petition, directly requesting employees to join a group, or otherwise directly requesting employees' support or commitment with respect to causes, groups, or interests on any CAPCO premises or program space.
2. CAPCO employees may not directly approach other employees or participants or solicit for any of the above purposes.



3. An employee who is not working may not solicit, or distribute literature to, an employee who is on working time on CAPCO property or program space.

EMPLOYEE NOTIFICATION BULLETIN BOARDS

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

Only authorized Agency hard copy and electronic bulletin boards may be displayed on Agency premises. Bulletin boards are placed in key locations to be used to communicate employment information to employees.

PROCEDURE

1. Information on those boards must be approved in advance by the Human Resource department and/or Executive Director.
2. The Human Resource department is responsible for authorizing and maintaining communication posted on display boards.
3. The Designated Human Resource staff member must approve and supervise the posting of all materials on authorized boards. Postings will be limited to Agency-related matters.
4. The Designated Human Resource staff member will place job postings on bulletin boards in order to give current employees the opportunity to apply.

STANDARDS OF CONDUCT

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO expects all persons involved in the Agency to act in a professional and responsible way at all times. This means all people are to be treated with respect, courtesy and dignity at all times. Some of the more obvious unacceptable activities are noted below; however, this list is not all-inclusive and other inappropriate conduct may result in disciplinary action, up to and including termination of employment.

PROCEDURE



1. All persons involved in CAPCO must abide by these standards of conduct.
2. Contact the designated Human Resource staff member with any questions concerning any standard of conduct or the unacceptable activities listed.

Unacceptable Activities

Unacceptable activities include, but are not limited to, the following:

1. Violation of any Agency rule or policy; and conduct that is detrimental to CAPCO's mission, vision, and values.
2. Negligence or any careless action which endangers the life or safety of another person.
3. Treating Agency clients, service recipients, volunteers, or fellow co-workers with disrespect or discourtesy.
4. Being under the influence of illegal drugs or alcohol while at work; use, possession, or sale of an illegal drug in any quantity while on Agency premises in violation of the Agency's policy on Drug and Alcohol Use.
5. Unauthorized possession of firearms, weapons, or explosives in the workplace or while on duty.
6. Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on CAPCO's premises or when representing the Agency; disorderly conduct, fighting, or provoking a fight on Agency property.
7. Insubordination.
8. Threatening, intimidating, or coercing fellow employees, clients, service recipients, or volunteers at any time, for any purpose.
9. Engaging in an act of sabotage; negligently causing the destruction or damage of Agency property, or the property of persons involved in CAPCO in any manner.
10. Theft or unauthorized possession of Agency property or the property of fellow employees; removal of any Agency property, including documents, from the premises without prior permission from management; unauthorized use of CAPCO equipment or property for personal reasons; using Agency equipment for profit.
11. Malicious falsification, misrepresentation, or material omission on your application for employment or other work records; lying about medical or personal leave; falsifying reason for a leave of absence or other data requested by the Agency; unauthorized alteration of Agency records or other Agency documents.
12. Violating confidentiality policy; giving confidential or proprietary information of CAPCO to competitors or other Agencies or individuals or to unauthorized Agency employees;



working for a competing business while an Agency employee; breach of confidentiality of personnel information.

13. Unsatisfactory or careless work.
14. Any act of harassment, sexual or racial; telling sexist or racist jokes; making racial or ethnic slurs.
15. Tardiness, absenteeism or unsatisfactory attendance.
16. Sleeping or loitering during working hours.
17. Excessive use of CAPCO telephone and/or time spent on personal calls.
18. Creating or contributing to unsanitary conditions.

19. Failure to immediately report damage to, or an accident involving, Agency equipment or property.

[HEAD START SPECIFIC]

20. [HEAD START SPECIFIC] Leaving a child alone or unsupervised while under the program's care.
21. [HEAD START SPECIFIC] Failing to use positive methods of child guidance and engaging in corporal punishment, emotional or physical abuse, or humiliation. In addition, employing methods of discipline that involve isolation, use of food as punishment or reward, or denying of basic needs.
22. [HEAD START SPECIFIC] Maltreatment or endangerment of the health or safety of children. At a minimum, staff must not use corporal punishment; use of isolation to discipline a child; bind or tie to restrict movement or tape a child's mouth; use or withhold food, physical activity, or outdoor time as punishment or reward; use toilet learning/training methods that punish, demean, or humiliate a child; or use any form of verbal, physical, or emotion abuse.
23. [HEAD START SPECIFIC] Stereotyping on any basis including gender, race, ethnicity, culture, religion, disability, sexual orientation, or family composition. The unique identity of each child and family must be respected and promoted.

PARTICIPANT RELATIONS/PROFESSIONAL BOUNDARIES

Effective Date: **June 25, 2020**
Policy Review/Update Effective Date: **October 28, 2021**



PURPOSE/POLICY

CAPCO is committed to creating an environment for program participants, community members, staff, and the general public that is safe, nurturing, empowering, trustworthy, and that promotes growth and success. Relationships between CAPCO employees and program participants must remain professional at all times. Program participants are defined as individuals and/or families that are directly or indirectly service recipients and/or consumers of CAPCO-sponsored programs. This includes family members of service recipients and/or consumers that serve as indirect program participants/service recipients.

The behaviors, interactions, and relationships of CAPCO employees with program participants are limited to those called for by the demands of the Agency services being rendered. Inappropriate relationships between CAPCO employees and program participants are prohibited. Inappropriate relationships include relationships outside the scope of a program participant's participation in a CAPCO program(s), including but not limited to social, romantic, and/or business interactions. All ways and means of engaging in an inappropriate relationship with a program participant(s) are prohibited, including but not limited to in-person, telephonic, and electronic media engagements, including social media.

PROCEDURE

1. Employees of CAPCO are not permitted to make contact with program participants outside the scope of their professional Agency responsibilities. All contacts must be documented and should reflect the need addressed and intervention provided.
2. Employees of CAPCO are not permitted to promote an exclusive relationship with program participants; employees are not permitted to contact program participants for personal reasons.
3. Employees of CAPCO are not permitted to engage in business transactions, including but not limited to purchasing from and/or selling to program participants' goods or services of any kind while a program participant is actively participating in a CAPCO-sponsored program(s) and/or a service recipient/consumer.
4. Employees of CAPCO are not permitted to perform any banking or other financial transactions for and/or on behalf of program participants.
5. Romantic, intimate, and/or sexual relationships between employees of CAPCO and program participants are prohibited. Such relationships will be viewed as employee-participant boundary violations that are prohibited and have resulted in an unethical relationship.
6. Social relationships between employees of CAPCO and program participants that go beyond incidental occurrences violate employee-participant boundaries and are prohibited. Socialization beyond incidental occurrences with program participants must be formally sanctioned as part of the scope of service delivery as it pertains to the program participant's participation in CAPCO-sponsored programs.



7. If a pre-existing relationship occurs between an employee and a program participant, the employee must immediately disclose the relationship to her/his direct supervisor, Program Director, and/or the designated Human Resource staff member. Conflicts of interest and employee-participant assignments will be assessed on a case-by-case basis dependent on the nature of the relationship.
8. If an employee engages in an inappropriate relationship with a program participant(s) as defined by this policy or is unclear as to whether the relationship is inappropriate and/or an inappropriate relationship is developing, the employee must immediately notify her/his direct supervisor, Program Director, and/or the designated Human Resource staff member. Conflicts of interest and employee-participant assignments will be assessed on a case-by-case basis dependent on the nature of the relationship.
9. Employees receiving provocation from a program participant(s) and/or who are having challenges managing an appropriate relationship with a program participant(s) must immediately notify her/his supervisor.
10. Employees of CAPCO are prohibited from discriminating against program participants for any reason, including but not limited to race, color, religion, gender, age, national origin, disability sexual orientation, military service, veteran's status, marital status, arrest or conviction record, genetic information, domestic violence victim status, familial status, or any other characteristic protected by law.
11. Employees of CAPCO are prohibited from imposing personal beliefs, ideals, and/or values on program participants, including but not limited to religious or political beliefs.
12. Violation of this policy in anyway, including but not limited to failing to report a personal and/or inappropriate relationship with a program participant will result in disciplinary action up to and including termination of employment.
13. This policy works in conjunction with all other CAPCO Personnel Policies and Procedures and does not replace, change, or supersede CAPCO's policies regarding Employment Expectations, Harassment, Sexual Harassment, Conflicts of Interest, Confidentiality, or any other CAPCO Personnel Policy and Procedure.

CORRECTIVE ACTION

Effective Date: **June 23, 2016**

Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

To be effective, disciplinary action should emphasize correcting the problem rather than punishing the offender. CAPCO's policy provides for progressive disciplinary action to change an employee's job performance or behavior from unacceptable to acceptable. This policy in no way alters the policy of employment-at-will.

PROCEDURE



1. Progressive discipline includes written expectations of performance from the Supervisor; verbal conversation and warning of needed job performance improvement; written warning of needed job performance improvement; suspension without pay; and/or termination.
2. Progressive discipline may not be followed in all cases.
3. Depending on the circumstances involved, discipline issued may be a verbal warning, a written warning, suspension without pay, or termination.
4. Depending on the nature of the violation and other circumstances including, but not limited to, the employee's past conduct, one or more "steps" may be repeated or skipped.
5. In some circumstances, immediate termination may result.

SUSPENSION/TERMINATION

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO or the employee may terminate the employment relationship at any time for any reason not expressly prohibited by law.

Voluntary terminations are those initiated by the employee and include:

- Resignation
- Retirement
- Failing to report to work as scheduled or job abandonment
- Failing to return from an approved extended leave of absence
- Failing to provide notification and obtain approval for absences of three or more consecutive days

Involuntary terminations are those initiated by the Agency and may include:

- Exhaustion of approved leave of absence
- Inability or failure to perform duties or to meet prescribed standards on the job
- Conduct not in the best interest of the Agency
- Layoff resulting from changes in services, resources, or qualification requirements for designated programs or projects

PROCEDURE



1. Unsatisfactory performance is generally reviewed by the immediate Supervisor, Program Director, and designated Human Resource staff member. If the Program Director and the designated Human Resource staff member are satisfied the employee has been given sufficient guidance and time to improve (if appropriate under the circumstances), suspension/termination may be approved.
2. Suspension/Termination must be approved by the Program Director and Designated Human Resource staff member department.
3. An exit interview is conducted by the Designated Human Resource staff member, documented, and made a part of the personnel record. See the Exit Interview policy for more information.

[HEAD START SPECIFIC]

Head Start/Early Head Start Specific

1. In the event of unsatisfactory performance, prior approval for termination is required from the Head Start/Early Head Start Policy Council.
2. In cases of severe misconduct requiring an employee's immediate removal from her/his position (suspension), the Head Start/Early Head Start Policy Council are notified immediately or at their next regularly scheduled monthly meeting. Layoffs do not count as terminations and do not require the approval of the Head Start/Early Head Start Policy Council. All notifications of termination are documented in the minutes of the meeting at which the notification was made.
3. Employees recommended for termination are suspended with/without pay pending the Head Start/Early Head Start Policy Council decision.
4. The Head Start/Early Head Start Policy Council approves or disapproves the termination at its next regularly scheduled meeting. The termination, if upheld, is effective upon the initial notice. If termination is not upheld, the matter is treated in accordance with the Grievance/Problem Resolution procedure.

EXIT INTERVIEWS

Effective Date: **June 23, 2016**
Policy Review/Update Effective Date: **October 28, 2021**

PURPOSE/POLICY

CAPCO may conduct exit interviews for employees leaving the Agency who are willing to be interviewed.

PROCEDURE



1. The Human Resource department utilizes the standard exit interview form offered physically or electronically to conduct an exit interview with the terminating employee.
2. The Designated Human Resource staff member/department is responsible for tracking and analyzing exit interview data and following up on issues identified in exit interviews to ensure resolution.

APPENDIX 1

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

LEAVE ENTITLEMENTS	Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons: <ul style="list-style-type: none">• The birth of a child or placement of a child for adoption or foster care;• To bond with a child (leave must be taken within 1 year of the child's birth or placement);• To care for the employee's spouse, child, or parent who has a qualifying serious health condition;• For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;• For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.
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An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:
(1-866-487-9243) TTY: 1-877-889-5627
www.dol.gov/whd
U.S. Department of Labor Wage and Hour Division



APPENDIX 2

See CAPCO's Airborne Infectious Disease Exposure Plan Below
NYS HERO Act