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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.

Please contact your supervisor or Human Resources Director for specific questions and concerns or suggestions for the Manual.





## **SECTION 2**

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

SCHRA is committed to providing a policy of equal employment opportunity for all employees. All employment decisions are based on merit, qualifications, and competence. Employment at SCHRA is not influenced or affected by an applicant or employee's race, color, religion, sex, pregnancy, childbirth, gender identity, sexual orientation, age (age 40 and up), national origin, disability which can be reasonably accommodated, veteran status, military service, genetic information, use of a guide dog, or any other characteristic protected by law. This policy governs all aspects of employment, promotion, assignment, discharge, and other terms and conditions of employment.

The Agency is committed to providing a work environment free from discrimination. SCHRA 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.

An employee, applicant, or volunteer will be given the option to file a discrimination, harassment, or retaliation complaint with 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.

The Human Resources Director is responsible for promptly responding to, reporting, and/or investigating any suspected acts of unlawful discrimination, harassment, and retaliation in violation of SCHRA's EEO Policy. The Human Resources Director must immediately report suspected unlawful discrimination, harassment, and retaliation to Executive Director and Governing Board Chairperson.











## **HARASSMENT FREE WORKPLACE POLICY**

SCHRA is committed to maintaining a work environment that is free from unlawful harassment, so that 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. SCHRA 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, sex, national origin, age, genetic information, sexual orientation, gender identity, disability (physical or mental), or any other characteristic protected by federal and state law and/or regulations or the SCHRA Equal Employment Opportunity Policy. Harassment by non-employees (Example: Clients) is also prohibited.

SCHRA 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 expect and require all employees to create and maintain a respectful and professional work environment.

Types of harassment include:

### **Sexual Harassment**

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following:
  - a. Submission to such conduct is either explicitly or implicitly made a term or condition of employment or participation in Agency programs.
  - b. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting employment or program participation..
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment .
2. Examples of sexual harassment include, but are not limited to:
  - a. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion or program participation.
  - b. Direct propositions of a sexual nature and/or subtle pressure for sexual activity that is unwanted and unreasonably interferes with a person's work.
  - c. Sexual comments or inappropriate references to gender or physical characteristics.
  - d. Sexually explicit statements, questions, jokes, or anecdotes regardless of the means of communication (oral, written, electronic, etc.).

- e. Unwanted touching, patting, hugging, brushing against a person's body, or staring.
- f. Inquiries and comments about domestic status, sexual activity, experience, or orientation.
- g. The display of inappropriate sexually oriented materials.

### **Other Harassment**

1. All persons involved in the Agency are entitled to work and access services in an atmosphere free of unlawful harassment of any kind (including disrespectful behavior) because of race, color, age (40 and older), national origin, religion, disability, gender identity, sexual orientation or preference or any other legally protected characteristic.. Individuals should refrain from making statements or using words, objects, or pictures that others could responsibly interpret as being insulting or derogatory and based on a protected characteristic.
2. Such conduct may make a reasonable person uncomfortable in the work environment or could interfere with an employee's ability to perform his/her job or with a client's comfort in accessing services. Comments or actions of this type, even if intended as a joking matter among friends, are always inappropriate in the workplace and will not be tolerated.

### **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 labels.
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.

Such conduct will not be tolerated, and all employees are expected to treat other employees with respect and dignity.

It is a requirement of all SCHRA employment to work courteously and cooperatively with co-workers, supervision, clients and the public.



## **AFFIRMATIVE ACTION**

### **PURPOSE/POLICY**

SCHRA takes affirmative action to recruit and hire a diverse workforce of qualified individuals 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.



## **CHILD ABUSE AND NEGLECT/VULNERABLE ADULT ABUSE AND NEGLECT REPORTING POLICY**

SCHRA must respond to suspected or known child abuse and neglect or child sexual abuse whether it occurs inside or outside of the program. SCHRA 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 Tennessee State Law (Code 37-1-401) to the Department of Children Services.

Please be aware:

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 child or adult protective services and the Executive Director, Human Resources Director and Program Director.
4. Each person in the Agency will cooperate fully with child protective service agencies, local law enforcement and county social services agencies.
5. SCHRA will make every effort to retain in the program children allegedly abused or neglected.
6. Executive Director is designated with responsibility for:
  - a. Executive Director/Designee will work 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 Early Head Start/Head Start children reportable under federal (and/or applicable state) law on behalf of the Early Head Start/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. SCHRA 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. SCHRA provides an orientation 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.



## **EXECUTIVE DIRECTOR'S ACTION**

The Executive Director will have twenty (20) working days to answer the grievance. Within that time, he or she will investigate the situation, make a determination, and prepare a written response to the employee. The twenty-day response period may be extended an additional 15 days by the Executive Director with written notice to the grievant.

## **APPEAL TO THE SCHRA GOVERNING BOARD CHAIRMAN**

The grievant may appeal the Executive Director's decision to the SCHRA Governing Board Chairman in writing within ten (10) working days of receipt of the Executive Director's decision. The SCHRA Governing Board Chairman will conduct such investigation or inquiry as deemed appropriate and respond in writing to the grievant within thirty (30) working days as to his or her decision or, alternatively, referral of the grievance to a grievance committee. If referred to a Grievance Committee, the Committee will respond to the Chairman in writing within thirty (30) working days with a recommendation for resolution. The Chairman will then respond in writing to the grievant within fifteen (15) working days as to their decision.















## **CONFLICT OF INTEREST POLICY**

### **General Rule**

No full-time or part-time SCHRA employee whose duty it is to let out, overlook, or in any manner to supervise any work or any contract in which SCHRA is or may be interested, shall have a “personal interest” in any such contract or work. This policy also covers volunteers providing services to SCHRA. Governing Board Members’ conflict of interest rules are set out in T.C.A. 12-4-101 and by the Special Addendum at the end of this section.

### **Definition of “personal interest.”**

- (a) Any financial, ownership, or employment interest in the work or contract or matter to be supervised; or
- (b) Any such financial, ownership, or employment interest of the employee’s spouse or domestic partner, parent, step parent, child, or step child, grandparent, grandchild, or sibling – or the spouse of any of the foregoing persons.
- (c) The words “employment interest” include a situation in which an employee or an above-designated family member is negotiating possible employment with a person or organization that is the subject of the work or contract supervised.
- (d) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter.

### **Disclosure Requirements**

1. At the inception of employment, contract, agreement or volunteer service to the Agency, and on an annual basis thereafter during designated trainings, the Conflict of Interest Policy will be reviewed by all employees, volunteers, consultants, and contractors. Using the Conflict of Interest Certification form, these individuals will report all personal interest conflicts defined in this Policy. These forms are sent to the Human Resources Director and Executive Director for review and are then reported to the Board Chairperson and independent auditor.
2. If any new potential interest conflict arises during the year, the employee must – on their own initiative – promptly submit a signed, updated disclosure form.
3. The Accounting Department will make available to all SCHRA work sites, through electronic or other means, a comprehensive listing of Agency vendors/contractors with whom the Agency has conducted business during the previous fiscal year.

4. The Executive Director will review all forms completed by employees with reports of conflicts, and report to the Board Chairperson. The Executive Director will determine appropriate resolution in accordance with the remainder of this policy.
5. Prior to management, board, or committee action on a contract or transaction involving a conflict of interest, an employee having a conflict of interest and who is in attendance at the meeting will disclose all facts material to the conflict of interest. Such disclosure will be reflected in the minutes of the meeting.
6. An employee who plans not to attend a meeting at which he or she has a reason to believe SCHRA management, Governing Board or committee will act on a matter in which the employee has a conflict of interest will disclose to the chair of the meeting all facts material to the conflict of interest. The chair will report the disclosure at the meeting and the disclosure will be reflected in the minutes of the meeting.
7. An employee who has a conflict of interest will not participate in management's, the Board's, or the committee's discussion of the matter except to disclose material facts and to respond to questions. Such person will not attempt to exert his or her personal influence with respect to the matter.
8. An employee who has a conflict of interest with respect to a contract or transaction that will be voted on at a meeting will not be counted in determining a quorum for purposes of the vote. The person having a conflict of interest may not vote on the contract or transaction. Such person's ineligibility to vote and abstention from voting will be reflected in the minutes of the meeting.
9. If required by federal awarding agencies, SCHRA will notify those agencies in writing of any conflict of interest as defined by this Policy or the regulations of the federal awarding agency.

### **Resolution of Conflicts of Interest**

An employee may appeal an Executive Director's decision that a conflict exists as follows:

- An appeal must be directed to the Board Chairperson.
- Appeals must be made within 30 days of the Executive Director's determination.
- Resolution of the appeal will be made by vote of the Governing Board.

- Governing Board members who have a conflict of interest with respect to the subject of the appeal, will comply with the provisions of T.C.A. 12-4-101.

### **Disciplinary Action for Violations of This Policy**

Failure of any employee to comply with the standards contained in this policy will result in disciplinary action that may include termination, referral for criminal prosecution, and reimbursement to the Agency or to the government, for any loss or damage resulting from the violation. As with all matters involving disciplinary action, principles of fairness will apply. Any employee charged with a violation of this policy will be afforded an opportunity to explain her or his actions before disciplinary action is taken.

Disciplinary action (discipline, termination, revocation of voting or of contract, or cancellation of contracts) will be taken:

1. Against any employee, volunteer, consultant, or contractor who authorizes or participates directly in actions that are a violation of this policy.
2. Against any employee, volunteer, consultant, or contractor who has failed to report a violation or deliberately withheld relevant and material information concerning a violation of this policy.
3. Against any employee who attempts to retaliate, directly or indirectly, or encourages others to do so, against any employee who reports a violation of this policy.

**Acceptance of gratuities, etc.** A SCHRA employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than SCHRA:

- (1) For the performance of an act, or refraining from performance of an act, the employee would be expected to perform, or refrain from performing, in the regular course of their duties; or
- (2) That might reasonably be interpreted as an attempt to influence the employee's action, or reward the employee for past action, in executing SCHRA business.

### **Honoraria Acceptance**

An SCHRA employee will not accept an honorarium for an activity conducted where Agency-reimbursed travel, work time, or resources are used or where the activity can be construed as having a relationship to the employee's position with SCHRA; such activity would be considered official duty on behalf of SCHRA. A relationship exists between the activity and the employee's position with SCHRA if the employee would not participate in the activity in the same manner or capacity if they did not hold their position with SCHRA. The employee should make every attempt to avoid the appearance of impropriety.

An employee may receive an honorarium for activities performed during regular nonworking hours or while on annual leave if the following conditions are met:

- All expenses are the total responsibility of the employee or the sponsor of the activity in which the employee is participating.
- The activity has no relationship to the employee's SCHRA duties.

Nothing in this policy is intended to be interpreted as preventing the payment to SCHRA by an outside source for actual expenses incurred by an employee in an activity, or the payment of a fee to SCHRA (in lieu of an honorarium to the individual) for the services of the employee. Any such payments made to SCHRA should be deposited to the SCHRA account and an appropriate entry should be made coded to the same program or department to which the employee's corresponding time was charged.

### **Use of information.**

(1) Except as required by management directive or law, an employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law.

(2) An employee may not use or disclose information obtained as a result of their employment with the intent to result in financial gain for the employee or any person or entity with whom the employee has a personal interest as defined in this Policy.

### **Use of SCHRA time, facilities, etc.**

An employee may not use or authorize the use of SCHRA time, facilities, equipment, or supplies for private gain or advantage to the employee or any person with whom the employee has a personal interest as defined in this Policy.

### **Special Addendum of Governing Board Members**

(C) CONFLICT OF INTEREST- Members of the governing body shall--

(i) not have a financial conflict of interest with the Head Start agency (including any delegate agency);

(ii) not receive compensation for serving on the governing body or for providing services to the Head Start agency;

(iii) not be employed, nor shall members of their immediate family be employed, by the Head Start agency (including any delegate agency); and

(iv) operate as an entity independent of staff employed by the Head Start agency.

(D) EXCEPTION- If an individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body, and such individual has any conflict of interest described in clause (ii) or (iii) of subparagraph (C)--

(i) such individual shall not be prohibited from serving on such body and the Head Start agency shall report such conflict to the Secretary; and

(ii) if the position held as a result of public election or political appointment provides compensation, such individual shall not be prohibited from receiving such compensation.

## **CRIMINAL CONDUCT OR HISTORY**

1. Applicants or employees will be notified if a criminal record check will be conducted and will be required to complete a Disclosure and Authorization form in accordance with the Fair Credit Reporting Act (FCRA), authorizing SCHRA to conduct a criminal record search.
2. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant or employee. Rather, determinations of suitability based on criminal record checks will be made consistent with this policy and any applicable law or regulations.
3. If SCHRA intends to make an adverse decision based on the results of the criminal background check, the applicant or employee will be notified immediately. The applicant or employee will be provided with a copy of the criminal record, this SCHRA policy, and the FCRA Summary of Rights, and will be advised of the part(s) of the record that make the individual unsuitable for the position. SCHRA will provide the applicant or employee with an opportunity to dispute the accuracy and relevance of the criminal record.
4. If SCHRA reasonably believes the record belongs to the applicant or employee and is accurate, SCHRA will conduct a documented Individualized Assessment to determine the applicant or employee's suitability for the position at issue.
5. No applicant or employee will be disqualified because of their criminal history without the review and concurrence of a Human Resources professional.
6. If a current employee is arrested and/or charged with any criminal offense (excluding non-moving traffic offenses), (s)he is required to report such charge to the Executive Director, no later than the next business day. **Failure to make such report may result in termination.**
7. A criminal charge is not, by itself, cause for dismissal. However, the Executive Director, Head Start Policy Council or Governing Board may suspend an employee without pay pending the outcome of an investigation if the nature of the crime would, in the Executive Director's or Board's judgment, impair the employee's ability to perform required job duties, or if the purported crime was against the Agency or its employees, delegate agencies, contractors or suppliers, or clients.
8. Any statutory requirements, or program or grant contract requirements, will take precedence over the above policy.

## **EMPLOYMENT OF RELATIVES/NEPOTISM**

SCHRA prohibits employment of relatives in a direct reporting relationship (supervised directly or indirectly by the relative) to avoid creating circumstances in which the possibility of favoritism, conflict of interest, or impairment of efficient operations may occur. 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. 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.

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.

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

Relatives of current employees may not occupy a position that will be working directly for a relative. Individuals involved in a dating or close personal 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.

- If, due to promotion, a direct reporting relationship is created between relatives, the Executive Director will work with the employees to resolve the situation. Resolution may include transfer of one family member or a change in reporting relationships. Human Resources Director will be contacted to discuss resolution options.
- If the relative relationship is established after employment, the Executive Director and Human Resources Director will work with employees to resolve the situation. Resolution may include transfer of one family member or a change in reporting relationships. Program Director will contact Human Resources Director to report the relationship and discuss resolution options.
- No employees will be transferred into a position that would result in a reporting relationship to a relative, including "indirect" reporting.

When the Agency cannot adequately staff positions without hiring an immediate family member, the Agency may deviate from this policy. However, employment records must provide evidence that no other individual within the service area is qualified and available for employment. This must be approved by the Agency's Executive Director, Human Resources Director and Governing Body.



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

Employees in a relationship will refrain from public workplace displays of affection or excessive personal conversation.









## **ATTENDANCE**

SCHRA 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 SCHRA to operate efficiently and effectively, regular attendance of all employees is imperative and expected.

Employees need to be present and accountable during their scheduled work time.

Definitions of absences are:

1. **Authorized Absence:** The employee notifies immediate supervisor in advance or as soon as practicable, and obtains approval to be away from or late, to work. This includes absences such as vacations, holidays, sick, FMLA covered absences, bereavement, jury duty, military duty days, etc. Advance notification of an absence is necessary to make arrangements to handle work in the absence of a scheduled employee.
2. **Unauthorized Absence:** An employee not reporting for work, not calling in, and not having a valid reason for an absence, as determined by the immediate supervisor and this policy.
3. **Tardiness:** An employee being late for work, or leaving early from work on any work day without giving prior notification and receiving approval for the tardiness.

A nonexempt employee who does not work or does not work his/her full shift is paid only for the actual time worked. If an employee has not called in to the immediate supervisor before the start of scheduled work time, the employee is normally considered as having an unauthorized absence without pay. Time sheets/personal activity reports must be completed accordingly.

### **Excessive Absenteeism/Tardiness**

1. Absenteeism or tardiness affects job, program, and Agency performance. If it is determined that unexcused absenteeism or tardiness has become unreasonable, immediate supervisors and Program Director should consult with Human Resources to determine the appropriate action.
2. An employee who has chronically or excessively unexcused absences or tardiness may be subject to disciplinary action up to and including termination.

***Unreasonable tardiness (Defined):***

**Exempt Staff** – consistent attendance that does not meet the standard pay period for the agency; more than eight (8) pay periods which report hours worked that are less than the standard pay period (75 hours/pay period) within a 12 month period.

**Non-Exempt Staff** – Eight (8) work days in which an employee has unscheduled reporting late to work or leaving early from work within a 12 month period.

## **CONFIDENTIALITY OF AGENCY AND CUSTOMER INFORMATION**

SCHRA has information that should not be discussed with anyone outside the Agency, except when required in the normal course of business. Information concerning service recipients or the activities or operations of the Agency must be treated as confidential and on a need-to-know basis.

1. All information pertaining to SCHRA clients is confidential and must not be discussed with or divulged to anyone outside the Agency without a written release of information. Inside the Agency customer information is shared on a “need to know” basis. Even the presence of a particular customer 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 will occur only with a proper written release of information authorization.
3. If an employee leaves, the employee must surrender all information-bearing items in his/her possession, whether or not containing confidential information, including but not limited to, storage media, notebooks, reports, other information from a third party or anything containing SCHRA confidential information.
4. If an employee is contacted about confidential information, the employee should direct the inquiring party to Program Director, Human Resources Director, or Executive Director. Customer files should not be removed from the designated offices of SCHRA. Accessing electronic customer data files must occur through secure data connections. Electronic customer files are not to be downloaded onto personal computers that are not sanctioned and secured by the Agency.
5. Violation of confidentiality results in disciplinary action up to and including termination of employment.



## **WHISTLEBLOWER PROTECTION**

SCHRA requires all employees, officers, and other representatives of the Agency to observe high standards of business and personal ethics in the conduct of their responsibilities. Employees and others are encouraged and enabled to raise serious concerns internally, without fear of retaliation, so that SCHRA can address and correct inappropriate conduct and actions. It is against the values of SCHRA to retaliate against any board member, officer, employee or volunteer who in good faith reports a violation described below.

A whistleblower is a board member, officer, employee, or volunteer who reports an activity that he/she reasonably considers to be illegal or dishonest. If an employee has knowledge of, or a concern of, illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor, the Executive Director or the Governing Board Chairperson. It is the responsibility of all Agency representatives to report such activities. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures.

Examples of illegal or dishonest activities include, but are not limited to:

- Violations of federal, state or local laws or regulations.
- Violations of Agency's code of ethics.
- Billing for services not performed or for goods not delivered.
- Other fraudulent financial reporting.

SCHRA will make every reasonable effort to conduct all proceedings in a manner that will protect the confidentiality of all parties. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

SCHRA will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director, Executive Director or Governing Board Chairperson immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Employees are required to report complaints or concerns about suspected ethical and legal violations in writing to the Human Resources Director, Executive Director or Board Chairperson.

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







## **DEMOTIONS**

SCHRA may find it necessary, or in the employee's best interest, to transition an employee through demotion. A demotion occurs when an employee moves into a lower pay grade level or into a position with significantly less job responsibilities. A reduction in pay may occur.

A demotion may occur when:

- An individual is unable to perform satisfactorily in the higher-level position.
- The employee requests a position with less responsibility.
- There is a restructuring of the Agency. □
- As a result of disciplinary action.

If the demotion is at the employee's request, a written letter from the employee requesting the demotion action will be required.

Supervisors will work with the Human Resources Department to ensure efforts are made to provide proper training and development opportunities via the Corrective Action process before demotion is considered.

Demotions in lieu of progressive discipline or termination are at the discretion of management.

## **TRANSFERS**

Transfers may be temporary or indefinite/permanent; voluntary or involuntary.

SCHRA provides opportunities wherein an employee may transfer, or may be transferred, when the employee meets the job qualifications and the transfer is in the best interest of the Agency.

An employee who is transferred temporarily to a higher paying position is compensated at the rate of the new job. 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."

An employee who is transferred temporarily, at the request of SCHRA, to a lower paying position continues to be paid at his/her existing rate for as long as the temporary transfer is in effect.

If the employee has not been returned to his/her regular position at the end of 180 consecutive days from the date of temporary transfer, SCHRA reviews the situation and either returns the employee to his/her former position, extends the period of temporary transfer, or completes the transfer to the new position.

Employees must be in their current position for 180 days before being eligible for transfers. Prior to transfer, employees are encouraged to discuss their request with their current supervisor.



## **LAYOFF AND RECALL**

If the Executive Director determines economic or other conditions necessitate a reduction in force / layoff (temporary or indefinite) in one or more programs, employees in the affected program(s) working in job classifications determined to have excess staffing will be laid off in the following order:

- (a) Employees filling temporary positions, in inverse order of appointment.
- (b) Part-time employees.
- (c) Introductory employees, in inverse order of appointment.
- (d) Full-time employees.

Seniority will be considered along with other criteria such as performance evaluations, disciplinary history and attendance.

South Central Human Resource Agency retains the right to recall employees in any order in the best interest of the Agency. The Agency does not guarantee every laid off employee will be recalled. An employee who declines an offered recall will go to the bottom of the recall list.

Full Time Employees laid off will retain employment status based on the following schedule:

- (a) Post Introductory Period through the completion of five years' service: 6 months
- (b) Over five years' service: 12 months











7. Telecommuting arrangements can be terminated at any time.





Employees must request approval from their immediate supervisor, in writing, i at least two weeks in advance. Management may make exceptions for valid emergency leave request where prior notice is impractical.

When scheduling conflicts arise, priority for vacation leave is established at the discretion of management. Decisions about vacation time and scheduling are the responsibility of the supervisor and Program Director. Decisions of vacation approval must consider continuity of Agency operations.

Vacation cannot be used retroactively to excuse and otherwise unexcused SCHRA strongly encourages employees to use their vacation every calendar year. However, vacation can be carried over from one fiscal year to the next - up to a maximum of days allowed for equivalent service time, multiplied by scheduled hours. E.g. (30 Days x 7.5 hr. schedule = 225 carry over maximum; or 30 Days x 3.0 hr. schedule = 90 hr. maximum carry over). See table above for maximums. Unless prohibited by grantor, in which case grantor regulations will be followed regarding the carry forward of any leave.

- Non-Exempt staff may use accrued vacation time off in one-half hour, hourly, full- or half-day increments
- Exempt level may only use vacation in full-day increments.
  - All partial-day absences from work must be authorized absences from the job by exempt employee's supervisor
  - Supervisors are expected to monitor partial days of work to ensure compliance with SCHRA Attendance policy
  - Partial-day absences for exempt employees will not result in a deduction from the employee's daily salary or leave balance
- SCHRA does not advance vacation.
- Any earned but unused vacation in excess of maximum carry over days as shown on the preceding table (the rate per day is determined by the number of scheduled work hours per day for employee) at the end of each fiscal year shall be rolled into the employee's sick leave balance, within grantor regulations.
- Any earned but unused vacation is paid at the time of termination up to the maximum carry over days at end of a fiscal year for an employee's service



years (the day is determined by the number of scheduled work hours in a normal work day). Vacation may not be used to extend the termination date.

- Upon providing notice of resignation, to ensure a smooth transition of duties, an employee is not allowed to take vacation.
- Vacation is not earned during any unpaid leave.

## **SICK LEAVE**

SCHRA provides sick leave for employees to provide income protection when employees cannot work due to illness. All regular full-time and regular part-time employees accrue sick leave at a rate equal to one regularly scheduled work day per month in accordance with the guidelines outlined below.

1. Sick leave begins to accrue immediately and accruals are earned based on the hours actually paid each pay period. Based on fully paid scheduled pay periods, employee should accrue 1 scheduled work day per month.
2. All unused Compensatory Time must be used prior to the use of paid sick leave.
3. Time must be taken in half-hour, hourly, whole or half-day increments. Although exempt employees may only use sick leave in full-day increments.
4. Sick leave may not be used as additional vacation leave, but only when a person is unable to perform his/her assigned duties because of illness or injury. This could include appointments with physicians, dentists, or other recognized practitioners, or for a serious illness, disability, or injury of an eligible family member. Eligible family members are defined as spouse, domestic partner, parent, child or individuals who reside in the employee's household.
5. Vacation may be used in lieu of sick leave, but not vice-versa.
6. To qualify for sick leave pay, an employee must notify his/her supervisor (if supervisor is unavailable, contact supervisor's designee) of the problem or condition as soon as possible (but no later than 30 minutes prior to scheduled reporting time) of any day or part of a day of absence and on each day of the illness, unless prior approval from the supervisor. The request will be disapproved when:
  - Reason for the employee's absence is not covered under this section.
  - Employee's statements are found to be inaccurate or untrue.
  - Employee has not accrued sufficient time to cover absence.
  - Improper or lack of notification is determined.
7. The employee is also responsible for keeping immediate supervisor informed regularly of his/her condition. To receive paid sick leave, employees must





































- b. Provides opportunities for intensive coaching, as appropriate.
- c. Provides opportunities for other forms of research-based professional development aligned with program performance goals.
- d. Ensures assessment results are not used for punishment without providing time and resources for staff to improve.



## **EMPLOYEE PARTICIPATION IN PROGRAM SERVICES**

SCHRA 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. All employees are required to pay fees if a program requires a fee for service(s).

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 Program Director of Services.





































illnesses. Employees must use any accrued compensatory time, sick leave or annual leave in lieu of sick Leave when absent from work for illnesses.

## **MEDICATION – ADMINISTRATION AND STORAGE**

SCHRA adheres to all appropriate guidelines regarding the administration, handling, and storage of medication when necessary.

1. All medications, including those required for staff and volunteers, must be labeled and stored under lock and key and refrigerated, if necessary.
2. Center supervisory staff is designated to administer, handle, and store medications.
3. Center supervisory staff obtains physicians' instructions and written parent or guardian authorizations when appropriate for all medications administered by center staff.
4. An individual record of all medications dispensed is appropriately maintained and reviewed regularly with the child's parents.
5. All changes in a child's behavior that have implications for drug dosage or type are recorded, and center staff provides assistance to parents in communicating with their physician regarding the effect of the medication on the child.
6. SCHRA ensures that all appropriate staff members can demonstrate proper techniques for administering, handling, and storing medication, including the use of any necessary equipment to administer medication.

## **HYGIENE**

SCHRA 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.

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.

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.

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.

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.

Potty chairs that are utilized in a center-based program must be emptied into the toilet and cleaned and disinfected after each use.

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**

SCHRA employees are required to present a positive, professional 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.

### **Dress Requirements**

1. At all times appearance is neat, clean, and professional. Employees with community and client contact are expected to wear appropriate attire.
2. Each supervisor is responsible for monitoring the dress policy.
3. Business casual dress includes items such as:
  - a. Blazers and sport coats
  - b. Casual dresses (appropriate cut and length for the Agency environment)
  - c. Skirts (appropriate cut and length for our business environment)
  - d. Shirts (oxford, polo, blouses, button-down, turtleneck)
  - e. Sweaters
  - f. Slacks
  - g. Loafers, dress shoes, flats
  - h. Jeans
  - i. Maintenance, kitchen and classroom staff – job and safety appropriate clothing
4. Dress which is not acceptable includes items such as:
  - a. Tank tops/halter tops/low-cut tops/cropped tops/shorts
  - b. Sweatbands/bandannas
  - c. Open toe with open heel sandals or shoes (for safety sensitive positions)
  - d. Shoes with heels over three (3) inches
5. Clothing that contains extensive and/or offensive graphics or messages are not permitted in the workplace or outside the workplace while conducting business.
6. Employees working with the children and/or going to the playground must wear closed toe and closed heel shoes with heels less than three (3) inches.
7. Employees providing In-Home care services must wear closed toe and closed heel shoes. Heels should be less than three (3) inches high.

8. Long fingernails and loose, flowing garments that can be caught or pulled are prohibited.
9. If an employee/volunteer is inappropriately dressed or groomed, he/she 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 Resources Director.

## **GENERAL HOUSEKEEPING**

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

Please follow these guidelines:

1. Beverages should be kept 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 employee's direct supervisor.

## **SECURITY/INSPECTION**

SCHRA has the right to inspect all Agency equipment/property and any items on our property. Security concerns may warrant inspection of a facility and any personal property on the premises, including vehicles, purses, backpacks, lunch containers, and other items.

There is **no** guarantee of privacy in the use of Agency computers and communications modes, including Agency email and text messaging. Authorized individuals may have access and business needs to retrieve information of any voicemail, computer data, e-mail, text messages or other electronic communications.



## **SAFE ENVIRONMENT**

To maintain a safe work environment and prevent workplace violence, SCHRA does not tolerate acts or threats of workplace violence committed by or against employees and/or all persons involved in the SCHRA's operation.

We enforce the following:

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 the Executive Director and Human Resource Director. This includes threats or stalking by employees, clients, community members, vendors, solicitors, or other members of the public. Human Resources Director and/or supervisor should attempt to obtain the most specific and detailed information as possible from the affected individual. Executive Director determines whether threats of physical violence will be reported to law enforcement.
3. All suspicious individuals or activities should be reported as soon as possible to Executive Director/Designee.
4. 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).
5. Thorough and prompt investigation of all reports of disputes, threats of violence, actual violence, or suspicious individuals and activities will be conducted. 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 termination and/or legal action as appropriate.
6. Dangerous or hazardous devices or substances are prohibited on the premises.



## **SMOKING/TOBACCO USAGE**

All SCHRA 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. The term “tobacco-free” refers to all forms of tobacco and nicotine products, consumed by smoking or non-smoking means, such as cigarettes, cigars, pipes, e-cigarettes, snuff, chewing tobacco, etc. Nicotine patches are permissible. This policy applies to all persons in the SCHRA’s facilities.

No one may use tobacco or smoke anywhere on SCHRA’s premises other than designated smoking or tobacco areas outside the building. Employees who want to use tobacco or smoke during work hours must leave the premises (building) during break periods. Any employees in violation of this policy are subject to disciplinary action, up to and including termination.

Complaints for violation of this policy should be submitted to Executive Director.







## **EMPLOYEE ASSISTANCE PROGRAM**

It is the policy of the Agency to assist employees with counseling and referral services.

Personal difficulties can adversely affect job performance. Accordingly, employees experiencing personal problems are encouraged to seek assistance from their supervisor. SCHRA has an Employee Assistance Program (EAP) which offers professional counseling and other services for employees experiencing personal issues. You may find out more about this program by contacting the Human Resources Director.

Supervisors should be alert to detect the existence of personal problems affecting their employees. Indications of personal problems include excessive absenteeism, changes in both behavior and employee attitudes, and substandard job performance.

Supervisors, where appropriate, should try to communicate with employees who seem to be experiencing problems. Depending on the circumstances, the supervisor should proceed as follows:

- If an employee's problem seems to require professional counseling, or does not lend itself to an easy solution, the supervisor should encourage the employee to arrange for such counseling services as seems appropriate.
- Employees needing extended treatment may request a FMLA in accordance with the Agency's leave policy.

## **FIRE SAFETY/PREVENTION**

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

### **Fire Prevention**

1. Know the location of the nearest fire extinguishers and ensure they are kept accessible at all times.
2. Notify Maintenance Department 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 Executive Director or Facilities Manager. 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.





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, sex, national origin, age, disability (physical or mental), veteran status, pregnancy, marital status, medical condition, sexual orientation, gender identity or any other status protected by federal, state, or local law or regulation may be created, sent, or received at any time. SCHRA's policy against harassment applies fully to the Internet and e-mail system.
11. The unauthorized 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. Employees should not access electronic data such as Agency maintained databases, e-mail, etc. with any other user's access codes than their own. User accounts and passwords should be confidential and staff should follow the Electronic Use Policy, maintained by the IT Department, when using electronic devices used to perform day-to-day operations requiring the use, access and maintenance of computer programs used by Agency.
14. All confidential information sent over external networks by any means must be encrypted with approved Agency technology. Certain types of transmissions may require additional controls. Please contact the Network Administrator for further guidance.
15. Employees must not disclose any Agency confidential or internal information 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.
16. Employees must not stream audio from the internet, use stock tickers, partake in internet gaming, or use systems in a manner that interferes with normal business functions in any way.
17. SCHRA 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 SCHRA nor any of its employees may reproduce such software for use on more than one computer.

18. Employees who become aware of misuse of the Internet, intranet, or e-mail system should promptly contact the Network Administrator and the Human Resources Director.

19. Any employees in violation of this policy are subject to disciplinary action, up to and including termination.



## **PERSONALLY OWNED ELECTRONIC DEVICE USE**

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

1. Employees may carry and use personal cell phones and other electronic devices while at work on a sporadic basis. 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 will 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.
3. Personal cell phones may be used for Agency business on a sporadic basis. With prior approval of the Executive Director and Finance Director, an employee may be reimbursed for business calls received on personal cell phones.
  - a. If an employee is operating an Agency vehicle and receives a call on a cell phone, the employee will pull to the side of the roadway, into a parking lot or other safe location to answer or respond to the call. Failure to follow this policy may result in disciplinary action up to and including termination
  - b. If an employee is operating his/her personal vehicle and receives a business call on a cell phone, the employee will pull to the side of the roadway, into a parking lot or other safe location to answer or respond to the call.
4. Neither Agency nor personal cell phones may be used to "Text" while driving.
5. Use of cell phones is not permitted in the classroom during scheduled classroom activities.

## **AGENCY OWNED CELL PHONE POLICY**

Cell phones are official Agency property. Agency cell phone are issued to employees for the purpose of conducting official Agency business. This policy includes voice, text, data, and camera capabilities.

Agency cell phones may be issued to employees whose responsibilities include frequent work communication while on travel and/or away from their permanent workstation, or where landline telephone service is not available. Requests for cell phones must be made from a Program Director or higher to the Purchasing Officer. Phones may be denied based on Agency funds availability, determined lack of need or an employee's prior misuse of Agency resources.

Employees are responsible for proper safeguarding of their assigned cell phone device. Employees must reimburse the Agency if improper or negligent care leads to damage or loss of a cell phones.

Employees are allowed limited, de Minimis personal use of cell phones. This personal use must not: 1) result in the loss of work productivity, 2) interfere with official duties, 3) result in additional expense to the government, or 4) violate the Agency Standards of Conduct.

The use of Agency cell phone to place calls while driving is generally prohibited. However, SCHRA issued cell phones are equipped with a built in hands-free device that must be used for mobile voice calls only in critical and time sensitive situations. The use of Agency cell phone to text message, check e-mail or browse the internet while driving is prohibited.

SCHRA employees with cell phones are not authorized to make any changes to their Agency cell phone service or account. The Purchasing Officer is the only authorized agent to make any changes to the Agency cell phone accounts or services with the cell phone service provider.

The use of Applications (APPS) on Agency cell phone is restricted to authorized APPS which are monitored and distributed by the Purchasing Officer and the Network Administrator.

Unauthorized or inappropriate use of Agency cell phone may result in: 1) loss of use of cell phone, 2) disciplinary or adverse action, or 3) being held personally liable for any costs associated with the inappropriate use.

Employees separating from the Agency must return their cell phone to the Purchasing Department. Failure of a separating employee to return an assigned cell phone device may result in a deduction from the employee's final paycheck.

## **SOCIAL MEDIA**

### **On Duty Social Media Use**

SCHRA has determined 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 SCHRA in these emerging electronic communications.

Only specifically designated employees are authorized to communicate on behalf of SCHRA via social media. Such designated employee communications are limited to job-related topics.

Employees representing SCHRA on social media must communicate in a respectful, relevant way that protects the Agency's reputation, forwards the mission and vision of the Agency, and follows the letter and spirit of the law.

Specifically:

1. Be transparent and state they work at SCHRA – use their real name, identify that they work for SCHRA, and be clear about their role.
2. Never represent themselves or SCHRA in a false or misleading way. All statements must be true and not misleading; all claims must be substantiated.
3. Post meaningful, respectful comments – no spam and no remarks that are off topic or offensive. Use common sense and common courtesy.
4. Protect sensitive or personal information. Efforts to be transparent should never violate SCHRA's privacy, confidentiality, and legal guidelines for external communication. Clients of SCHRA should never be identified or discussed.
5. Stick to their area of expertise.
6. Keep disagreements with others' opinions appropriate and polite. If an SCHRA employee finds themselves in an online discussion that is becoming antagonistic, they should disengage from the dialogue in a polite manner that reflects well on SCHRA.
7. Never comment on anything related to legal matters, litigation, or any party involved in litigation with SCHRA.
8. Never participate in social media when the topic being discussed may be considered a crisis situation. Even anonymous comments may be traced back to their or SCHRA's IP address. Refer all social media activity around crisis topics to Program Director and/or Executive Director.

9. Always protect employee privacy and SCHRA's confidential information. Social media users should always be aware that on-duty or job-authorized social media communications are public records.

### **Off Duty Personal Social Media Use**

Personal use of social media is the right of every employee using their own equipment and on their own time.

However, because of the high likelihood that electronic social networking activity will be viewed by co-workers or consumers (who may, for example, join a Facebook group or visit a blog), even activities conducted on personal time using personal equipment may violate SCHRA policies and could potentially lead to discipline, including termination of employment. Examples of such conduct include, but are not limited to, a posting or comment that is illegal, involves threats of violence, sexual, racial or other discriminatory statements or images harmful to SCHRA's working environment, or personal issues that create adverse publicity for SCHRA.

Even when you engage in electronic social networking outside of work using personal equipment, good judgment and responsible behavior is very important. Posts must be lawful and abide by SCHRA policies against discrimination, harassment and retaliation against other SCHRA employees or consumers.

When you choose to go public with your opinions, you are also legally responsible for your commentary. You can be held personally liable for commentary deemed to be legally defamatory, obscene, proprietary, or libelous, whether pertaining to SCHRA, its employees, other individuals, or any other entity. In essence, you participate in online discourse at your own risk, and outside parties can pursue legal action against you for inappropriate commentary.

Any employees in violation of this policy are subject to disciplinary action, up to and including termination.

## **PHOTOGRAPHY, AUDIO AND VIDEO RECORDING**

Audio or video recording Agency conversations and/or training sessions with co-workers and clients without prior written consent is in direct conflict with the Agency's philosophy to create an environment built on trust and open communication as its team works together to generate new thoughts and ideas to further advance the success of the Agency and/or discuss and resolve business issues.

No person (employee or non-employee) shall photograph, film, videotape or make audio recordings (other than routine telephone voicemail) on Agency property or inside any Agency office except by specific written permission from the appropriate Program Director as well as the consent of all participants to the conversation or activity. The foregoing applies to the photo and audio functions on cell phones.

The following guidelines must be met before consideration will be given to any request to record a conversation:

- There must be a clearly defined and legitimate business purpose for the recording.
- Agency-owned recording devices must be used as requested from Human Resources and must be appropriately checked in/out.
- The recording device must be visible and in plain view to all participants.
- The purpose of the recording must be clearly announced at the beginning of the recording to all participants.
- The resultant recording must be maintained on Agency premises.

The Agency's security system is the only exception to this policy.

*Off duty* audio recording of an Agency employee concerning a work related matter is prohibited without the express consent of all parties to the conversation, which consent will be stated at the very beginning of the recording by all parties to the recording.

## **USE OF OFFICE EQUIPMENT, MAIL, AND SUPPLIES**

SCHRA 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.

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. Agency stationery may not be used for personal correspondence as any communication sent out on Agency stationery might be considered official communication.

## **USE OF AGENCY VEHICLES**

Agency employees may need to travel within the service area of the SCHRA on business. When available, Agency motor pool vehicles should be used for this travel. The Agency prohibits using Agency owned or leased vehicles for personal use. Program Directors may assign for long term use an Agency owned or leased vehicle to an employee who travels on a daily basis between different work sites of the Agency. Assigned vehicles are to be kept at the employee's designated work site.

Motor pool vehicles that are signed out on a daily basis must be checked out and in with the Property Officer by signing the log for the vehicle being received.

Mileage Logs must be completed at the time of use. Vehicle should be filled with gas before being returned to the motor pool. Vehicle will be returned to the motor pool inside fenced area and keys, gas ticket, and mileage log returned to Property Officer at the end of the business day unless the following occurs:

- The employee returns after the motor pool has been closed. The vehicle should then be parked in a lighted area of the parking lot and returned promptly the next business day.
- With the prior approval of the Executive Director or Governing Board Chairperson, a vehicle may be stored / parked temporarily at an alternate site overnight. This is for employees who have temporary travel assignments which causes them to travel before or after regular business hours. Eligibility for this provision will include the purpose of the travel, cost benefit and an assessment of the efficiency of employee's work time.

Employees operating any vehicle (Agency or personal) in the performance of their job duties must possess a valid driver's license and general liability automobile insurance. It is the employee's responsibility to keep their license and insurance current. Upon necessary renewals, employees are required to submit verification to the Human Resources Department and the Property Officer.

Failure to possess these items will delay reimbursement for work travel and employee will be subject to disciplinary action up to and including termination.

## **SOLICITATION**

SCHRA prohibits the solicitation of products and services by non-employees and limits employee solicitation during regular working hours. Such activities can interfere with the normal operations of the Agency, can be detrimental to employee efficiency, can be annoying to clients, and can pose a threat to security.

Solicitation includes, but is not limited to, asking employees for funds or contributions, offering goods for sale, asking employees to sign a petition, requesting employees to join a group, or otherwise requesting employees' support or commitment with respect to causes, groups, or interests.

During regular work hours, employees are prohibited from soliciting or distributing literature for any purpose. Regular working hours refers to any portion of the workday in which an employee is expected to be performing job duties. Regular work hours do not include such times as lunch, break time or before and/or after work.

Persons who are not employed by the Agency are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services **(except by representatives of suppliers properly identified to the Executive Director)**, or engaging in any other solicitation, distribution, or similar activity on Agency premises.

The Agency may authorize fund drives by employees on behalf of charitable organizations. Employees are encouraged to volunteer to assist in these drives. However, employees will not be discriminated against because of their willingness or unwillingness to participate. All fund drives must be approved and must be in accordance with each program's rules and regulations.



## **AGENCY BULLETIN BOARDS**

Bulletin boards are placed in key locations to be used to communicate employment information to employees and visitors in Agency locations. Postings will be limited to Agency-related matters or that communicate community resources to the SCHRA client base.

Information on those boards must be approved in advance by any of these: Program Director, Center/Site Manager, Human Resources Director, or Executive Director.

## **STANDARDS OF CONDUCT**

SCHRA expects all persons involved in the Agency (employees, committee members, contractors, consultants, volunteers, etc.) 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. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace but some of the more obvious unacceptable activities are noted below. This list is not all-inclusive and other inappropriate conduct may result in disciplinary action up to and including termination. Contact Executive Director or Human Resources Director with any questions concerning any standard of conduct or the unacceptable activities listed.

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

1. Violation of any Agency rule or policy; any action that SCHRA deems detrimental to its efforts to meet its mission, vision, and values.
2. Negligence or any careless action which endangers the life or safety of another person, or damage to Agency property.
3. Violations of the Agency's misconduct/fraud policy.
4. Violations of the Agency's Business Conduct-practice of unethical behavior.
5. Failure to respect and promote the unique identity of each child and family and refrain from stereotyping on the basis of gender, race, ethnicity, culture, religion, or disability, sexual orientation, or family composition. **(HS/EHS Performance Standards 1302.9 (c)(1) (iii))**
6. Failure to follow the SCHRA Conflict of Interest Policy. **(Head Start Act (642(C)(1)(E)(iv)(X)(aa))**
7. Failure to use positive strategies to support children's well-being and prevent and address challenging behavior. **(HS/EHS Performance Standards 1302.9(c)(1)(i)).**
8. Failure to follow program confidentiality policies concerning personal identifying information or other information about children, families, and other staff members.  
**(HS/EHS Performance Standards 1302.90 (c)(1)(iv))**
9. Borrowing, receiving or taking funds or other personal property from the service recipient. **(TN Licensure Personal Support Services Agencies: 0940-5-38.07(2)(h))**

10. Abusing or neglecting of a service recipient, or other types of critical incidents. Departmental procedures will be followed in the investigation and reporting of these activities to those required by grantors or any other authority required by law. **(TN Licensure Personal Support Services Agencies: 0940-5-38-.06(1)(h))**
11. Leaving a child alone or unsupervised while under the program's care. Report to the Office of Head Start Regional Office as needed. **(HS Performance Standards 1302.90(1)(v))**
12. Maltreatment or endangering the health or safety of children, including at a minimum, that staff must not: Use corporal punishment; use isolation to discipline a child; bind or tie a child to restrict movement or tape a child's mouth; use or withhold food as punishment or reward; use toilet learning/training methods that punish, demean, or humiliate a child; use any form of emotional abuse, including public or private humiliation, rejecting, terrorizing, extended ignoring, or corrupting a child; physically abuse a child; use any form of verbal abuse, including profane, sarcastic language, threats, or derogatory remarks about the child or child's family; or, use physical activity or outdoor time as a punishment or reward. (HS Performance Standards 1309.2 (c)(1)(ii))

## Definitions

- **Corporal punishment** is any physical action imposed on a child for any reason (for instance: slapping, biting, pinching, pulling hair, squeezing, kicking, tying or binding, withholding food, physical activity or outdoor time as punishment, or any other action that might inflict physical pain/abuse on the child).
- **Inappropriate punishment** also is any action taken to isolate the child from all other persons (for instance: standing in corner; not letting anyone speak to the child, or any other action that could cause emotional pain to the child). It is any form of embarrassment inflicted on a child (calling the child names, calling the child dumb, etc.), making insulting remarks about a child's clothing, cleanliness, speech (profane, sarcastic, derogatory, threatening), eating habits, threatening the child, terrorizing, ignoring, corrupting, verbal use etc. in such a manner that will cause the child emotional pain
- **Inappropriate behavior include but are not limited to the examples below:**
  - Discourteous conduct or poor service to clients
  - Disrespectful, abusive, profane language or conduct directed to, or in the presence of, clients, employees, vendors, and other third parties
  - Failure to work cooperatively and harmoniously with supervision, co-workers, clients and others when on Agency business.

- Unsatisfactory work performance or conduct; deliberate or excessive waste of materials; lack of cooperation; and/or low productivity
- Insubordination, including a willful failure to follow a management directive
- Violation of Agency and human resources policies and procedures
- Falsification of Agency records in any form, embezzlement, or failure to follow internal control or security procedures
- Theft or inappropriate, unauthorized removal or possession of Agency or another (including attempts to do so) employee's property; use of Agency equipment or supplies for personal projects
- Falsification of timekeeping records
- Possession, distribution, sale, transfer, use or being under the influence of alcohol or illegal drugs in the workplace while on duty.
- Fighting or threatening violence in the workplace – or elsewhere if related to SCHRA employment.
- Boisterous or disruptive activity in the workplace
- Improper, negligent, destructive, or unsafe use or operation of Agency equipment
- Knowingly making false accusations intended to disrupt relationships among employees and/or between employees and the Agency
- Sexual or other forms of harassment
- Bullying, intimidating or undermining behavior (such as gossiping) in the workplace
- Unprofessional conduct at outside events where the employee is representing the Agency
- Possession of dangerous materials, such as explosives, or unauthorized weapons or firearms, in the workplace or on the premises
- Excessive unexcused unauthorized absenteeism or tardiness; giving false reasons for absences
- Unauthorized overtime or failure to record all hours worked
- Unauthorized disclosure of business secrets or confidential business or client's information
- Unauthorized entrance to the Agency other than to report to work or to conduct Agency business
- Unauthorized accessing of client and/or employee information without a specific and approved business purpose

## **BUSINESS CONDUCT**

SCHRA requires Board members, committee members, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities, and all directors, committee members, and employees to comply with all applicable laws and regulatory requirements. Unethical actions, or the appearance of unethical actions, are unacceptable under any conditions. The policies and reputation of SCHRA depend to a very large extent on the following considerations. Each employee must apply her or his own sense of personal ethics, which should extend beyond compliance with applicable laws and regulations in business situations, to govern behavior where no existing regulation provides a guideline. Each employee is responsible for applying common sense in business decisions where specific rules do not provide all the answers.

In determining compliance with this standard in specific situations, employees should ask themselves the following questions:

1. Is my action legal?
2. Is my action ethical?
3. Does my action comply with SCHRA policy?
4. Am I sure my action does not appear inappropriate?
5. Am I sure that I would not be embarrassed or compromised if my action became known within the Agency or publicly?
6. Am I sure that my action meets my personal code of ethics and behavior?
7. Would I feel comfortable defending my actions on the 6 o'clock news?

Each employee should be able to answer "yes" to all of these questions before taking action.

Each director, manager, and supervisor is responsible for the ethical business behavior of her or his subordinates. Directors, managers, and supervisors must carefully weigh all courses of action suggested in ethical, as well as economic, terms and base their final decisions on the guidelines provided by this policy, as well as their personal sense of right and wrong.

SCHRA does not tolerate the violation or circumvention of any federal, state, local, or foreign law by an employee during the course of that person's employment, the disregard or circumvention of SCHRA policy or engagement in unscrupulous dealings, the attempt to accomplish by indirect means, through agents or intermediaries, that which is directly forbidden.

## **CORRECTIVE ACTION**

To be effective, disciplinary action should emphasize correcting the problem rather than punishing the offender. SCHRA'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.

Progressive discipline is dependent on the circumstances and 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.

Depending on the nature of the violation, progressive discipline may not be followed in all cases and one or more "steps" may be repeated or skipped. In some circumstances, immediate termination may result.







- a) Incidents which result in employees being placed on leave without pay pending investigations by the Department of Human Services (DHS) and/or the Department of Children Services (DCS) due to reports of alleged child abuse/neglect may receive back pay when the outcome of the investigation is “unfounded”; or
- b) If the results of the DHS and/or DCS is “founded” or the employee is placed on a “safety plan” stating employee is not allowed to be alone with children, due to the investigation, the employee will be “terminated,” with approval of the Head Start Policy Council;
- c) Should an employee who was terminated, due to being placed on an initial “safety” or “supervision” plan by DCS or DHS, have their plan removed, that employee may be considered for future employment with the Agency.

The Executive Director approves all recommendations for termination before any final action is taken.

#### **INVESTIGATIONS:**

At any investigatory interview conducted for the purpose of determining the facts involved in any suspected violation of Agency rules and regulations or grantor regulations, the following procedures normally should apply:

- a) Prior to the interview, the employee who is suspected of violating Agency rules and regulations should be told in general terms what the interview is about.
- b) The employee may have the EO Officer or a co-worker witness of their choosing present at the interview, provided she/he so requests.
- c) As a normal part of investigation, the employees may be subject to electronic auditing, to check for additional instances/patterns of misconduct.
- d) Employees may be interviewed by regulatory authorities upon investigations with prior notification to the Program Director, Human Resources Director, Executive Director, or Governing Board Chairperson.
- e) No employee may retaliate against a co-worker or client believed to have made a complaint about the employee or otherwise participated in an Agency investigation.

Employees who believe that they have been disciplined too severely or who question the reason for discipline may utilize the Grievance Policy/Problem Resolution.



- Impropriety of the handling or reporting of money in financial transactions.
- Failure to report known instances of misconduct in accordance with the reporting responsibilities described herein (including tolerance by supervisory employees of misconduct of subordinates).
- Employee misconduct in the performance of essential job duties.
- Violation of the Federal False Claims Act, State False Claims Act

Fraud is further defined to include, but not be limited to:

- Theft, embezzlement, or other misappropriation of assets (including assets of or intended for the Agency, as well as those of our clients, subcontractors, vendors, contractors, suppliers, and others with whom the Agency has a business relationship).
- Intentional misstatements in the Agency's records, including intentional misstatements of accounting records or financial statements.
- Authorizing or receiving payment for goods not received or services not performed.
- Authorizing or receiving payments for hours not worked.
- Forgery or alteration of documents, including but not limited to checks, timecards, contracts, purchase orders, receiving reports.

SCHRA prohibits each of the preceding acts of misconduct on the part of employees, officers, executives, volunteers, and others responsible for carrying out the Agency's activities.

All employees, officers, and volunteers are responsible for immediately reporting suspected misconduct to their supervisor, Executive Director, Finance Director, Human Resources Director, or the Governing Board Chairperson. When supervisors have received a report of suspected misconduct, they must immediately report such acts to their manager Executive Director, Finance Director, Human Resources Director, or the Governing Board Chairperson.

## **ANTI-FRAUD POLICY**

SCHRA requires compliance with the requirements of federal and state laws that prohibit the submission of false claims in connection with federal funded programs, including Medicare and Medicaid. Every SCHRA employees must receive the information set forth in this policy.

Federal and state governments have adopted a number of statutes to deter and punish misrepresentations with regard to federal and state funded programs. Failure to comply with these laws could result in civil and criminal sanctions imposed on individuals and SCHRA's subsidiaries by government entities. In addition to sanctions imposed by the government, employees' noncompliance with this policy (and any state or federal law designed to detect and prevent fraud, waste and abuse) may result in discipline up to and including termination of employment.

- **Federal False Claims Act:** The federal False Claims Act prohibits knowingly submitting (or causing to be submitted) to the federal government a false or fraudulent claim for payment or approval. It also prohibits knowingly making or using (or causing to be made or used) a false record or statement to get a false or fraudulent claim paid or approved by a state Medicaid program, the federal government or its agents, such as a carrier or other claims processor. Civil penalties can be imposed on any person or entity that violates the federal False Claims Act, including monetary penalties of \$5,500 to \$11,000 as well as damages of up to three times the federal government's damages for each false claim.
- **Federal Fraud Civil Remedies:** The Program Fraud Civil Remedies Act of 1986 also allows the government to impose civil penalties against any person who makes, submits or presents false, fictitious or fraudulent claims or written statements to designated federal agencies, including the U.S. Department of Health and Human Services, which is the federal agency that oversees the Medicare and Medicaid Programs.
- **State False Claims Acts:** The State of Tennessee Medicaid False Claims Act False Claims TN Code (71-5-182) has enacted broad false claims laws modeled after the federal False Claims Act.
- **Whistleblower and Whistleblower Protections:** The federal False Claims Act and the State of Tennessee's False Claims Act permit individuals with knowledge of fraud to inform the proper authorities and these individuals must not be retaliated against for reporting fraud

### **Managers Responsibilities**

Managers must inform their employees that the SCHRA does not tolerate or condone activities that result in or contribute to the submission of false claims to any federal or state funded programs, including Medicare and Medicaid, and a

manager must take appropriate action if he or she learns about possible fraudulent or abusive activities.

## **TERMINATION**

SCHRA or the employee may terminate the employment relationship at any time for any reason or no reason at all.

The Head Start Policy Council approves and submits to the Governing Board policies for dismissal of Head Start staff. These policies will guide the termination process.

Voluntary terminations are those initiated by the employee and include:

- Resignation – two weeks' advance notice requested
- Retirement - two weeks' advance notice requested
- Failing to report to work as scheduled
- Failing to return from an approved extended leave of absence
- Failing to provide notification and obtain approval for absences of three (3) 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

## APPENDIX A

### **FREQUENTLY USED TERMS AND ACRONYMS**

ACF	Administration of Children and Families
ADA	Americans with Disabilities Act
BOPP	Board of Probation and Parole
CAA	Community Action Agency
CAP	Community Action Program
CCAFP	Child Care and Adult Food Program
CCS	Child Care Services
CDA	Child Development Associate Credential
CFN	Community Food & Nutrition Program
COBRA	Consolidated Omnibus Budget Reconciliation Act of 1985
CSBG	Community Services Block Grant
DHHS	U.S. Department of Health and Human Services
DHS	Department of Human Services
DOE	Department of Energy
DOEd	Department of Education
DOL	Department of Labor
DOT	Department of Transportation
EEOC	Equal Employment Opportunity Commission
EHS	Early Head Start
EOE	Equal Opportunity Employer
EOO	Equal Employment Opportunity Officer
ERISA	Employee Retirement Income Security Act
FEMA	Federal Emergency Management Agency
FLSA	Fair Labor Standards Act
FMLA	Family and Medical Leave Act
FY	Fiscal Year
FYE	Fiscal Year End
HS	Head Start
LEA	Local Education Agency (local school systems)
LIHEAP	Low Income Home Energy Assistance Program
NAFAE	National Association for Fiscal and Administrative Excellence
NCAF	National Community Action Foundation
NHSA	National Head Start Association
NSC	Neighborhood Service Center
OSHA	Occupational Safety and Health Administration
OHS	Office of Head Start
PC	Policy Council
PO	Purchase Order
PYE	Program Year End
RSVP	Retired & Senior Volunteer Program



RIF	Reduction In Force
SEACAA	Southeast Association for Community Action Agencies
SSCBT	Social Services Competency Based Training
SCTDD	South Central Tennessee Development District
TAHRA	Tennessee Association of Human Resource Agency
T/TAS	Training/Technical Assistance Services (Head Start)
TACA	Tennessee Association of Community Action Agencies
TCCA	Tennessee Community Correction Association
TCOA	Tennessee Commission on Aging
TDA	Tax Deferred Annuity
TEFAP	Tennessee Emergency Food Program
THDA	Tennessee Housing Development Agency
THSA	Tennessee Head Start Association
Title V	Older Americans Act/Senior Community Service Employment
TOB	Total Operational Budget
SCHRA	South Central Human Resource Agency
UI	Unemployment Insurance
WAP	Weatherization Assistance Program



2. No statement contained in the human resources policies and procedures manual, employee handbook, employment application, recruiting material, or other written materials provided to any employee in connection with his/her 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.

## SECTION 2

### EQUAL EMPLOYMENT OPPORTUNITY (Continuation of Policy)

1. Executive Director is responsible for overseeing the administration of the Equal Employment Opportunity (EEO) Policy and may act through Human Resources 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. Human Resources Director will administer the Agency's applicant tracking system and compiling data for required Equal Employment Opportunity Commission (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. 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. SCHRA 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, applicant, or volunteer will be given the option to file a discrimination, harassment, or retaliation complaint with 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. Human Resources Director is responsible for promptly responding to, reporting, and/or investigating any suspected acts of unlawful discrimination, harassment, and retaliation in violation of SCHRA's EEO Policy. Human Resources Director must immediately report suspected unlawful discrimination, harassment, and retaliation to Executive Director and Governing Board Chairperson.

## **AFFIRMATIVE ACTION (Continuation of Policy)**

1. When recruiting for open positions, it is the responsibility of Executive Director and Human Resource Director to advertise and recruit in media and markets that offer equal opportunities, and increase qualified minority and female applicants.
2. However, the Executive Director, based on Agency and program needs for immediate placement, may waive posting positions.
3. Executive Director and Human Resources Director review hiring records to ensure a diverse workforce is being maintained.
4. Executive Director, Human Resources Director and Program Director will be responsible for monitoring and maintaining the affirmative action records.
5. All advertisements will state "Equal Opportunity Employer".
6. Advertisements must be approved by Human Resources Director/Designee.





8. Program Director/Designee may conduct a telephone screen to further qualify candidate and determines mutual interest in the opportunity. These calls are noted on the online applicant tracking software.
9. Director moves potential candidates to "Schedule Interview" status in online applicant tracking program to inform Personnel Specialist which candidates will participate in a face-to-face interview process.
10. Personnel Specialist coordinates the interview schedule upon posting any open position, and schedules candidate's face-to-face interview for that day during the intake process or after job closing.
11. Executive Director and Human Resources Director work closely with Hiring Director/Manager to evaluate and approve the desired candidate.
12. All candidates are required to complete an application form regardless of the level of the position hired. Program Director/Designee and/or Personnel Specialist conduct pre-employment checks on the final candidates for the position. These may include, but are not limited to, criminal record check, reference check, physical exam (if required) and work history and education verification. All such checks will conform to the Fair Credit Reporting Act.
13. Hiring decisions are monitored by Human Resources Director for consistency with Agency policies. Human Resources Director requires a completed employment application on all hires and may request additional documentation from the applicant to support a hiring decision.
14. Human Resources Department staff extends an offer of employment letter to the candidate via a written offer letter and rejection letters to all other interviewees. Personnel Specialist and HR Director maintain records of the selection process, such as applications, evaluation criteria, notes from interviews, and reference checks, in the administration office for one year.
15. Criminal background checks and required registry checks must be completed prior to an individual starting her/his employment. Background checks will be renewed based on grantor and regulatory requirements and meet National Crime Information Center (NCIC) standards. (HS/EHS Performance Standards 1302.90(b)(5) & T.C.A§33-2-1202)

Appointment in a Senior Head Start leadership position requires the prior approval of the Governing Board. If the position receives, at least 50% of it is funding from Head Start/Early Head Start, the Head Start/Early Head Start Policy Council must also approve or the hire must follow the guidelines set by the Head Start Policy Council.



The Executive Director (or similar management position) is appointed by the Governing Board.

## **PROCEDURE FOR HEAD START/EARLY HEAD START EMPLOYEES**

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

- The Head Start Policy Council approves and submits to the Governing Board personnel policies in regard to employment of Head Start staff. These policies will guide the employment process.
  - a. 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.
  - b. An interview, references verification, sex offender registry check, and required background checks must be completed prior to an individual starting her/his employment.
  - c. Newly hired employees, consultants, or contractors may not have unsupervised access to children until the complete background check process is complete.

### **JOB POSTING (Continuation of Policy)**

Job posting requests are submitted through SCHRA's online applicant tracking software by submitting a "Job Approval" request to the Human Resources Director or Personnel Specialist.

- Upon receipt of request, data for job posting is reviewed for accuracy with job description, pay range, location, status, FLSA status and budgetary information.
- Hiring managers submitting a job posting request must inform Personnel Specialist of a date to schedule interviews when submitting requests.
- Upon verification of requested job posting information and requested interview date, Personnel Specialist or Human Resources Director will post the position to the Agency's job board through the online applicant tracking software and e-mail open position to Agency worksites.

## **PRE-EMPLOYMENT INVESTIGATION/BACKGROUND CHECK**

To ensure pre-employment checks are conducted within the legal and professional requirements needed to be employed in the position for which the candidate is applying, SCHRA conducts pre-employment investigation for all employees to determine or verify background information. These background checks include 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.

1. Applicants who are chosen for interview are required to sign a release form authorizing the pre-employment investigation and the 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 applicant from further consideration for employment.
2. Pre-employment investigation applies to all new hires, as a condition of employment. Employment is contingent upon the results of the pre-employment investigation.
  - a. Personnel Specialist and program staff coordinate obtaining the pre-employment investigation. Human Resources Director and Program Director 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, in an interview or on the Background Check Authorization Form will be eliminated from further consideration for employment.
3. Additional website registries required prior to employment must be documented and signed prior to individuals beginning work. These may include but are not limited to state/federal sex offender, child/adult abuse, fraud, felony, and other grantor designated required registries.
4. Personal and professional reference checks are conducted by Human Resources Director, Personnel Specialist, Program Director or assigned program staff before the job offer is made. These are documented in writing and placed in the employee's personnel file. Employment is contingent upon the results of the personal and professional reference checks.
5. Employees whose position requires licensure or certification must 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 Human Resources Director or Personnel Specialist. Failure to keep required licenses or certifications current may result in termination.

Background checks are renewed based on grantor requirements.

### **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 conducted:
  - a. A sex offender registry check.
  - b. State or tribal criminal history records, including fingerprint checks **OR** FBI criminal history records, including fingerprint checks.
  - c. Background check results from the Tennessee Department of Human Services which include registry checks must be complete and are in hand prior to someone reporting to work.
2. Unsupervised access to children must not be allowed until the complete background check process (is complete).
3. The complete background check (must be conducted at least once every five years).
4. Human Resources Director must review each employment application and completed 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.
5. After employment has been offered, a health exam including TB screening is required for Early Head Start/Head Start staff and regular volunteers. Periodic reexaminations are also required.

## **EMPLOYEE ORIENTATION (Continuation of Policy)**

1. Program Manager responsibilities:
  - a. Provide each new employee with orientation specific to his/her workplace.
  - b. Provide on-the-job training (OJT) needed for new employees to assume their responsibilities.
  - c. Provide new employees with the dates and locations of the orientation program.
  - d. For Head Start/Early Head Start - Orientation for all new staff, consultants, and volunteers that focuses on, at a minimum, the goals and underlying philosophy of the Head Start program and on the ways they are implemented.
  
2. Human Resources Department responsibilities:
  - a. Offer regularly scheduled sessions for new employee orientation.
  - 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.

## **IMMIGRATION POLICY**

SCHRA 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.

1. SCHRA 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 (3) days of employment. Failure to do so may result in the offer of employment being withdrawn or withheld.
3. SCHRA uses the I-9 to utilize the E-Verify electronic identification website to verify information upon job offer to verify the individual's right to work in the United States.
4. All former employees who are rehired are also required to complete a new I-9 if:
  - They did not complete an I-9 for SCHRA within the previous three (3) years.

**OR**

- Their previous I-9 is no longer valid.

**OR**

- Their previous I-9 was not retained.

5. I-9s will be maintained in a file separate from that of the employee's personnel file.

### **HUMAN RESOURCES RECORDS (Continuation of Policy)**

1. Records are secured in locked file cabinets and secured electronic files and access will be controlled by Personnel Specialist and database administrators.
2. At no time will employee files leave the premises, except as required for legal proceedings.
3. Personnel Specialist is responsible for creating and maintaining employee personnel files. Main employee files should have a separate file for each employee and include 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-2 form
  - h. W-4 form
  - i. Employee authorization for release of information
  - j. Employee signature acknowledging receipt and review of policies and procedures and/or receipt of employee handbook
  - k. Employee résumé
  - l. Skills inventory
  - m. Performance appraisal
  - n. Discipline
  - o. Grievances
  - p. Performance goals
  - q. Scheduled training and completed training records
4. Detailed personnel information is accessible only on a "need to know" basis. Anyone needing access to an employee's file should contact the Human Resources Director/designee.
- r. Employee mailing address, email address (if any) and telephone number(s) – for delivery of official communications to the employee.
- s. Employee's emergency contacts and their contact information.
5. Employee files must be reviewed in SCHRA offices with Human Resource staff. Employees should not provide references or any comments, written or verbal, to

individuals requesting information on current or former employees. All requests for information should be referred to the Human Resources Department.

6. Only basic employment information (i.e., dates of employment, title of position held, and confirmation of salary) for employment verifications and those requests meeting legal requirements are provided by the Human Resources Director or his/her designee.
7. Detailed personnel information is not to be released to anyone outside the Agency without prior written consent by the employee. Exceptions will only be made as required by law as in the case of Public Records Act request, subpoenas or other court orders.

### **DEMOTIONS (Continuation of Policy)**

Supervisors will work with the Human Resources Department to ensure efforts are made to provide proper training and development opportunities via the Corrective Action process before demotion is considered. All demotions will be discussed with the Human Resources Department prior to communicating any information to employees. The employee's applicable work experience, educational level and review of incumbent's salaries holding the same job title will be reviewed by the hiring Supervisor and the Human Resources Director to determine an appropriate new rate of pay.

### **JOB DESCRIPTIONS**

SCHRA creates job descriptions and properly determines the exemption status for every job according to the Fair Labor Standards Act (FLSA). 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.

Program Directors are responsible for ensuring that employees and consultants are performing the tasks included in their jobs. Each description includes, but is not limited to:

- a. Introduction - job's purpose and function
- b. Essential duties and responsibilities
- c. Education, credentials, and experience qualifications
- d. Compensation information
- e. Knowledge skills and abilities
- f. Specific physical and mental job requirements necessary to perform the Essential Job Functions.
- g. Requirement that each employee work cooperatively and harmoniously with supervision, co-workers, clients and others.

Job descriptions will indicate whether the position is exempt or nonexempt. Classification is determined based on the FLSA criteria.

Newly created positions or changes in position duties/qualifications that may result in salary adjustment require budget review and approval of Program Director, Human Resources Director, Executive Director, SCHRA Governing Board and for Head Start / Early Head

Start positions by the Head Start /Early Head Start Policy Council. The Human Resources Director will assign the new position to a recommended salary grade and appropriate FLSA exemption status.

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 (Continuation of Policy)**

The Human Resources Director will provide notification of upcoming appraisals to the Program Director. 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.

The schedule for performance appraisals varies based upon the employment arrangement of the employee. The schedule typically follows:

- a. Evaluation upon completion of the introductory period.
- b. Evaluation at least once every twelve months (annually).

The usual procedure is as follows:

- Direct supervisor completes the performance appraisal and then schedules a review with the employee. Supervisor documents employee progress on such areas as:
  - a. Successes
  - b. Additional responsibilities
  - c. Professional development goals
- The employee may complete a Self-Appraisal and provides it to the supervisor prior to the review.
- The reviewer and the employee may discuss the following topics:
  - Previous performance plans and achievement of past goals.
  - Current performance appraisal including demonstrating appreciation for employee contributions.
  - Employee Self-Appraisal forms (if applicable).
  - Constructive feedback on employee's performance.
  - Future expectations and goals.
  - Employee training needs and professional development opportunities. Attendance at training, where applicable.
  - Comments from clients, peers, and program management.
- The employee may submit comments or statements on the performance appraisal form.



- 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.
- Originals are given to Human Resources Director to record and review prior to placement into personnel file.

Performance appraisals are placed in the employee's personnel file and may be used for such actions as transfers, promotions, pay adjustments, and salary considerations.

Leaves of absence and breaks in service may affect the timing of performance appraisals.

## **SECTION 3**

### **WORKERS' COMPENSATION (Continuation of Policy)**

#### **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 Benefits Coordinator to inform them of the accident or injury,
3. Notify the Facilities Manager and work with them to resolve or correct the cause of the accident or injury.
4. Fill out a First Report of Injury form, and forward to Benefits Coordinator for notification of the insurance company.

## **SECTION 4**

### **WAGE AND SALARY ADMINISTRATION (Continuation of Policy)**

1. Suggested salary increases that exceed the annually established guidelines must be approved by the Executive Director.
2. All salaries including any adjustments are recorded in a wage compensation schedule and updated accordingly.

### **Head Start Specific**

#### **Cost of Living Increase**

1. Cost of living increases are determined by funding agency guidelines.
2. Cost of living allowances, if any, are determined annually and are subject to the approval of the Governing Board and Head Start /Early Head Start Policy Council. Cost of living allowances, including retroactive COLAs, are only paid to actively employed staff.

## SECTION 5

### **EMPLOYEE CONDUCT**

#### **SAFETY (Continuation of Policy)**

The Benefits Coordinator completes, submits, and maintains records and reports in accordance with established OSHA and the Department of Labor requirements including:

- f. A log of all recordable occupational injuries.
- g. Information and services with the insurance carrier.

#### **TERMINATION (Continuation of Policy)**

The Head Start Policy Council approves and submits to the Governing Board policies for dismissal of Head Start staff. These policies will guide the termination process.

In the event unsatisfactory performance continues, the entire matter is reviewed by Human Resource Director. If the Human Resource Director, Program Director and Executive Director are satisfied the employee has been given sufficient guidance and time to improve, a determination to terminate employment, based on the documented performance issues may be made.

#### **EXIT INTERVIEWS**

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

1. Human Resource Director utilizes the standard exit interview form to conduct an exit interview with the terminating employee.
2. Human Resource Director and Executive Director is responsible for tracking and analyzing exit interview data and following up on issues identified in exit interviews to ensure resolution.