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Northeast Workforce Development Board, Inc.

PERSONNEL POLICIES

AND PROCEDURES

No individual in the United States may, on the basis of race, color, religion, sex, national origin, age, [disability,](https://www.law.cornell.edu/definitions/index.php?width=840&amp;height=800&amp;iframe=true&amp;def_id=5814e48524e23b3549a88bcae9486b1d&amp;term_occur=1&amp;term_src=Title%3A29%3ASubtitle%3AA%3APart%3A38%3ASubpart%3AA%3A38.5) or political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in any WIOA Title I-financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any WIOA Title I-financially assisted program or activity.

# Oklahoma Works/American Job Center logo

Equal opportunity employment/program. Auxiliary aids and services are available upon request to individuals with disabilities.

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# GENERAL ADMINISTRATIVE POLICIES AND PROCEDURES

## *Reporting Structure*

The NEWDB is responsible for setting policies for its staff members. The Board employs the Executive Director, to whom it delegates responsibility for the day-to-day administration of the organization. The Executive Director manages the staff using policies approved by the Board.

NEWDB staff members are accountable to the Executive Director, through whom communication to the Board is channeled unless there are complaints or grievances to be filed.

## *Hours of Operation*

The office will be functionally operative between the hours of 8:00 a.m. and 4:30 p.m., with the exceptions of a 30-minute lunch break, in cases of staff training and development, or during unforeseen emergencies, such as inclement weather. Flex time may be granted upon prior approval of the NEWDB Director.

Overtime for non-exempt employees, may be required on limited occasions. Overtime is defined as work in excess of a 40-hour work week. All overtime will be at the request or approval of the NEWDB Director due to business necessity. Employees will not receive pay for overtime worked except as required by law. Compensatory leave may be granted for overtime work at the discretion of the Director.

## *Absences*

1. All employees have a responsibility to report to their office within one hour of scheduled arrival. If they will be late to work or unable to get to work, contact must be made with Executive Director.
2. Unless a sufficient and acceptable reason for being late or absent can be provided, there is the possibility the employee may be put on leave without pay for period of time missed.
3. Absence from work for three consecutive days without proper notification or proper authorization is cause for immediate dismissal.
4. Employee shall complete a Leave Request for all absences from work. A leave form should be completed and approved in advance of Annual Leave taken.
5. An approved leave form shall be forwarded to the fiscal agent/employer of record following the end of the pay period when the time sheet is submitted. Unless an approved leave request is filed, the absence may be charged as leave without pay.

## *Timesheets*

To assure that charges are recorded properly, the following procedure will be followed in regard to time sheets:

1. Employees will complete their time sheets on the morning of the last working day of each pay period and submit them to their supervisor for approval and signature.
2. It is the responsibility of the supervisor to assure the allocation of hours worked conform to the current method of staff cost allocation in effect and to assure that time and leave charges are properly reported on the time sheet.
3. After the time sheet has been signed by the supervisor, the time sheet must be submitted to the fiscal agent/employer of record where leave balances will be verified to ensure the leave reported on the time sheet does not exceed available leave shown on the leave records, except when allowed by the personnel policies. If the balances are verified, the time sheet will be processed.
4. Checks will be distributed to individuals only after an approved time sheet is submitted for the pay period covered.

## *Check Distribution*

Payroll will be distributed on the normal distribution of the fiscal agent/employer of record.

## *Payroll Deductions*

Deductions from each employee’s paycheck include the mandatory and voluntary deductions described below:

Mandatory deductions: include Social Security and state and federal taxes. A staff member’s paycheck may be garnished for alimony, child support, delinquent loans, or for some other reason, by court order. All mandatory deductions are made without written authorization of the employee.

Voluntary deductions: made only with written authorization of the employee. Voluntary deductions include sums designated for Annuities, Dependents’ coverage under Group Insurance Plan, Savings Bonds, Credit Union and other authorized insurance. An itemized statement of all deductions from the employee’s wages accompanies each paycheck.

A payroll deduction may also occur if the employee does not have sufficient leave. The fiscal agent/employer of record will compute the leave without pay.

## Personnel Files

Personnel files are maintained by the board and/or Employer of Record and are considered confidential. Access to these files is limited to the appropriate NEWDB/Employer of Record personnel, the employee who is the subject of the file, or the employee’s designee. Employees can review their personnel file at any time.

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### Travel/Professional Development

NEWDB will follow Board approved travel policies. In-service training is designed to provide staff members with the skills, training and experience necessary for their continued development. Training will be subject to these conditions:

1. Attendance at conferences, educational meetings, workshops and institutes must have the approval of the Director.
2. Each employee may be permitted to attend conferences as funds permit, including registration and reimbursement for lodging, meals and travel.
3. Upon completion of the travel, claims should be submitted to the Director for approval and then submitted to the fiscal agent for payment.

## Telephone Calls

All telephone calls will be handled in a courteous and business-like manner. Frequent and/or extended personal phone calls during working hours are inappropriate and may result in disciplinary action being taken.

**Property and Equipment**

NEWDB property and equipment is not to be used for personal business or interest. Employees should be responsible for seeing that property or equipment assigned for their use is maintained in good working order and report needed repairs, damage or loss immediately. Misuse of property can result in disciplinary action.

* Employees should refrain from using the Internet and email for personal use or for use that is not business related
* The NEWDB has the right at any time to access and monitor Internet and email usage
* Employee privacy does not extend to electronic use or communications
* All communications sent or received on NEWDB computers and email are the property of the NEWDB
* Employee must provide the executive director with all passwords and encryption keys

# EmploymenT

EQUAL OPPORTUNITY AND NONDISCRIMINATION STATEMENT: All Recipients, and Sub- recipients/Sub-grantees must comply with WIOA’s Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity.

## Recruitment, Selection and Appointment

The NEWDB and/or Executive Director is the appointing authority for the NEWDB and as such will determine the need for staff and approve all appointments, while ensuring equal opportunity practices are followed. Vacancies will be filled in the following manner:

* Preliminary Procedures

Before any vacancy can be announced or recruitment begun, the current job duties will be reviewed by the NEWDB or Executive Director. If the duties of the position have changed significantly or if a new position is funded, the Director will review and/or develop a position description, listing the position title, specific duties and the skills, knowledge and abilities required to successfully carry out the functions of the position. Funding approval for new positions will be made by the Board.

* Recruitment/Announcements

A notice of all permanent vacancies will be listed with the America’s Job Centers located in the Northeast Area. The position will be posted for at least a period of five (5) working days. Public announcements shall be made at least seven (7) calendar days in advance of the closing date for receipt of applications. Every reasonable effort will be made to attract qualified persons.

* Selection

The NEWDB (if the Executive Director’s position is vacant) and/or Executive Director will review the applications and applicants, and make a determination of all applicants’ suitability for employment. A list of questions will be established to be used in all interviews for that position. References will be checked on candidates to whom a potential job offer is made. The Board will approve hiring of the Executive Director position. The Board grants authority to the Director to hire all other employees including the full-time, temporary and/or part-time personnel**.**

## Employee Classifications

The Fair Labor Standards Act determines employee classifications as “Exempt” and “Non-Exempt.” Non-Exempt employees will be compensated at a rate of one and one-half the regular rate for all overtime hours. The Executive Director must approve all overtime in advance in written form. Unauthorized overtime may result in disciplinary action up to and including termination of employment.

* Exempt: defined by the U.S. Department of Labor as employees that are not granted the protections of the Fair Labor Standards Act and not entitled to overtime pay.
* Non-Exempt: defined by the U.S. Department of Labor as an employee that must be paid at least the minimum wage and overtime pay for any time worked beyond 40 hours in a given week.
* Full-time: all employees who work a minimum of forty (40) hours per week on a consistent basis.
* Part time: an employee of the NEWDB who works 29 hours a week, or less, and is not eligible for fringe benefits as follows: group health and life, retirement, vision or dental. Regular part time employees are eligible to accrue sick and annual leave on a prorated basis.
* Temporary position: designed to relieve short term NEWDB needs and may be opened and filled at the Executive Director’s discretion. These positions should not exceed six months in duration. At the option of the Executive Director, these positions may be given priority for a full-time position. Temporary employees are not eligible for fringe benefits as follows: group health and life, retirement, vision or dental and are not eligible to accrue sick and/or annual leave.
* Probationary period: the first six months of a newly hired NEWDB staff member. This period will be used to determine if the employee is able to perform the required duties satisfactorily. The probationary period may be extended by the NEWDB for an additional three months. Following the probationary period, the employee will become permanent on the date the probationary period ends. If the NEWDB wants to extend the probationary period, they must notify the employee before the end of the six-month probationary period or the employment status becomes “regular”.

## Nepotism

It is our policy to avoid bringing family relationships into the workplace whenever possible. However, on occasion more than one family member may work for the NEWDB. The following guidelines will govern these situations: (1) No employee will be permitted to hire a relative; (2) When related persons work for the NEWDB, one relative may not supervise another relative; (3) Related persons will not be involved in evaluating each other's job performance or in making recommendations for salary adjustments, promotions or other budget decisions.

Family members of NEWDB personnel may utilize the America’s Job Centers and apply as WIOA customers. They may receive services through programs operated by NEWDB. The WIOA Title I Service Provider Contractor(s) will determine eligibility and services according to WIOA.

## Compensation

Salary levels for permanent employees shall be in accordance with the wage range for that position, as established and approved by NEWDB. Salary levels for temporary and/or part-time employees shall be set by the Director and shall be comparable to similar professional positions within the NEWDB.

A performance review of each staff member will be conducted annually. Based on the results of the evaluation and available funding, the Director may grant a salary increase of up to five (5) percent of the employee’s current rate of pay, not to exceed the approved wage range for that position. An increase in the Director’s salary will be at the discretion of the Board.

All NEWDB employees should be aware that due to the nature of funding sources, there may be times when funds are not available for salary increases.

**Employee Performance Appraisa**l

An employee evaluation may be prepared at regular intervals, approved by the Executive Director, but not less than once a year. The following employee evaluation system is designed to improve performance, enhance supervisor and employee communications, and determine appropriate action concerning employee retention and advancement.

While in the initial six-month probationary period, an employee’s performance will be reviewed no less than at intervals of 30 days and six months. The Executive Director may also prepare reviews at 60-day, 90-day and 120-day intervals if he/she considers it necessary or desirable. After the end of the probationary period, a performance evaluation will be completed at least once a year.

1. Appraisal Factors/Form Selection

Standardized forms will be used to record all formal performance appraisals. The appraisal will be conducted by the individual’s supervisor. These records will be used to help determine salary adjustments, advancements, transfers, layoffs and other personnel actions which are based on merit.

1. Performance Rating

The NEWDB will use the current performance appraisal contained in this policy, but at a later date, may adopt the standardized form used by the fiscal agent/employer of record. The supervisor should select the rating which most nearly describes the employee’s performance during the rating period for each appraisal factor.

1. Overall Rating

The appraisal should represent the supervisor’s assessment of the employee’s overall work performance during the rating period. For any overall rating of inadequate or marginal, a specific time frame will be established for improvement. The supervisor will help the employee develop a plan of action to improve performance and bring it to an acceptable level. If performance is not brought to an acceptable level within the time specified, further action will be required, such a suspension, demotion or dismissal.

1. Review and Sign-Off

After the appraisal form has been completed and discussed by the supervisor and the employee the employee will be asked to sign the form. Employee’s signature does not signify agreement with the rating, only that the employee has seen the evaluation and discussed it with his/her supervisor. A place is provided on the form for the employee to make any comments or suggestions he/she feels are relevant to job performance, working conditions or improving NEWDB effectiveness, or any disagreement on the rating. When the appraisal form has been signed and reviewed, the employee and supervisor will be provided a copy and the original will be put into the employee’s personnel file.

## Promotions

For all regular positions, it is NEWDB policy to promote from within whenever qualified applicants are available. Preference is given to internal candidates over external candidates when both are equally qualified. However, internal candidates are not guaranteed the position for which they apply. To assure that all NEWDB employees are given an opportunity for promotion or advancement, the following procedure will be followed for all permanent position vacancies:

1. All vacancies for regular classified positions will be posted internally for a period of five working days before outside recruitment begins. The Director and/or the Board will interview all applicants using the selection criteria described above.
2. If no NEWDB employee is hired for the position, the vacancy will be announced district wide.
3. Employees who feel the promotion procedure was not followed may appeal through the grievance procedure. However, the NEWDB shall not be required to justify the selection or non-selection of employees who have been considered in accordance with this procedure.
4. All regular employees proposed for promotion must meet the minimum qualifications for the position.
5. All regular employees promoted within NEWDB will serve a probationary period not to exceed six months in the new position. If such employee does not prove to be satisfactory in the new position during such probationary period, the employee shall be reinstated to his or her former position or in one similar thereto at a salary not lower than that received by the employee in such former position at the time of promotion. Salary increases upon promotion will be determined at the time of the promotion by the NEWDB and/or the Executive Director based on the increased responsibilities.

## Discipline

1. When it appears that the personal conduct or job performance of an employee is unsatisfactory, the supervisor may counsel the employee to review the duties which the employee is expected to perform, to explain why the employee’s personal conduct or performance of the job has not been acceptable, to provide an opportunity for the employee to present an explanation or justification of actions or lack thereof, or to discuss ways of correcting the employee’s conduct or job performance. The supervisor will provide a written form of this action to be placed in the employee’s personnel file.
2. If the Executive Director and/or Chairman of the Board determine the situation merits, the employee shall be notified in writing that immediate steps must be taken to correct the personal conduct or job performance matters discussed in the counseling session or action will be taken to propose dismissal, demotion or suspension.
3. The employee has the right to appeal any disciplinary action and should use the grievance procedures outlined in this policy to do so.

## Terminations

Termination of employment falls into two primary categories, voluntary or involuntary.

Voluntary Terminations/Resignation: An employee who voluntarily resigns from their position with the NEWDB must provide two-weeks (14 days) notice in writing of their intent to resign unless such notice is waived by the Executive Director and/or Board. At the option of the Executive Director and/or Board, such employees may be given two weeks of pay, in lieu of working during the specified time frame.

Involuntary Termination/Dismissal for Cause: Employees can be dismissed or suspended from duty for the following reasons: misconduct, insubordination, inefficiency, habitual drunkenness, inability to perform the duties of the position in which employed or for any other just cause not stated in this policy. Regular employees can appeal such dismissal or suspension to the executive committee.

Involuntary Termination/Reduction in force: A layoff of employees may result from a decrease or withdrawal of federal or state funds or reorganization within the NEWDB. Such reduction in force for permanent employees shall be accomplished in the following manner: the Executive Director shall notify the Board in writing at least three weeks prior to a reduction in force and shall specify the person/s affected. The order of reduction in force shall follow the type of appointment as follows: temporary personnel will be the first to be laid off, followed by part-time personnel, probationary full-time personnel and then full-time permanent personnel.

Each employee affected by a reduction in force shall be notified in writing and the reason thereof, at least two (2) weeks prior to the effective date of the layoff.

Temporary employees serve at the pleasure of the Executive Director and may be terminated at the discretion of the Executive Director. Temporary employees have no rights of appeal unless such action violates the discriminatory grievance policy.

## Separation Procedures

Upon separation from the NEWDB, employees will return all NEWDB property, equipment and supplies provided to them. Before final check(s) will be released, the employee must complete an Exit Interview Checklist to certify that all equipment and property belonging to NEWDB, that was in their possession, has been returned or accounted for (see appendix).

# FRINGE BENEFITS

All fringe benefits including group health and life insurance, retirement, workers’ compensation and sick and annual leave will be made available to all permanent, full time employees without discrimination on any prohibited ground. These benefits may be, according to availability of funds and director’s discretion, provided to temporary and/or part time (including seasonal and emergency) employees.

## Annual Leave

Annual leave is accrued at a rate of 10 hours per month for employees with less than eight years continuous service with the NEWDB and at a rate of 12 hours per month for employees with more than eight years continuous service with the NEWDB.

Annual leave must be applied for and approved in advance before the employee takes leave. Annual leave may not be taken in advance of accrual. Unused annual leave may be carried forward from one year to the next. The maximum annual leave an employee may accumulate at any given time is 360 hours. All vacation time not taken will be paid for upon separation, if the employee leaves in good standing and is not terminated.

Annual leave may be used for sick leave at the option of the employee, with the approval of his or her supervisor. Annual leave does not accrue while employee is on leave without pay. Annual leave will be prorated for a partial month by dividing the number of working hours the employee is on the payroll by the number of working hours in the month. Payment of annual leave upon termination will be computed by multiplying the number of hours of accrued leave by the hourly rate.

## Sick Leave

Sick leave is accrued at a rate of 10 hours per month with no maximum limit for all full-time employees. Sick leave is to be used when employee is incapacitated by sickness or injury, or for medical, surgical, dental or optical examination or treatment, or where employee’s exposure to contagious disease may jeopardize the health of others if the employee were to be present at work. Sick leave shall not be used for annual leave. Sick leave does not accrue while the employee is on leave without pay. Sick leave will be prorated for a partial month by dividing the number of working hours the employee is on the payroll by the number of working hours in the month.

A physician’s statement to verify illness shall be waived unless specifically requested by employee’s supervisor. Sick leave will be granted during the original probationary period provided such leave is approved by the employee’s immediate supervisor. Employees will not be compensated for accrued sick leave. Accumulated sick leave may be carried over from one program year into the next program year.

## Enforced Leave

Absence necessary when some member of employee’s immediate family or household requires the employee’s care because of disabling illness or injury, or in the case of death in the immediate family or household, or in the case of personal emergency situations will be considered Enforced Leave.

Immediate Family includes the following relatives of the employee or employee’s spouse/domestic partner: husband, wife, son, stepson, daughter, stepdaughter, mother, stepmother, father, stepfather, brother, stepbrother, sister, stepsister, son-in-law, daughter-in-law, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparent, aunt, uncle, niece or nephew. Additional time may be requested in the form of other paid leave.

Bereavementis approvedat the discretion of the Executive Director, up to five days may be allowed for a death in the immediate family of a full-time employee. Criteria for the amount of time off allowed include a variety of factors, including, but not limited to, the need for out-of-town travel and responsibility for handling funeral arrangements.

Personal Emergencyis asituation as defined by the NEWDB as “an unforeseen happening or situation requiring immediate action” and will include things as:

* Automobile accidents that delay employee from reporting to work on time
* Natural disasters such as fires, floods, and tornadoes which damage or threaten employee’s life or property
* Vandalism, burglary, or theft requiring employee’s presence for police report or investigation
* Household emergencies such as broken pipes or plumbing problems requiring immediate attention
* Other situations may be determined applicable by the Director at the time employee requests approval of leave

Enforced Leave shall be charged against employee’s sick leave and may not be granted in excess of accrued sick leave.

## Compensatory Leave

Compensatory leave for work in excess of the normal work schedule may be granted at the discretion of the Director. It will be granted when, in the opinion of the Director, the employee may be spared from duty.

Both overtime work and compensatory leave taken must be approved in writing in advance by the Executive Director. Employee must complete the NEWDB Form in the appendix showing dates and times to be worked, estimated hours to be worked and the reason. After the requested compensatory time has been earned, the employee will show the actual time worked. He/she will certify the actual time worked by signing on the line provided at the bottom of the form, and the supervisor must concur by signing at the bottom of the form. The form will then be submitted to the fiscal agent where the hours worked will be recorded with the employees annual and sick leave. Overtime and compensatory leave shall be reflected on the bi-weekly timesheet.

Compensatory leave will be given only for substantial blocks of overtime required by excessive workload or business necessity. Overtime of less than one-half (1/2) hour shall not be recorded nor shall compensatory leave of less than one-half (1/2) hour be taken. Compensatory leave must be taken before the end of the month following the month in which the overtime occurred.

## Other Leave (non-accrued)

Educational leave with pay may be granted for an employee to attend training sessions or seminars which directly relate to their job at NEWDB. Educational leave will not be granted to attend college and/or universities as a full-time or part-time student. Employees may take annual leave or leave without pay, subject to prior approval, if they cannot work college hours around NEWDB’s flex-time schedule.

NEWDB may, subject to approval by the NEWDB or Director, provide financial assistance to employees that enroll in accredited college courses that have a direct bearing on the job they are performing, as long as they meet the following requirements:

* Written application for approval should be made to the Director prior to enrollment.
* Approval and extent of assistance is determined by Director.
* Final grade must be a “C” or better.
* Copies of bills as well as an official copy of their final grade must be submitted at the end of the course(s) for reimbursement.

Court and Jury Service Leaveis approvedwhen in obedience to a subpoena or direction by proper authority, an employee appears as a witness or a jury member for the federal government, the State of Oklahoma, or a political subdivision thereof, the employee shall be entitled to a leave of absence for such duty with regular compensation. Employee may also retain the compensation received for jury duty. When an employee is subpoenaed in private litigation by some party other than the above, to testify as an individual, the time absent shall be taken as annual leave or leave without pay.

Military Leaveshall be granted in accordance with Oklahoma State Law and such rights and privileges as it provides. Any employee, who is a member of the Reserve Corps of any unit of the Armed Forces of the United States, shall be entitled to military leave of absence without loss of status. Such leave shall be granted to employees in reserve units only if such leave is required to maintain the employee’s status in the reserve unit and will be limited to 20 calendar days during a calendar year without loss of pay. Copies of orders or requests to appear for active duty must be submitted with Leave Request Form.

Professional Leavemay be granted for apermanent NEWDB employee entitled to take leave with pay for not to exceed three (3) days a year to attend meetings of job-related professional organizations of which that employee is a member, upon approval of immediate supervisor. Professional organization means an organization which collects annual dues, conducts annual meetings and provides continuing education for its members.

Administrative Leave may be granted by the Executive Director at no charge to an employee’s earned leave. Conditions under which employees may be excused from duty by the Director without charge to their accrued leave are: (1) donating blood; (2) voting; and (3) early closings for such things as extreme weather conditions or as deemed appropriate by the Executive Director. Administrative leave will affect only those employees who are on duty at the time administrative leave is granted and will in no way change the status of employees in any other leave status.

Leave of Absence without Pay may be granted by the NEWDB or Executive Director for an extended illness, continuing education or any other reason when, in the opinion of the NEWDB or Executive Director, such leave would not interfere with Board’s operations or cause undue hardships on other employees.

## Holidays

NEWDB employees will observe the following paid holidays:

* New Year’s Day
* Martin Luther King’s Birthday
* Presidents’ Day
* Memorial Day
* Independence Day
* Labor Day
* Columbus Day
* Veterans’ Day
* Thanksgiving Day
* day after Thanksgiving Day
* Christmas Eve
* Christmas Day

## Group Insurance Plan

1. The fiscal agent/employer of record pays for health insurance, vision and dental benefits for each eligible employee and also pays for Life and Accidental Death and Dismemberment on the employee.
2. The employee pays for health coverage on dependents and for any optional life coverage he or she chooses.
3. The premium for dependent health and/or life insurance is paid by the employee monthly by payroll deduction.
4. Insurance coverage is effective the first of the month following the date of employment. Premium is never prorated and is paid in arrears instead of being paid in advance. (Premium withheld from June payroll is payment for month of June)
5. Employees are responsible for notifying the fiscal agent/employer of record of changes in coverage or beneficiary and must complete a change card before change will go into effect. Change will be effective the first of the month following the date the employee signs change card.

## Workers Compensation

Employees are protected under the state workers compensation law against loss of income due to injury or death that occurs during work activities. The NEWDB Fiscal Agent pays the entire cost of the workers compensation insurance premium. Employees must report all job-related accidents, injuries and illness immediately after experiencing symptoms. The insurance carrier will determine the benefits, if any, the employee deserves.

**Reporting** - Any employee injured on the job will report the injury immediately to the fiscal agent’s Executive Director regardless of whether the injury is minor or of no apparent significance.

**Incident Report** – Will be completed promptly by the fiscal agent’s Executive Director to ensure documentation and expedite compensation. Failure of an employee to document job-related injuries may result in disciplinary action. Proper reporting of job-related injuries protects both the NEWDB and the employee.

## Employee Compensation Trust Plan

The Oklahoma Deferred Compensation Plan was authorized by Senate Bill 264, enacted in the 1972 Legislature. The plan allows for employees to defer part of their salary for future use, normally at retirement. A deferred income account is established for each participant. The participant pays no current federal or state income taxes on either the deferred amount or the earning of his account. Taxes must be paid on distribution or withdrawal of benefits, but this is expected to come at a time when the payee is in a lower tax bracket. Enrollment in the plan can be made at any time. Changes in amount being deferred can be made any time during the year. Information as to whom an employee should contact if interested in the Deferred Compensation Trust Plan is available through the fiscal agent/employer of record.

**Retirement Program *-*** Permanent full-time employees may contribute according to the policy specifications and/or applicable IRS laws. Each year of employment, NEWDB will contribute money to a board approved retirement plan on behalf of each eligible employee. At retirement, employees will be eligible to receive the value of contributions made on their behalf and made by them. The NEWDB will match up to 5% of an employee’s wages each pay period. At termination of employment, employees will be eligible to receive the value of contributions made by them and on their behalf based their years vested service.

Less than 1 year 0%

1 Year 20%

2 Years 40%

3 Years 60%

4 Years 80%

5 Years 100%

## Shared Leave

The NEWDB leave sharing program permits employees to donate annual or sick leave to a fellow employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate employment or who is otherwise eligible for leave and has exhausted all paid leave. Basic rules for participation in the leave sharing program are as follows:

1. The donating employee may donate annual and/or sick leave.
2. Donated leave must be given voluntarily.
3. The receiving employee must be out or almost out of all types of leave due to extraordinary circumstances, and the circumstances have put the receiving employee in a position of going on leave without pay or terminating employment.
4. A medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition must be submitted if absence is due to the same.
5. The receiving employee must be a permanent classified employee or a regular unclassified employee with more than six months continuous service with the NEWDB.
6. Employees wishing to donate leave should complete the appropriate documentation.

# EMPLOYEE CONDUCT

Employees are expected to carry out the duties of their office or position in a manner that will uphold the integrity of Local, State and Federal government. NEWDB employees shall comply with Oklahoma state laws, both on and off duty, and their conduct shall be governed by the following NEWDB policies. Failure to do so may result in disciplinary action.

## Criminal Activity

Criminal records by themselves shall not constitute a basis for disqualification or dismissal from employment, but the NEWDB shall require full disclosure of any such record by an applicant, and the NEWDB will exercise prudent judgment in relation to the position to be filled. Conviction of a crime involving moral turpitude is cause for dismissal.

## Drug-Free Workplace Policy

The NEWDB has implemented the Drug-Free workplace Act of 1988, 29 CFR Part 98, Sec 98.305.320 and Subpart F to maintain a drug free workplace policy, as required to qualify for receipt of federal funds.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited by any employee of NEWDB while on Company premises or while acting in any capacity on behalf of the NEWDB. Any employee convicted of such acts may be subject to immediate termination, as set forth in the Rehabilitation Act of 1973, as amended, or required to participate successfully in a drug abuse assistance or rehabilitation program approved for such purposes.

Any employee who wishes more information about the importance of maintaining a drug-free workplace will be provided information including but not limited to:

* The dangers of drug abuse in the workplace;
* The NEWDB’s policy of maintaining a drug free workplace;
* Available resources for drug counseling, rehabilitation, and employee assistance programs through links in the community;
* The penalties imposed upon employees for drug abuse violations in the workplace.

All employees will sign a statement stating that they have been notified of the NEWDB’s drug-free workplace policy and agreeing that they will abide by the terms of the policy and that they will notify NEWDB in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

Within 30 calendar days of receiving notice with respect to an employee who is so convicted, NEWDB will take appropriate personnel action against such an employee, up to and including termination consistent with the requirement of the Rehabilitation Act of 1973, as amended, or require the employee to participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

## Sexual Harassment

Sexual Harassment is a form of unlawful discrimination based on sex. It includes, but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (1) submission to such conduct is explicitly or implicitly a requirement of the individual’s employment; (2) submission or rejection is used as a basis for any employment decision concerning that individual; or (3) such conduct has the purpose or effect of unreasonably interfering with the individual’s work performance or creating an intimidating, hostile or offensive work environment.

Such behavior is prohibited by the Civil Rights Act of 1964, by the regulatory guidelines of the Equal Employment Opportunity Commission, by applicable state and federal laws, and this policy.

Sexual harassment will not be condoned or tolerated. Any supervisory employee, employee with authority for personnel matters, or other agent or officer of the NEWDB who knows or should know that any employee is being subjected to sexual harassment must take immediate corrective action to report the facts.

Any employee who believes that he or she has been the victim of unlawful sexual harassment or retaliation for complaining of sexual harassment should complain to the EEO officer; to a supervisor; or file a grievance in accordance with the agency’s grievance procedures. Complaints of discrimination can also be filed with the U.S. Department of Labor’s Director of the Civil Rights Center (CRC)

All complaints will be thoroughly investigated and if a conclusion is reached that sexual harassment has occurred; appropriate disciplinary action will be taken. Appropriate action will also be taken against any supervisor or other responsible employee who fails to take corrective action if he or she knows or should know that sexual harassment is occurring or receives a complaint alleging sexual harassment. Such conduct may be grounds for adverse personnel action, up to and including termination.

It is the responsibility of all employee in the NEWDB, supervisory and non-supervisory, to adhere to this policy.

## Political Activity

Partisan political activity for employees is restricted by law (74 O.S. 1973, Sec 818, (6) and (7) NEWDB employees shall not participate in partisan politics during normal working hours. This means the devoting of time or labor during usual office hours toward the campaign of any candidate for office or for the nomination to any office. Use of NEWDB property or facilities, stationary, telephone, offices, etc. for campaigning is prohibited. Use of NEWDB offices for partisan political meetings is prohibited.

## Solicitations

No solicitations shall be conducted among the staff by non-NEWDB personnel except those sanctioned by the Governor’s Office and/or the Executive Director. Any person desiring to speak to members of the NEWDB staff for the purpose of soliciting outside business must first be approved by the Executive Director or designee.

## Outside Employment

NEWDB employees will not accept part-time work or other employment outside of the NEWDB that will conflict with their NEWDB responsibilities or which would impair their independence of judgment in the performance of their public duties.

## Gifts and Other Compensation

1. State law 74 O.S. 1403 prohibits any state employee from accepting any compensation, gift, loan, entertainment, favor or service given for the purpose of influencing such employee in the discharge of his or her official duties, however, that this section shall not apply to bona fide campaign contributions.
2. State law 74 O.S. 1403 prohibits any state employee from receiving any compensation that would impair employee’s independence of judgment, for his or her services as an officer or employee of any state agency, from any source other that the state, unless otherwise provided by law.

### Honorarium

Honorarium or gratuities may not be accepted for services performed while participating at conferences, meetings, or events for which the NEWDB provides reimbursement or where the employee represents the NEWDB while on travel status.

### Rights of Expression and Communication

No supervisor shall prohibit employees of the NEWDB from discussing the operations of the NEWDB, either specifically or generally with any member of the Legislature.

### Employee Grievance - Appeals Procedure

Any employee who has a complaint or grievance concerning sexual harassment, disciplinary action, termination, demotion, denial of promotion or merit increase, layoff, or discrimination based on a category—i.e., race, age, disability, sex—recognized by federal and local civil rights laws has the right to file a grievance according to procedures outlined in this policy.

Employees should attempt to resolve the problem informally as soon as possible with the Executive Director and the Equal Opportunity Officer. If a solution cannot be reached, the employee may present a written formal complaint or grievance to the Executive Director who will cause an appropriate independent investigation of the complaints to be made. If a resolution still cannot be reached the complaint will be handed over to the NEWDB Executive Committee for resolution.

No employee will be discriminated against, harassed, intimidated, or suffer any reprisal or retaliation as a result of filing a grievance or complaint or participating in the investigation of a grievance or complaint. If an employee feels that he or she is being subjected to any of the above, that employee has the right to appeal directly to the NEWDB Chairperson.

All complaints will be handled in a timely manner. As a goal, the NEWDB attempts to resolve a complaint as quickly as possible and within 20 working days from the time of its initiation. If an extension of the time limit becomes necessary all involved parties will be notified.

Unresolved grievances of employees should be turned over to the NEWDB Executive Committee for a resolution within twenty-one (21) days of the time the grievance is filed. Employees may not file grievance procedures challenging the substance of a performance appraisal.

# POLICY ADDITIONS AND CLARIFICATIONS:

The NEWDB Executive Director is authorized to issue additional instructions, guidance, approvals, forms, etc., to further implement the requirements of this policy.

## Assurances

* Section 188 of the WIOA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sec, national origin, age, disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I-financially assisted program or activity;
* Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
* Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
* The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
* Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

**Approved by NEWDB May 15, 2020.**



PERSONNEL POLICIES

AND PROCEDURES

NEWDB FORMS

APPENDIX



NORTHEAST WORKFORCE DEVELOPMENT BOARD, INC.

ACKNOWLEDGMENT AND DISCLAIMER

These personnel policies include general rules of conduct, disciplinary rules, employment conditions, and benefits. These policies and other information are subject to change at any time due to business needs. While we will normally attempt to provide employees with advance notice of any change, NEWDB reserves the right to alter these policies at any time without advance notice.

You are employed with NEWDB at-will. Nothing contained in these policies or any verbal statement should be construed as creating any type of employment contract, either expressed or implied. This at-will employment relationship can only be modified by a written contract signed by the employee and the Director.

My signature is an acknowledgment that I understand that my employment and subsequent compensation can be terminated with or without cause at any time at the option of either NEWDB or myself. I further understand that I have been given the opportunity to review and state that I understand the contents of these policies.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee's Signature Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee's Name (Printed)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Director's Signature Date

**Receipt of Addendums**

Title of Addendum Date Received Employee Signature

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  

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## NEWDB Logo 1920x1080 REV

## Annual Performance Appraisal

Name:

Evaluation Period:

Title: Date:

**Performance Rating Definitions**

The following ratings must be used to ensure commonality of language and consistency on overall ratings:

 Outstanding Performance is consistently superior

 Exceeds Expectations Performance is routinely above job requirements

 Meets Expectations Performance is regularly competent and dependable

 Below Expectations Performance fails to meet job requirements on a frequent basis

 Unsatisfactory Performance is consistently unacceptable

1. **PERFORMANCE FACTORS: (**use job description as basis of this evaluation)

|  |  |  |
| --- | --- | --- |
| **Administration** - Measures effectiveness in planning, organizing and efficiently handling activities and eliminating unnecessary activities | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Knowledge of Work -** Consider employee's skill level, knowledge and understanding of all phases of the job and those requiring improved skills and/or experience. | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Communication** - Measures effectiveness in listening to others, expressing ideas, both orally and in writing and providing relevant and timely information to board, partners, subordinates and customers. | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Teamwork** - Measures how well this individual fosters partnership, respects the rights of others and shows a cooperative spirit. | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Decision Making/Problem Solving** - Measures effectiveness in understanding problems and making timely, practical decisions. | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Expense Management** - Measures effectiveness in establishing appropriate reporting and control procedures; operating efficiently at lowest cost; staying within established budgets. | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Human Resource Management** - Measures effectiveness in selecting qualified people; evaluating subordinates' performance; strengths and development needs; providing constructive feedback.  |  **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |

|  |  |  |
| --- | --- | --- |
| **Job Knowledge** - Measures effectiveness in knowledge of programs, services and skills required for the position and related functions; remaining current on federal and state regulations. | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Leadership** - Measures effectiveness in collaborative efforts with key partners; delegating and coordinating effectively; promoting innovation and team effort. | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Managing Change and Improvement** - Measures effectiveness in initiating changes, adapting to necessary changes from old methods when they are no longer practical, and identifying new methods  | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |
| **NA** |  |
| **Dependability -** Measures how well employee complies with instructions and performs under unusual circumstances. | **Outstanding** |  |
| **Exceeds Expectations** |  |
| **Meets Expectations** |  |
| **Below Expectations** |  |
| **Unsatisfactory** |  |

1. **EMPLOYEE STRENGTHS, ACCOMPLISHMENTS AND IMPROVEMENTS**:Include those which are relevant during this evaluation period**.** This should be related to performance or behavioral aspects you appreciated in their performance.
2. **EMPLOYEE COMMENTS:**

**D. SIGNATURES:**

Employee Date

(Signature does not necessarily denote agreement with official review and means only that the employee was given the opportunity to discuss the official review with the supervisor.)

Evaluated by ­­­­­­­­ Date



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**DRUG FREE WORKPLACE POLICY**

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DRUG FREE WORKPLACE AGREEMENT

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, have been provided with a copy of the NEWDB Drug

 Free Workplace Policy statement and agree to abide by the terms of the statement and to notify NEWDB in writing within five days of any criminal drug statute conviction I might receive.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 NAME DATE



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**NOTICE OF FORMAL GRIEVANCE**

GRIEVANCE FILED BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Employee’s Name

GRIEVANCE RECEIVED BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Executive Director or Supervisor

DATE AND TIME RECEIVED

BY NEWDB OR SUPERVISOR: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_

 Date Time

This cover page must be attached to written grievance with the original copy being provided to the Executive Director, a copy for the supervisor and a copy for the employee.



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**AUTHORIZATION FOR OVERTIME WORKED**

(Compensatory Time Earned)

EMPLOYEE’S NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DIVISION: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The above-named employee is hereby authorized to work overtime for the following period.

Date(s) and Time(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

REASON FOR OVERTIME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Approval of Director Date



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