



*Transforming Lives Together, One Person at a Time*

## ***Employee Handbook***



**Effective  
August 1, 2018**

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## INTRODUCTION AND WELCOME

The Human Development Council (HDC) has been assisting persons with disabilities for over four decades. Starting as a small day program within Potomac Center, we have grown into a multi-service provider spanning two Maryland counties and helping hundreds of Maryland residents with healthcare, residential placements, in-home supports, Day Habilitation, Medical Day Care, Community Development Services and Employment Services.

We welcome all new employees and hope that you will find your jobs satisfying and rewarding. While some days inevitably will be challenging, you will make a meaningful difference in people's lives. Please read carefully our Mission and Vision Statement, as they are the foundation of everything we do. Each job within our Agency contributes to the holistic care of our participants. Put simply, you have the ability to change lives for the better. If that is your goal, then the Human Development Council wants you as an employee. We will train you and help you along the way as you learn the various aspects of your position.

This handbook was developed to describe some of the expectations we have of our employees and to outline many of the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with HDC.

Visible forward movement in our field can be slow with seemingly little progress. My advice to each of you is not to get discouraged. Judge your success not in terms of advancement from point A to point B, but rather in the happiness you bring to the participants as you provide meaningful experiences, which are defined by the participants and not some text book.

I wish you the best of luck and great success as you travel down your employment path with the Council.

Best Wishes,

A handwritten signature in black ink, appearing to read "Ruth A. Smith", is written over a light blue rectangular background.

Executive Director  
HDC

## *Human Development Council*

### **VISION STATEMENT** **2018**

It is our vision that all rights and life options that are open to all US citizens, be fully available and utilized to the human beings we are privileged to serve.

### **MISSION STATEMENT** **2018**

*Equality does not segregate, exclude, disconnect, discriminate, erect barriers, inhibit communication, stifle freedom, devalue, or disregard another human being. Equality values each and every human as being inheritably worthy of honor, respect, and fully deserving of friendship, acceptance, compassion and love. Who among us has the moral authority to assign value to human life based on a person's unique attributes?*

*At HDC, equality is our mission!*

By providing an atmosphere of acceptance and the freedom to pursue personal goals, the Human Development Council Inc. offers our services as a guide to open opportunities and give the same access to a quality life for intellectually disabled individuals as is afforded to any United States citizen. Using the principles of self-determination as a guide, which includes the freedom of the individual to make choices in their life, the authority to gain control over their life, the ability to exercise their individual rights, and the opportunity to receive supports that allows for full participation in their community, HDC will utilize person-centered planning to ensure that each and every individual we serve receives supports that reflect personal preferences within the most integrated community setting possible.

Our Agency is dedicated to providing the highest quality standards of living for the individuals that we serve. We define this quality of life as the guarantee of dignity and rights that are measured in the manner in which they are valued by the individual, the establishment and maintenance of positive environments in which a person lives, works and receives supports, and the freedom to fully exercise those rights. We advocate and support individual control that allows a person to exercise governance over their everyday lives, and to make informed choices about their home, health, work, finances, and leisure time. We promote community membership that allows a person to have access to the resources of the community and to become an active and valuable participant in community life. Our Agency assists the individual to establish goals that reflect important and meaningful aspects of their lives. With the support of Agency staff, individuals will be able to accomplish these goals using community integration as an underlying principle. At the same time, an individual's holistic well-being related to health, safety, economic security, the establishment of meaningful relationships, and personal spirituality, are addressed so that they will be safe, enjoy the best health available to them, have the economic resources to meet their needs, and are given the freedom to pursue the valued aspects of their life.

## *Human Development Council*

### **MISSION STATEMENT (continued) 2018**

Everything we do as an organization must lead us toward the accomplishment of our vision and mission statement. These are HDC's core values that must be at the forefront of our decision-making processes. The core values must be embraced by all HDC employees, regardless of job function. Our organization will continue to demonstrate its unwavering commitment to the ongoing person centered planning process and the evolutionary culture change to support full and equal opportunities for the individual with disabilities. We have been given the honor and opportunity to serve those in our charge by providing excellent, innovative, flexible, and individualized services. We must never forget as an Agency, that our primary function is to find successful formulas that meet the valued aspects of an individual's life, while maintaining safeguards that will assure their holistic well-being, so they may realize their life goals and experience a fulfilling and meaningful life.

Thank you all,



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Executive Director

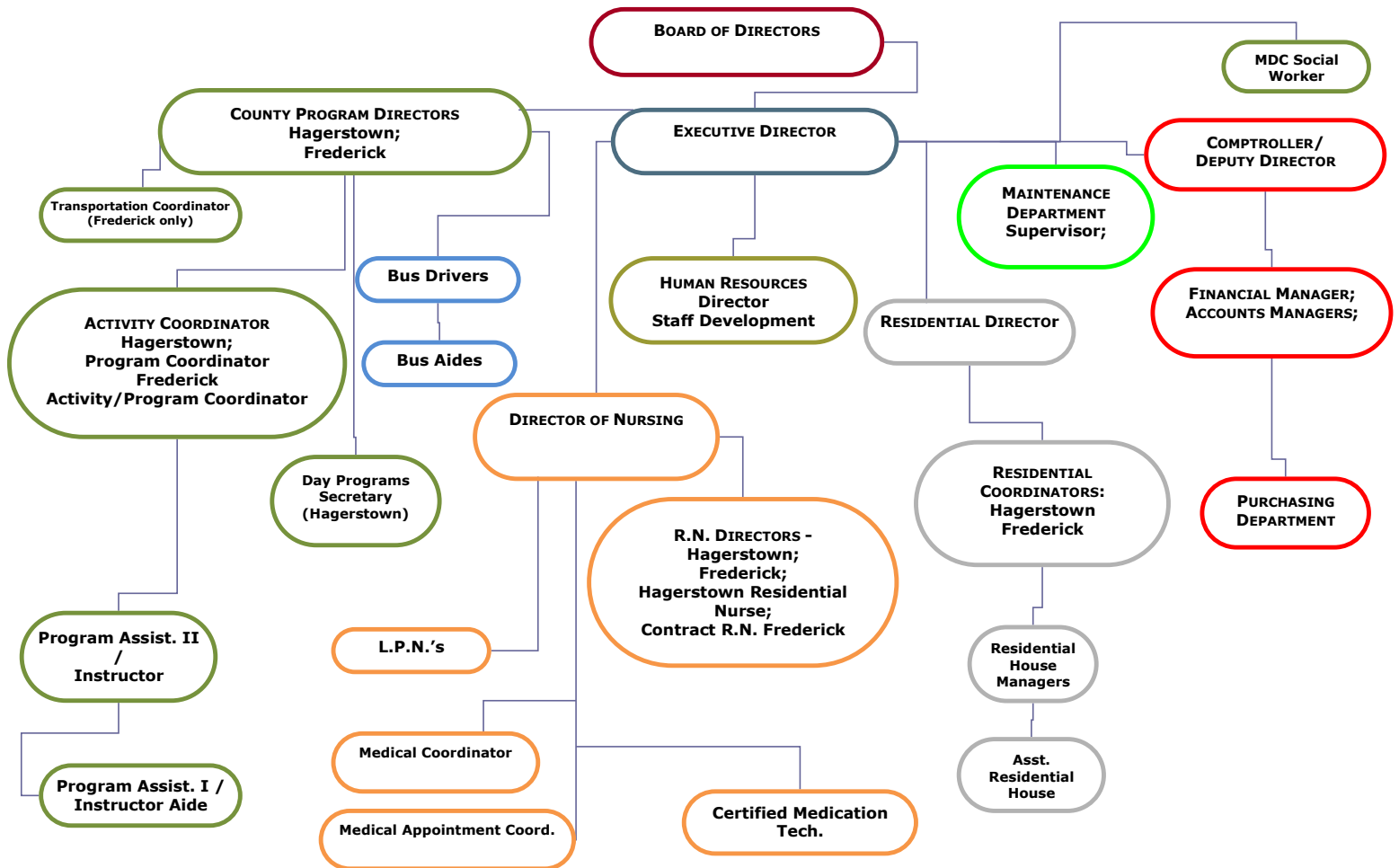
4/17/2018

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Date

# Human Development Council

## ORGANIZATION CHART



## *Human Development Council*

### **PURPOSE OF OUR HANDBOOK**

This handbook is designed to acquaint you with HDC and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment; however, it is not intended to create a contract of employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by HDC to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth. The highest standards of personal and professional ethics and behavior are expected of all HDC employees. Further, HDC expects each employee to display good judgment, diplomacy and courtesy in their professional relationships with members of the staff, and the general public.

Nothing in this handbook is intended to interfere with the rights of any employees under the National Labor Relations Act. To the extent that conduct is protected under the NLRA, this handbook does not prohibit it.

No handbook can anticipate every circumstance or question about policy. As HDC continues to grow, the need may arise and HDC reserves the right to revise, change, supplement, interpret, apply or eliminate any of the policies or portions of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. Employees will, of course, be notified of such changes to the handbook as they occur. The only policy we will never change or cancel is our employment at-will policy. The employment-at-will policy allows you or HDC to terminate your employment at any time for any reason. The employment-at-will policy is further described in this handbook in Section 101, “[At-Will Employment](#)”.

## *Human Development Council*

### **EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM**

The employee handbook describes important information about HDC, and I understand that I should consult my supervisor or the HR Department if I have any questions that are not answered in the handbook. I have entered into my employment relationship with HDC voluntarily and acknowledge that there is no specified length of employment that is guaranteed. Accordingly, either HDC or I can terminate the employment relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal, state or local law.

The provisions of this employee handbook have been developed at the discretion of HDC management. Since the information, policies, and benefits described here are subject to change, I acknowledge HDC reserves the right to interpret, apply or eliminate any of the policies in the handbook. Only the Executive Director of HDC has the ability to adopt any revisions to the policies in this handbook.

Furthermore, in the event of termination, I acknowledge that repayment of any outstanding debt to the Agency is expected at the time of termination and that failure to do so could result in my account being turned over to an attorney or collection agency for further action.

Lastly, I acknowledge that this handbook is neither intended to be, nor should it be construed as, a contract, contract of employment or a legal document. I have received the handbook and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

## *Human Development Council*

### **101 At-Will Employment**

Effective Date: 08/01/2018

This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with HDC.

However, this handbook cannot anticipate every situation or answer every question about employment. Further, this handbook is not an employment contract and is not intended to create contractual obligations of any kind. You became an employee at HDC voluntarily and your employment is “at will”. “At will” means that neither you nor HDC is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time for any reason, with or without cause, so long as there is no violation of applicable federal, state or local law.

In order to retain necessary flexibility in the administration of policies and procedures, HDC reserves the right to interpret, supplement, apply, change, revise, or eliminate any of the policies and/or benefits described in this handbook. The only recognized deviations from the stated policies are those authorized and signed by the Executive Director of HDC.

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## *Human Development Council*

### **102 Equal Employment Opportunity**

Effective Date: 08/01/2018

HDC is an equal opportunity employer and strives to comply with all applicable laws prohibiting discrimination based on person's race, color, national origin or ancestry, sex or gender, sexual orientation, age, religion, physical or mental disability, marital status, veteran status, genetic information, gender identity or any other legally protected status under federal, state or local law. HDC recognizes that all such discrimination is unlawful and all persons involved in the operations of HDC are prohibited from engaging in such conduct.

This policy applies to all terms and conditions of employment including, but not limited to, recruitment, selection, placement, transfer, promotion, training, compensation, benefits and termination.

HDC expressly prohibits any form of unlawful employee discrimination or retaliation based on race, color, national origin, ancestry, sex, gender, sexual orientation, age, religion, disability, marital status, veteran status, genetic information, gender identity, or any other legally protected status. Employees should report every instance of actual or perceived unlawful discrimination or harassment to the Executive Director regardless of whether they or someone else is the subject of the discrimination. Employees can raise concerns and make reports without fear of reprisal.

Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

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## *Human Development Council*

### **103 Sexual and Other Unlawful Harassment/Discrimination**

Effective Date: 08/01/2018

HDC is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered or perceived to be harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, gender identity or any other legally protected characteristic will not be tolerated.

Discrimination includes unfavorable treatment of an individual with regard to employment actions such as hiring, promotion, termination, compensation, and other terms and conditions of employment based on any legally protected characteristic.

Harassment includes behavior that demonstrates hostility toward another individual based on any legally protected characteristic. Conduct constitutes harassment where:

1. Submission to such conduct is made a term or condition of an individual's employment, either explicitly or implicitly,
2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment, or
3. Such conduct unreasonably interferes with an individual's work performance or has the effect of creating an intimidating, hostile or offensive working environment.

Harassing conduct may include, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts, denigrating jokes; and written or graphic materials that denigrate or show hostility or aversion toward an individual or group and that is placed on the employer's premises, circulated in the workplace, or generally published in a manner so as to be viewed by co-workers.

More specifically, sexual harassment includes unwelcome sexual advances, requests for sexual favors and other conduct of a sexual nature, or conduct based on an individual's gender. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. These behaviors may include, but are not limited to:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

## *Human Development Council*

### **103 Sexual and Other Unlawful Harassment/Discrimination - continued**

Effective Date: 08/01/2018

If you experience or witness sexual or other unlawful harassment/discrimination in the workplace, report it immediately to your supervisor or the Executive Director. All complaints will be taken seriously and investigated promptly. If your supervisor is unavailable or if your supervisor is the party about whom you are complaining, or if you otherwise believe it would be inappropriate to contact that person, you should immediately contact the Executive Director. You can raise concerns and make report without fear of reprisal or retaliation.

HDC will promptly and thoroughly investigate all reports of harassment and/or discrimination as discreetly and confidentially as practicable. We encourage that all complaints be in writing. When making a report of discriminatory harassment, it is important that you provide as much information as possible, including detail of the alleged harassing conduct, any physical evidence of the harassment that may exist, the names of all employees involved in the harassment, any employee who may have experienced similar harassment, and any individuals who may have observed or witnessed the harassment. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment or discrimination must immediately advise the Executive Director so it can be investigated in a timely and confidential manner. Anyone who engages in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment. False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action. On the other hand, an employee will not be disciplined merely because the complaint is found to be without merit.

If you are unable to resolve a matter involving harassment or discrimination within HDC, complaints may be made within 180 days of the last incident of harassment or discrimination to the appropriate Agency in the employee's work state, and within 300 days of the last incident of harassment or discrimination to the Federal Equal Employment Opportunity Commission. Further information about these agencies is available on Agency bulletin boards or from the Executive Director.

Maryland: <http://mccr.maryland.gov>

Equal Employment Opportunity Commission: <https://www.eeoc.gov/employees/charge.cfm>

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## *Human Development Council*

### **104 Disability Accommodation**

Effective Date: 08/01/2018

HDC is committed to complying fully with the Americans with Disabilities Act (ADA) the Americans with Disabilities Act Amendments Act (ADAAA), and other similar applicable federal, state and local laws, and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis as required by law.

The goal of HDC's hiring procedures is to provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of essential job functions, as provided by applicable law. The employee has a right to reasonable accommodations and leave for disability caused or contributed by pregnancy (see Section 604 [Reasonable Accommodation for Disabilities Due to Pregnancy](#)). Employees seeking accommodation should contact the Executive Director.

HDC will attempt to reasonably accommodate qualified individuals with known disabilities, unless providing such an accommodation would cause or create an undue hardship on the employer (as defined by applicable law). Any qualified applicant or employee with a disability who requires an accommodation in order to perform the essential functions of the job should submit their request for a reasonable accommodation in writing. The employee should include any supporting documentation. If none is available, HDC reserves the right to request supporting documentation. HDC will keep such information confidential in accordance with all applicable laws. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, and lines of progression. Leave of all types (to the extent provided by HDC) will be available to all employees on an equal basis.

HDC is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. HDC will follow any applicable state or local law that may provide individuals with disabilities greater protection than the ADA or ADAAA.

This policy is neither exhaustive nor exclusive. HDC is committed to providing employment opportunity for persons with disabilities in accordance with the ADA, ADAAA, and all other applicable federal, state, and local laws.

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## *Human Development Council*

### **105 Business Ethics and Conduct**

Effective Date: 08/01/2018

The successful business operations and reputation of HDC are built upon the principles of fair dealing and ethical conduct of our employees. The protection of confidential business information is vital to the interests and the success of HDC. Such confidential information includes, but is not limited to, our participants and the services we provide them. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws, rules and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

HDC's participant information is generally protected by confidentiality and privacy rights. All employees should be aware that all information concerning participants must be shared only with those legally able to know the information and on a "need to know basis," and when external to the Agency, based on properly executed releases where necessary, based on state and federal law.

HDC will comply with all applicable laws, rules and regulations and expects all employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with the director of your department, HR, or the Executive Director for advice and consultation.

Compliance with this policy of Business Ethics and Conduct is the responsibility of every HDC employee.

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## *Human Development Council*

### **106 Conflicts of Interest**

Effective Date: 08/01/2018

An actual or potential conflict occurs when a HDC employee, volunteer, member of the Board of Directors, or any other person assuming duties for the Agency which are authorized by the Executive Director and/or required by regulation, has a significant personal, family, or financial interest in a business enterprise that could bias the business conduct of the Agency. A financial interest is defined as anything of monetary value or benefit to the Agency.

Employees, Board of Director members, and volunteers are expected to review their professional activities and associations to determine if a conflict of interest may exist, and to avoid activities that entail or create a conflict of interest. HDC employees and Agency officers should disclose any personal and/or family interests to either the Executive Director or the President of the Board of Directors prior to any financial dealings with a business enterprise.

The employment of personnel solely on the basis of personal friendship or family relationships with incumbent staff, and without regard to experience, education, training, or other qualifications shall not be permitted. No HDC director or administrator is allowed to supervise a family member, a person with who the administrator has a dating relationship, or personal friend.

Violations of this policy may result in disciplinary action up to and including termination of employment.

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## ***Human Development Council***

### **107 Confidentiality**

Effective Date: 08/01/2018

#### **Participant**

HDC and its employees and contractors are obligated by law and ethics to maintain the confidentiality and security of all participant information. In addition to the policies set forth below, employees are directed to HDC's HIPAA privacy and security policies with which they must comply at all times. Violating participant confidentiality is a serious offense and is grounds for disciplinary action, including termination of employment. The obligation to maintain participant confidentiality continues for all time, even after the employee leaves HDC's employ.

Employees are to keep all medical records and all other participant information secure and confidential at all times. Under HIPAA, even the fact that an individual is a participant of HDC is considered confidential information. A participant's medical condition is private and employees are not to discuss it with anyone who does not have a need to know about it to perform their work. All conversations about a participant's medical condition, which are unrelated to providing such services, are strictly prohibited.

Posting any participant information on a blog or social media site is prohibited and will subject the employee to discipline up to and including termination of employment.

Participant records are always to be maintained in secure locations in the office to avoid access by an unauthorized person. Each employee is to log on to applicable computer software using his or her assigned password when scheduling, billing, or recording any participant information or activity and is responsible for prohibiting the use of his or her password by another person or employee. Employees are to use only their own user code or password for access to computerized participant records, are not to disclose them to anyone, and are not to ask anyone else in HDC for his/her codes or passwords.

Medical records are never to be released to anyone without a written, HIPAA compliant, authorization form executed by the participant or an authorized participant representative, or in response to a court order or valid subpoena with a HIPAA compliant authorization form signed by the participant attached or having met legally required satisfactory assurances as confirmed by HDC Administrator or legal counsel. Releases of such records are under the direct supervision and control of HDC's designated HIPAA privacy officer.

#### **Agency**

Over the course of their employment with HDC employees become knowledgeable of confidential information regarding HDC's business. During their employment, and for all time in the future after

## *Human Development Council*

### **107 Confidentiality - continued**

Effective Date: 08/01/2018

their employment with HDC ends, employees must maintain the confidentiality of this information.

Employees must never disclose to anyone, including but not limited to any future employers, any information concerning HDC's business/medical affairs, operations, methods, practices, policies, protocols and procedures or its participants and participant lists. Similarly, employees must never disclose any financial, insurance, or any other personal information about HDC or HDC's participants, including agreements or other arrangements with participants; HDC's finances, including fees, billing and billing codes, reimbursement and professional courtesy; agreements, other arrangements or practices and policies with insurers or other third party payers; HDC's marketing and/or business plans and strategies; or any other business/professional matters or affairs of HDC, of which employees become aware as a result of their employment.

Posting any HDC confidential information on a blog or social media site is prohibited and will subject the employee to discipline, up to and including termination of employment.

Confidential information obtained during or through employment with HDC may not be used by any employee for the purpose of furthering current or future outside employment, business or other activities or for obtaining personal gain or profit. HDC reserves the right to avail itself of all legal or equitable remedies available to prevent such use of confidential information.

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## *Human Development Council*

### **108 Personal Relationships in the Workplace**

Effective Date: 08/01/2018

The employment of relatives or individuals involved in a dating relationship in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual "romantic" or sexual relationship.

Although HDC has no prohibition against employing relatives of current employees or individuals involved in a dating relationship with current employees, we are committed to monitoring situations in which such relationships exist in the same area. In case of actual or potential problems, HDC will take prompt action. This can include reassignment or, if necessary, termination of employment for one or both of the individuals involved. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation. No administrative staff may supervise a family member or a person that they are involved in a romantic relationship.

Employees who are unsure of the appropriateness of an interaction with another employee of the Agency should contact the Executive Director for guidance. If you are encouraged or pressured to become involved with a participant or employee in a way that makes you feel uncomfortable and is unwelcome, you should also notify the Executive Director immediately. No participant or employee of this Agency has the right to subject any employee to sexual or other unlawful harassment, including requests for sexual favors, sexual advances, offensive touching, and any other unwanted verbal, graphic, conduct or communications of a sexual nature. All employees must comply with HDC's [Sexual and Other Unlawful Harassment/Discrimination Policy](#), Policy 103).

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## *Human Development Council*

### **109 Immigration Law Compliance**

Effective Date: 08/01/2018

HDC is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with Federal law each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present appropriate documentation establishing identity and employment eligibility.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Executive Director or his/her designee. Employees may raise questions or complaints about immigration law compliance without fear of adverse action or reprisal.

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## *Human Development Council*

### **110 Outside Employment**

Effective Date: 08/01/2018

Because of HDC's obligations to its participants, the Agency must be aware of any concurrent employment employees may have to determine whether or not it presents a potential conflict. Serving on any public or government board or commission qualifies as employment for purposes of this policy, regardless of whether such service is compensated.

Employees are permitted to engage in outside work or hold other jobs within the Agency as long as they meet the required hours and performance standards of their job with HDC. All employees will be judged by the same performance standards and will be subject to HDC's scheduling demands, regardless of any existing outside work requirements. Outside work shall not be performed during hours when employees are on duty for HDC.

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

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## *Human Development Council*

### **111 Staff Training (COMAR)**

Effective Date: 08/01/2018

It is the policy of HDC that all employees who work directly with participants in our licensed programs, successfully complete the Agency's in-service training program prior to working with any participants. All training is conducted in accordance with the Code of Maryland Regulations (COMAR).

All new direct care staff must successfully complete the training program prior to working independently with any HDC participant. A signed release confirming successful completion of the training program must be submitted to the Human Resources department prior to assigning a new employee to work with a participant. A new employee's continued employment is conditional upon successful completion of the in-service training program as defined by HDC and state regulations.

HDC will offer monthly in-service training for all current direct care staff to meet on-going training needs as required by HDC and state regulations. Program Directors are responsible for ensuring that all staff working directly with participants are fully trained and up to date on required in-service training. Direct care staff who do not successfully complete all required in-service training are not permitted to work with participants.

In addition to the training requirements noted above, all employees must maintain any required certifications or licenses as required by their respective positions.

Failure to successfully complete any required in-service training and/or the loss of a required certification or license may result in termination of employment.

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# *Human Development Council*

## **201 Employment Categories**

Effective Date: 08/01/2018

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

Each employee is designated as either nonexempt or exempt from federal and state wage and hour laws. Nonexempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. If an employee believes that that he or she is improperly classified, the employee should contact the Executive Director. An employee's exempt or nonexempt classification may be changed upon notification by HDC's management.

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

**REGULAR FULL-TIME** employees are those regularly scheduled to work HDC's full-time schedule of at least 30 hours per week. Generally, they are eligible for HDC's benefit package, subject to the terms, conditions, and limitations of each benefit program.

**REGULAR PART-TIME** employees are those regularly scheduled to work less than the full-time work schedule. While part-time employees receive all legally mandated benefits (such as without limitation, Social Security and workers' compensation insurance), they are generally ineligible for HDC's other benefit programs unless otherwise stated in those policies, programs or Summary Plan Documents.

**TEMPORARY** employees are those who are assigned to a temporary status and who are scheduled to work as needed to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. While temporary employees receive all legally mandated benefits (such as, without limitation, Social Security and workers' compensation insurance), they are generally ineligible for all of HDC's other benefit programs, unless otherwise stated in those policies, programs or Summary Plan Documents.

**INTRODUCTORY** employees are those whose performance is being evaluated to determine whether further employment in a specific position is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. The Introductory Period is defined in [Section 204](#) of this handbook.

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## *Human Development Council*

### **202 Access to Personnel Files**

Effective Date: 08/01/2018

HDC maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals, salary increases, and other employment records.

Personnel files are the property of HDC, and access to the information they contain is restricted and confidential. Generally, only supervisors, the State's licensing authority and management personnel of HDC who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the HR department. With reasonable advance written notice, employees may view their own personnel files during regular business hours in HDC's offices and in the presence of the HR staff.

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## *Human Development Council*

### **203 Personnel Data Changes**

Effective Date: 08/01/2018

It is the responsibility of each employee to promptly notify HDC of any changes in personnel data. Home address, preferred mailing address, telephone number(s), individuals to be contacted in the event of an emergency, marital status, beneficiaries, number and names of dependents, educational accomplishments, military service status, and other such status reports should be accurate and current at all times.

If any personnel data has changed, please notify your supervisor.

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## *Human Development Council*

### **204 Introductory Period**

Effective Date: 08/01/2018

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. HDC uses this period to evaluate employee capabilities, work habits, and overall performance.

All new and rehired employees work on an introductory basis for the first 90 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If HDC determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other provided benefits, subject to the terms and conditions of each benefit program. Employees should read the information for each specific benefit program for the details on eligibility requirements.

Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification. Even after achieving a "regular" employment classification, all employees remain subject to HDC's policy that the employment relationship is at-will, and that either party can terminate the relationship with or without cause, at any time, so long as there is no violation of applicable federal, state, or local law.

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## *Human Development Council*

### **205 Performance Evaluation Process**

Effective Date: 08/01/2018

HDC's performance evaluation process is designed to grow employees both personally and professionally to their maximum potential. Employees are encouraged to utilize this process and actively participate in the development of their goals and growth plans. This process is intended to provide the opportunity for the supervisor and the employee to discuss job tasks, identify opportunities and areas for improvement, recognize strengths, and promote positive, purposeful approaches for meeting goals. Supervisors and employees are also strongly encouraged to discuss job performance and goal setting regularly in an informal manner throughout the year.

Performance evaluations are generally conducted with employees annually. New hires generally receive a performance evaluation after completing their 90-day introductory period. Factors considered in the performance evaluation include the quality of job performance, attendance, meeting job description requirements, dependability, attitude, cooperation, and compliance with employment policies, any corrective actions and year-to-year improvement in overall performance.

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## *Human Development Council*

### **206 Employment Verification**

Effective Date: 08/01/2018

All employment verification inquiries from current or former employees, prospective employers of current or former employees, governmental agencies, or other organizations such as a financial or lending institution, should be directed to the HR Department for an official Agency response. Under no circumstances is any other employee authorized to provide a written or official employment verification response for HDC.

Responses to written requests for verification of employment will be made on the form provided only when the request is accompanied by a former or current employee's signed authorization to release such information. A written verification of employment form that has been completed by the HR Department will be returned directly to the requesting party. Telephone requests for verification of employment will be limited to confirming salary, current employment status, hire date, and termination date.

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## *Human Development Council*

### **207 Service Record**

Effective Date: 08/01/2018

HDC maintains a service record for all employees. Each employee's length of service is based on his/her most recent hire date with the Agency. An employee's hire date or length of service is an important factor in determining eligibility for many benefit programs. If an employee joins HDC as a temporary employee and is then hired as a regular employee, the hire date will be the day the employee begins work as a regular employee.

A break in service occurs when any type of termination of employment or extended absence from HDC interrupts an employee's service. Employees will receive credit for earlier service in the following circumstances:

- In the event an employee is laid off and recalled to work within a twelve (12) consecutive month period from date of lay off.
- If an employee completed twelve (12) consecutive months of employment, terminates and is then rehired within six (6) months of the termination date.
- If a personal leave of absence is taken without pay of thirty (30) consecutive days or less based on approval of the department supervisor.
- Military leave as required under applicable laws.

If the above criteria are met, employees will retain their original date of hire with HDC. PTO will not accrue during the break in employment but the balanced earned prior to the break in employment will be restored. Group insurance benefits will be effective on the 91<sup>st</sup> day from the date of rehire.

Contact the HR Department or department supervisor with any questions regarding service records.

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## *Human Development Council*

### **208 Employment Background Checks, Physicals and Drug Testing**

Effective Date: 08/01/2018

HDC requires all employees to undergo a pre-employment background check, physical, Medicaid exclusion check and drug test in accordance with the Code of Maryland Regulations (COMAR) and as a condition of employment with the Agency.

All offers of employment are contingent upon receipt of satisfactory results, determined at the Agency's sole discretion, from the background check, physical and drug testing process. Employees are hired and trained, but may not independently work with any Agency participant before successfully completing all State and Agency training requirements

HDC will ensure all background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. All reports are kept strictly confidential, and are only viewed by individuals deemed necessary to complete the hiring process. All reports are kept and maintained separately from the personnel file.

Employees hired into positions requiring a Commercial Driver's License (CDL) may be required to complete additional medical exams and drug tests in accordance with the Department of Transportation (DOT) to maintain their licenses.

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## *Human Development Council*

### **209 Job Postings, Promotions and Transfers**

Effective Date: 08/01/2018

HDC encourages all employees to assume higher-level positions or lateral transfers for which they qualify. It is the policy of HDC to notify all employees about open positions within the Agency and to fill these positions with the best qualified people.

When job openings occur, HDC will post those openings in order to provide Agency employees the opportunity to submit their applications. If you wish to apply for a promotion or transfer, please first discuss it with your supervisor or HR staff so that it may be determined if your skills, abilities and experience fit the requirements of the desired job. Please submit your request for consideration for a specific position to your department director.

To qualify for a promotion or transfer, employees must have held their current position for a minimum of six (6) months. Approval of promotions and transfers depends largely on the merit of the employee, training, experience, work record, and the needs and resources of the Agency. In addition, employees must have a good performance, attendance and punctuality record. Once approved for promotion or transfer, the employee may transfer or be promoted within 30 days of approval.

Management reserves the right to place employees where, and in whatever jobs it deems necessary. All job transfers, job changes, reassignments, promotions or lateral transfers are at the discretion of HDC.

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# *Human Development Council*

## **301 Employee Benefits**

Effective Date: 08/01/2018

Eligible employees at HDC are provided with the benefits outlined below. A number of the programs (such as Social Security, workers' compensation and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The HR Department can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

Some benefit programs require contributions from employees, but many are fully paid by the Agency. HDC reserves the right to add, amend, modify or terminate any of our benefit plans or programs at any time.

The following benefit programs are available to eligible employees:

- [403\(b\) Retirement Plan](#) (Policy #302)
- [Benefit Continuation - COBRA](#) (Policy #303)
- [Bereavement Leave](#) (Policy #304)
- [Dental – Voluntary Benefit](#) (Policy #305)
- [Education Reimbursement](#) (Policy # 306)
- [Health Insurance](#) (Policy #307)
- [Holidays](#) (Policy #308)
- [Jury Duty](#) (Policy #309)
- [Life Insurance](#) (#310)
- [Long Term Disability](#) (Policy #311)
- [Paid Time Off](#) - includes sick and safe leave (Policy #312)
- [Short Term Disability](#) (Policy #313)
- [Vision Insurance](#) (Policy #314)
- [Voting](#) (Policy #315)
- [Weather Days](#) (Policy #316)
- [Workers' Compensation Insurance](#) (#317)

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## *Human Development Council*

### **302 403(b) Retirement Plan**

Effective Date: 08/01/2018

HDC has established a 403(b) Plan to provide employees the potential for future financial security for retirement. The 403(b) Plan allows employees to defer pre-tax dollars toward their retirement needs.

Upon hire, eligible employees may participate in the 403(b) Plan subject to all terms and conditions of the plan. HDC does not match employee contributions to retirement.

Complete details of the 403(b) Plan are described in the Summary Plan Description provided to eligible employees. Contact the HR Department for more information about the 403(b) Plan.

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## *Human Development Council*

### **303 Benefit Continuation (COBRA)**

Effective Date: 08/01/2018

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under HDC's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

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

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## *Human Development Council*

### **304 Bereavement Leave**

Effective Date: 08/01/2018

Regular full-time employees who wish to take time off due to the death of an immediate family member should notify their department director immediately. Employees may take up to 3 scheduled working days off with pay to attend a funeral/memorial service and make any necessary arrangements associated with the death of an immediate family member. Employees may take the three days intermittently within a 2 calendar week period. An "immediate family" member for bereavement leave is considered your spouse/life partner, child, parent, brother, sister, grandparent, in-laws (mother, father, brother, sister, grandmother, grandfather), legal guardian, or other relatives residing in the employee's immediate household.

A supervisor must approve bereavement time and the Agency may request verification of the facts surrounding the leave request.

HDC understands the deep impact that death can have on an individual or a family, therefore employees may use, with their immediate supervisor's approval, available PTO for additional time off as necessary and in accordance with operating needs.

Bereavement pay is calculated based on the base pay rate of the employee at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, overtime or shift differentials. Bereavement leave will not be paid if it occurs when the employee is on PTO or a leave of absence, absent due to illness or injury, or not working due to a paid holiday.

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## *Human Development Council*

### **305 Dental – Voluntary Benefit**

Effective Date: 08/01/2018

HDC offers regular full-time employees and their dependents access to voluntary dental benefits. Employees are eligible for dental coverage beginning on the 91<sup>st</sup> day from their date of hire. Eligible employees may participate in the dental plan subject to all terms and conditions of the agreement between HDC and the insurance carrier.

Details of the dental plan are described in the Summary Plan Descriptions (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Executive Director for more information about dental benefits.

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## *Human Development Council*

### **306 Education Reimbursement**

Effective Date: 08/01/2018

It is the policy of HDC that employees have the opportunity to enhance their education in areas related to the human service field. The Agency shall allocate a fixed amount of funds during the benefit year, which is determined on an annual basis, according to the availability of funds. HDC reserves the right to suspend this benefit should funds not be available. Employees are only eligible after completing one year of employment.

When the employee's educational goals are aligned with HDC's mission statement, the Agency may reimburse the employee for 50% of the tuition or class cost with advance written approval from the Executive Director, for a maximum annual benefit of \$1,000. Regular full-time employees who have been employed for one consecutive year and who have no disciplinary action on their record over the past year are eligible for participation in this program. All employees must submit an Educational Benefit Request Form to the Executive Director for approval prior to taking a course.

HDC will reimburse regular full-time employees for expenses incurred by the employee for continuing education units that are required to maintain a State license or certification; courses that are directly related to assisting an employee with the performance of their job duties while working for HDC; and courses that are part of the requirements for obtaining a degree or certification in a field that is related to the mission statement and/or operations of HDC. The employee must have proof of payment and secure a minimum grade of "C" or a passing grade in a pass/fail grading system

Procedure:

1. The Educational Benefit Request Form must be submitted to the department supervisor and the Executive Director for review and approval prior to enrolling.
2. If approved, upon completion of the course, the employee should resubmit the Educational Benefit Request Form to the Executive Director as well as with attached receipts and evidence of a passing grade. If grades/certification completion meet the requirements as noted above, the expense (up to \$1,000) will be reimbursed.

If you have any questions regarding the education reimbursement program, please contact the department supervisor or the HR department.

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## *Human Development Council*

### **307 Health**

#### **Insurance** Effective Date:

10/29/2021

HDC's health insurance plan provides regular full-time employees and their dependents access to medical insurance benefits. Employees are eligible for health insurance coverage beginning on 1st day of the month following the 60 day waiting period from their date of hire. Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between HDC and the insurance carrier. Vision benefits are also included as outlined in the health insurance plan.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under COBRA. Refer to the [Benefits Continuation \(COBRA\) policy](#) for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Executive Director for more information about health insurance benefits.

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## *Human Development Council*

### **308 Holidays**

Effective Date: 08/01/2018

HDC's administrative offices and day program centers are closed on the holidays noted below. These holidays are paid days off for regular full-time employees that work in these offices/programs.

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving
- Day after Thanksgiving
- Two days at Christmas

When a holiday falls on a non-workday, Saturday or Sunday, the holiday will be observed on the following Monday (if the holiday falls on Sunday) or Friday (if the holiday falls on Saturday).

Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day, not to exceed eight (8) hours.

Due to the special nature of the 24/7 Residential department, nonexempt employees who work on a recognized holiday (New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day) will receive holiday pay plus wages at their straight-time rate of pay for the hours worked on the holiday. In order to receive holiday pay, an employee must work their scheduled workday before and after the holiday.

If a recognized holiday falls during an eligible employee's paid absence (such as PTO leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

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## *Human Development Council*

### **309 Jury Duty**

Effective Date: 08/01/2018

#### Jury Duty

HDC supports employees in fulfilling their civic responsibilities by serving jury duty when required and will compensate them for up to ten (10) working days of time in a calendar year minus any jury duty pay when they are required to serve. Jury duty leave beyond the amount stated above is unpaid (unless otherwise required by law). If desired, employees may use any available Paid Time Off (PTO) benefits.

Employees must show the jury duty summons to their supervisor as soon as possible so that arrangements may be made to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits. Upon the employee's return, the employee must submit documentation indicating the number of days served to the Executive Director.

Either HDC or the employee may request an excuse from jury duty if, in HDC' judgment, the employee's absence would create serious operational difficulties.

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## *Human Development Council*

### **310 Life Insurance**

Effective Date: 08/01/2018

Life insurance offers you and your family important financial protection. HDC provides a basic life insurance plan for regular full-time employees. Employees are eligible for life insurance and AD&D coverage beginning on the 91<sup>st</sup> day from their date of hire. Eligible employees may purchase additional life insurance and the premium for the additional amount will be deducted from their paycheck.

Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part of the basic life insurance plan.

Regular full-time employees participating in the life insurance plan are subject to all terms and conditions of the agreement between HDC and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description (SPD) and provided to eligible employees. Contact the HR Department for more information about life insurance benefits.

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## *Human Development Council*

### **311 Long Term Disability Insurance**

Effective Date: 08/01/2018

HDC offers regular full-time employees access to long-term disability insurance (LTD). Following ninety (90) days of disability, the LTD plan provides benefits to employees who are unable to work due to an illness or injury that results in a long-term absence from employment. LTD is designed to ensure a continuing income for employees who are disabled and unable to work. Employees are eligible for long-term disability coverage beginning on the 91<sup>st</sup> day from their date of hire. LTD insurance is voluntary and the employee pays 100% of the premium.

Eligible employees participating in the LTD plan are subject to all terms and conditions of the agreement between HDC and the insurance carrier.

Details of the LTD benefits plan including benefit amounts, and limitations and restrictions are described in the Summary Plan Description (SPD). Contact the Executive Director for more information about LTD benefits.

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## *Human Development Council*

### **312 Paid Time Off (PTO)**

Effective Date: 08/01/2018

PTO (Paid Time Off) leave is granted to employees to provide rest from work and promote a healthy balance between work and personal life. Listed within this policy are the types of leave given, the accrual rates, and the procedures for using each leave type. Due to the critical nature of nursing services, Registered Nurses will start their leave accrual as a third year employee and will receive 160 hours per year of PTO after their introductory period.

### **PTO ACCRUAL RATES**

#### **FULL TIME/ 40 HOURS PER WEEK EMPLOYEES**

<b>YEARS OF SERVICE</b>	<b>ACCRUED HOURS/PAY</b>	<b>HOURS/YEAR</b>
HIRE DATE TO 1 YEAR	3.077 HOURS / PAY	80
AFTER 1 YEAR	4.615 HOURS /PAY	120
AFTER 2 YEARS	6.154 HOURS /PAY	160
AFTER 5 YEARS	7.692 HOURS /PAY	200
AFTER 10 YEARS	9.230 HOURS /PAY	240
AFTER 15 YEARS	10.767 HOURS /PAY	280
AFTER 20 YEARS	12.308 HOURS/PAY	320
AFTER 25 YEARS	13.846 HOURS / PAY	360

#### **FULL TIME/40 HOUR PER WEEK EMPLOYEES HIRED BEFORE 2007**

<b>YEARS OF SERVICE</b>	<b>ACCRUED HOURS PER PAY</b>	<b>HOURS/YEAR</b>
AFTER 10 YEARS	13.846 HOURS / PAY	360
AFTER 15 YEARS	14.769 HOURS / PAY	384
AFTER 20 YEARS	15.3846 HOURS / PAY	400
AFTER 25 YEARS	16.3077 HOURS / PAY	424

#### **RESIDENTIAL DEPARTMENT EMPLOYEES WORKING 3 DAYS ON/ 4 DAYS OFF**

<b>YEARS OF SERVICE</b>	<b>ACCRUED HOURS PER PAY</b>	<b>HOURS/YEAR</b>
HIRE DATE FORWARD	3.077 HOURS / PAY	80

## *Human Development Council*

### **312 Paid Time Off (PTO) - continued**

Effective Date: 08/01/2018

#### **FULL TIME EMPLOYEES WORKING UNDER 40 HOURS A WEEK**

##### **36-39 HRS/WEEK (1 DAY = 7 HOURS)**

<b>YEARS OF SERVICE</b>	<b>ACCRUED HOURS PER PAY</b>	<b>HOURS/YEAR</b>
HIRE DATE TO 1 YEAR	2.692 HOURS /PAY	70
AFTER 1 YEAR	4.038 HOURS /PAY	105
AFTER 2 YEARS	5.395 HOURS /PAY	140
AFTER 5 YEARS	6.731 HOURS /PAY	175
AFTER 10 YEARS	8.077 HOURS /PAY	210
AFTER 15 YEARS	9.423 HOURS /PAY	245
AFTER 20 YEARS	10.769 HOURS/PAY	280
AFTER 25 YEARS	12.115 HOURS / PAY	315

##### **30-35.9 HRS/WEEK (1 DAY = 6 HOURS)**

<b>YEARS OF SERVICE</b>	<b>ACCRUED HOURS PER PAY</b>	<b>HOURS/YEAR</b>
HIRE DATE TO 1 YEAR	2.301 HOURS /PAY	60
AFTER 1 YEAR	3.461 HOURS /PAY	90
AFTER 2 YEARS	4.615 HOURS /PAY	120
AFTER 5 YEARS	5.769 HOURS /PAY	150
AFTER 10 YEARS	6.923 HOURS /PAY	180
AFTER 15 YEARS	8.077 HOURS /PAY	210
AFTER 20 YEARS	9.231 HOURS/PAY	240
AFTER 25 YEARS	10.385 HOURS / PAY	270

## *Human Development Council*

### **312 Paid Time Off (PTO) - continued**

Effective Date: 08/01/2018

#### **PART-TIME EMPLOYEES**

#### **12-29 HRS. /WEEK**

**EMPLOYEES IN THIS CATEGORY ARE ELIGIBLE FOR SICK & SAFE LEAVE ONLY**

**(See section on Sick and Safe Leave)**

#### **Accrual**

1 hour of SSL for every 30 hours worked

Accrual Rate/Hour= 0.0333

<b>HOURS PER WEEK</b>	<b>ACCRUED HOURS PER PAY</b>	<b>HOURS/YEAR</b>
12 HOURS/ WEEK	0.800	21.00
13 HOURS/ WEEK	0.866	22.75
14 HOURS/ WEEK	0.932	24.25
15 HOURS/ WEEK	1.00	26.00
16 HOURS/ WEEK	1.066	27.75
17 HOURS/ WEEK	1.132	29.50
18 HOURS/ WEEK	1.199	31.25
19 HOURS/ WEEK	1.265	33.00
20 HOURS/ WEEK	1.332	34.75
21 HOURS/WEEK	1.399	36.50
22 HOURS/WEEK	1.465	38.25
23 HOURS/WEEK	1.532	40.00 CAP
24 HOURS/WEEK	1.599	40.00 CAP
25 HOURS/WEEK	1.665	40.00 CAP
26 HOURS/WEEK	1.732	40.00 CAP
27 HOURS/WEEK	1.799	40.00 CAP
28 HOURS/WEEK	1.865	40.00 CAP
29 HOURS/WEEK	1.931	40.00 CAP

#### **PROCEDURES FOR USING PTO LEAVE**

- Leave accrual begins at the hire date, but is not available for use until after the initial 90-day Introductory period is completed.
- PTO leave may be taken in 1 hour increments.
- PTO leave may be taken for vacation, sickness or personal injury, personal business, FMLA, or SSL (see SSL section of this policy).

## *Human Development Council*

### **312 Paid Time Off (PTO) - continued**

Effective Date: 08/01/2018

- When an employee has planned for time off from work, the employee should submit and receive approval for the leave as early as possible, but must schedule with the supervisor at least 24 hours in advance. If the leave is not foreseeable, the employee must contact their supervisor before the beginning of their shift. HDC reserves the right to deny and/or cancel scheduled leave in the event that a suitable replacement employee cannot be found, or if the employee absence will cause a disruption in services.
- Employees who have worked for HDC for one year or more may request to advance their PTO leave if they are scheduling time off and do not have a sufficient amount of accrued time in their PTO account. The maximum amount of advanced leave that may be granted is 80 hours. Exempt employees who have worked for HDC for 10 years or more may request to advance up to all of their eligible PTO. Additionally, the employee must give written authorization agreeing to allow HDC to deduct from the employee's final paycheck the advanced amount of leave.
- An employee with unused PTO at the end of their Anniversary Year must bank the unused days into their Banked Sick Leave up to a maximum of 80 days. Once an employee has reached their cap of 80 days, any unused PTO leave will be forfeited at the end of the last day of their Anniversary year.
- Unused PTO leave will not be paid to the employee upon termination of employment from the Agency.
- Employees must use available PTO prior to requesting leave without pay.

### **BANKED SICK LEAVE**

- Banked Sick Leave is a leave account that an employee moves unused PTO leave into at the end of their Anniversary Year.
- Part-time employees (12-29 hours/week) may bank up to 40 hours/year of SSL into their SSL account. The maximum number of hours that may be banked into this account is 64.
- Full-time employees (30+ hours/week) may build this leave account up to a maximum of 80 days.
- This leave may be used in the event of employee illness or injury, FMLA, and for SSL (see SSL section for details).
- Banked Sick Leave may be taken in 1 hour increments.
- An employee may use this leave after two consecutive days of absence, but must provide written verification from a licensed health care provider or according to SSL guidelines (see SSL section for details) for the days taken under this leave.
- Unused Banked Sick Leave is not paid to the employee upon termination of employment from the Agency.

## *Human Development Council*

### **312 Paid Time Off (PTO) - continued**

Effective Date: 08/01/2018

#### **MARYLAND HEALTHY WORKING FAMILIES ACT SICK AND SAFE LEAVE**

Maryland's Sick and Safe leave accrual requirements are addressed earlier in this PTO policy. Part-time employees who work between 12 to 29 hours per week, who normally received no leave benefits, will now be eligible for Sick and Safe leave at an accrual rate of (1) one hour of leave for every (30) thirty hours worked, up to a maximum of 40 hours per year.

#### **An employee may use Sick and Safe Leave and/or PTO for the following reasons:**

- Care and treatment of the employee's own physical and mental health, injury or condition,
- Preventative medical care for the employee or family member,
- To care for a family member's physical and mental health, injury or condition,
- For maternity or paternity leave,
- For absences due to domestic violence, sexual assault, stalking, and relocation of the employee or family member due to stalking,
- To receive services from a victim services organization, and
- For legal services.

#### **Covered family members include:**

- Spouse,
- Child, including biological, foster, adopted, step, one who the employee acts as legal guardian or has physical custody, or acts as a parent regardless of legal relationship,
- Parent, including biological, foster, adopted, step of the employee or spouse, one who has legal guardianship of, or stood in loco parentis to the employee or spouse,
- Grandparent, including biological, foster, or step of the employee,
- Grandchild, including biological, foster, adopted, or step of the employee,
- Siblings, including biological, foster, adopted, or step of the employee.

For employees working 30 hours or more per week, our Agency's PTO leave and Banked Sick Leave comply with the Maryland law on Sick and Safe Leave. Employees working 12-29 hours per week may earn up to 40 hours of SSL during their Anniversary year. Unused SSL may be banked (carried over) at the end of the employee's Anniversary year, but may not exceed 64 total hours. An employee may use any and/or all of their SSL if it meets the conditions of this policy. If an employee has the maximum allowed hours of SSL (64 hours), they may, if needed, use all 64 hours for a qualifying event.

When an employee needs to use SSL, and the leave is foreseeable, the employee should submit a request and receive approval for the leave as early as possible, but must schedule their leave with the supervisor

## *Human Development Council*

### **312 Paid Time Off (PTO) - continued**

Effective Date: 08/01/2018

at least 24 hours in advance. If the leave is not foreseeable, the employee must contact their supervisor before the beginning of their shift. HDC reserves the right to deny and/or cancel leave in the event that the leave is foreseeable, a suitable replacement employee cannot be found, and the employee absence will cause a disruption in services. HDC requires the employee to provide written verification for any SSL taken beyond two consecutive days or shifts.

Employees may not borrow SSL that has not been accrued. Any unused accrued SSL is not paid out to the employee upon termination of employment from HDC. If the employee is rehired by HDC within 37 weeks, our Agency will reinstate the unused portion of SSL for part-time employees and up to 64 hours of unused PTO and/or unused Banked Sick Leave for full-time employees.

HDC will not take any adverse action because an employee exercised their right to take SSL which include discharge, demotion, threatening, or any other retaliatory action. All HDC employees shall receive notice that they are entitled to sick and safe leave, including accrual rates and permitted uses. HDC employees have the right to report alleged violations to the Commissioner of the Maryland Department of Licensing and Labor Regulation, or to bring civil action against their employer.

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## *Human Development Council*

### **313 Short Term Disability Insurance**

Effective Date: 08/01/2018

HDC offers regular full-time employees access to short-term disability insurance (STD). Following seven (7) consecutive calendar days of disability or zero (0) days after an accident, the STD plan provides benefits to employees who are unable to work because of a qualifying disability due to an injury, surgery or illness. Employees are eligible for short-term disability coverage beginning on the 91<sup>st</sup> day from their date of hire. STD insurance is voluntary and the employee pays 100% of the premium.

Eligible employees participating in the STD plan are subject to all terms and conditions of the agreement between HDC and the insurance carrier.

Employees must supply medical documentation to the department supervisor or HR department of the disability in order to determine eligibility for STD benefits. In the event of a disability, employees must use available PTO or banked sick leave to cover the seven (7)-day waiting period. Employees may take leave without pay only with prior supervisory approval.

Disabilities arising from pregnancy or pregnancy-related illness are treated the same as any other illness that prevents an employee from working. Contact the Executive Director for more information about STD benefits.

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## *Human Development Council*

### **314 Voting**

Effective Date: 08/01/2018

Employees who are eligible to vote in a state or federal election but who do not have two hours of continuous off-duty time during the time the polls are open, may request time off to do so. The time off will be with pay; however, employees must provide proof that they have voted or attempted to vote. Such time off will be granted at your supervisor's discretion.

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## *Human Development Council*

### **315 Weather Days**

Effective Date: 08/01/2018

When the county school systems close for inclement weather, HDC transportation, day services and administrative offices will be closed. HDC will pay for up to three (3) weather days each operating year (July 1 – June 30) to employees working in those departments. All delays and early dismissals are paid by HDC. If HDC is closed due to inclement weather more than 3 days in an operating year, employees may use their available PTO time or take leave without pay.

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## *Human Development Council*

### **316 Workers' Compensation Insurance**

Effective Date: 08/01/2018

HDC provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, and in accordance with the policy/program, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. Failure to timely report an injury may affect an employee's entitlement to coverage and, more importantly, that employee's own health and well-being. HDC has contracted with Health@Work and CorpOHS to provide employees with medical treatment for work-related injuries and illnesses.

Employees will be required to provide appropriate medical documentation before returning to regular or light duty.

Please consult the HR department with any questions regarding HDC's workers' compensation coverage.

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## *Human Development Council*

### **401 Timekeeping**

Effective Date: 08/01/2018

Accurately recording time worked is the responsibility of every employee. Federal and state laws require HDC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties, along with other time required to be paid under federal or state law.

#### Terms:

1. **Absent:** An employee is absent when he/she is unavailable for work as assigned or scheduled and such time off was not scheduled and approved in advance by the department supervisor.
2. **Tardy:** An employee is tardy when he/she:
  - A. Fails to report to work at the assigned time.
  - B. Leaves work prior to the end of an assigned work time without prior approval of the supervisor.
  - C. Takes an extended meal or break period without approval.
3. **Failure to Clock-in/Clock-Out:** Employees are required to record their actual work times. This is done by the use of fingerprint readers that are installed in all homes, offices and centers. In addition to the fingerprint readers there is a back-up phone number to call-in and out should the reader be experiencing technical difficulties. Failure to Clock-in/Clock-Out includes:
  - A. Failure to use the timeclock at the beginning and end of your shift.
  - B. Failure to clock-in/out at the designated work location.
  - C. Clocking in or out too early or too late without advanced supervisor approval.

Accurately recording time worked is the responsibility of every employee. Federal and state laws require HDC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties, along with other time required to be paid under federal or state law.

#### Procedures:

1. Employees will receive training on using the MITC workforce management system.
2. Employees must clock in and out of work using the Agency's MITC attendance system at authorized HDC work locations. These work sites will be assigned by an employee's supervisor.
3. If an employee misses a clock-in or clock-out they must submit an Attendance Request through MyMITC via their smart phone, tablet, computer, or through the use of an Agency computer within 24 hours of the missed clock-in/out. The request must have an explanation for the missed clock-in/out.

## *Human Development Council*

### **401 Timekeeping - continued**

Effective Date: 08/01/2018

4. Timeclocks use fingerprint and PIN identification and the telephone system uses authorized numbers, PIN, and voice recognition. Any attempt to falsify timekeeping data will result in termination. Employees may never attempt to clock-in/out for another employee. Such an attempt will be considered falsification.
5. Employees may only work their assigned hours. Clocking-in early and clocking-out late may only occur with the prior permission of your supervisor. Employees may not work beyond their scheduled hours without a supervisor's approval through MyMITC.
6. Employees must use the MITC system for leave request by the methods listed in #3. Leave requests must be submitted 24 hours in advance and are not guaranteed to be approved if the leave time interferes with Agency operations.
7. Employees who consistently have missed or tardy clock-in/outs are subject to disciplinary action.

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## *Human Development Council*

### **402 Paydays**

Effective Date: 08/01/2018

All employees are paid bi-weekly on Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period plus any expense reimbursements the employee is due. The workweek is defined as Sunday through Saturday.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

Usually, employees' pay is directly deposited into their bank accounts. Employees will receive an electronic itemized statement of wages once payroll is complete. Employees should notify the Executive Director immediately of any changes to banking information.

HDC does not approve pay advances on unearned wages to employees and does not hand out paper payroll checks before Friday morning of payday.

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## *Human Development Council*

### **403 Time Records and Pay Corrections**

Effective Date: 08/01/2018

HDC makes every effort to ensure our employees are paid correctly. Occasionally, however, mistakes can happen. When mistakes do happen and are called to our attention, we will promptly make any corrections necessary. Please review your pay stub to make sure it is correct. If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below.

#### **Non-Exempt Hourly Employees**

If you are classified as a non-exempt hourly employee, you must maintain a record of the total hours you work each day. These hours must be accurately recorded on your time record in MITC. Your time record must accurately reflect all regular and overtime hours worked, as well as any absences. At the end of each day, you should review your completed time entries for verification and approval. When you receive each pay stub, please verify immediately that you were paid correctly for all regular and overtime hours worked each workweek.

You should not work any hours outside of your scheduled workday unless your supervisor has authorized the unscheduled work in advance. Do not start work early, finish work late, or perform any other extra or overtime work unless you are authorized to do so and that time is recorded. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means any work you may perform but fail to report on your time record. Any employee who fails to report or inaccurately reports any hours worked may be subject to disciplinary action, up to and including termination.

It is a violation of the Agency's policy for any employee to falsely record time, or to alter another employee's time record. It is also a serious violation of Agency policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time record to under- or over-report hours worked. If any manager or employee instructs you to (1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to the Executive Director.

#### **Exempt Employees**

If you are classified as an exempt salaried employee, you will receive a salary that is intended to compensate you for all hours you may work for the Agency. While it may be subject to review and modification from time to time, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform. It is the purpose of this policy to emphasize that HDC's intention is to fully comply with Fair Labor Standards Act ("FLSA"), to the extent it is subject thereto, and all applicable state wage and hour provisions. Accordingly, salaried employees who are classified as exempt from FLSA's overtime compensation requirements will receive their full predetermined salaries for each work week in which they perform any work.

## *Human Development Council*

### **403 Time Records and Pay Corrections - continued**

Effective Date: 08/01/2018

#### **Exempt Employees (continued)**

Under federal and state law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons:

- Full day absences for personal reasons not covered by other paid time off
- Full day absences for sickness not covered by other paid time off
- Full day disciplinary suspensions for significant infractions of HDC written policies and procedures
- Family and Medical Leave absences (either full or partial day absences), if applicable
- To offset amounts received as payment for jury or witness fees or military pay
- The first or last week of employment in the event the employee works less than a full week

Your salary may also be reduced for certain types of deductions such as your portion of health, or life insurance premiums; state, federal or local taxes, social security; or, voluntary contributions to the Agency 401(k) plan. In any workweek in which you performed any work, your salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons or sickness
- Your absence because the facility was closed on a scheduled work day
- Absences for jury duty (salary may be reduced to offset amounts received as payment for jury duty, but only to the extent the employee receives a jury duty stipend), attendance as a witness, or military leave in any week in which you have performed any work
- Any other deductions prohibited by state or federal law

Please note: It is not an improper deduction to reduce an employee's accrued PTO leave for full or partial day absences for personal reasons or sickness.

#### **To Report Concerns or Obtain More Information**

If you have questions about deductions from your pay, or if you believe you have been subject to any improper deductions, or your pay does not accurately reflect your hours worked, you should immediately report the matter to the Deputy Director. If you are unsure of whom to contact in the event you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the Executive Director.

## *Human Development Council*

### **403 Time Records and Pay Corrections - continued**

Effective Date: 08/01/2018

Every report will be fully investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violate this policy. In addition, HDC will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the Agency's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination of employment.

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## *Human Development Council*

### **404 Pay Deductions and Setoffs**

Effective Date: 08/01/2018

The law requires that HDC make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes, and unemployment tax. HDC also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." HDC matches the amount of Social Security taxes paid by each employee.

HDC also offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by HDC usually to help pay off a debt or obligation to HDC or others. When an employee driving an Agency vehicle commits a traffic violation and HDC receives the citation, the fine will be deducted from the offending employee's paycheck in accordance with wage and hour laws.

It is the employee's responsibility to review his or her pay records (pay stub, direct deposit receipt, etc.) to confirm HDC has properly implemented any salary deferral elections. If the employee discovers any discrepancy, it is the employee's responsibility to immediately contact the Executive Director. Failure to report errors may result in unnecessary expenses being incurred by the employee. If it is determined that any deduction was in error, the employee will be fully reimbursed.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, the Executive Director can assist in having your questions answered.

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## *Human Development Council*

### **501 Safety**

Effective Date: 08/01/2018

HDC is committed to maintaining a safe and healthy environment for all employees. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must report any unsafe condition and all accidents, injuries, potential safety hazards, safety suggestions, and health and safety related issues immediately to a supervisor.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor or the Executive Director. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

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## *Human Development Council*

### **502 Smoking**

Effective Date: 08/01/2018

In keeping with HDC's intent to provide a safe and healthful work environment, smoking and/or the use of smokeless tobacco products including e-cigarettes is prohibited throughout the workplace, residential homes, and in Agency vehicles. This policy applies equally to all employees, participants, suppliers, and visitors.

Smoking is only permitted in the designated areas outside of the building. Smokers should help to maintain a clean area by depositing cigarettes in appropriate containers and remaining far enough away from doors so that smoke does not blow into the building.

Employees who smoke must observe the same guidelines as non-smokers for the frequency and length of break periods.

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## *Human Development Council*

### **503 Meal and Break Periods**

Effective Date: 08/01/2018

HDC pays for breaks for all its employees. Employees who are responsible for the supervision of participants may not be able break away from the participants. Employees with direct care supervision duties must eat with the participants to maintain adequate supervision levels. Employees that are not supervising participants taking more than a thirty (30) minute lunch and who have been relieved of all job duties with their supervisor's approval, must clock out on their time record and use PTO to cover the extended meal period time. Business and training meals are considered work time regardless of how long they last.

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## *Human Development Council*

### **504 Use of Equipment**

Effective Date: 08/01/2018

When using HDC property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees must keep work areas neat and clean and use normal care in handling Agency property. Employees are not permitted to remove Agency property off grounds unless authorized. Agency property must be used for the manner in which it was intended. Employees may not use any Agency facilities for personal purposes without written permission from the Executive Director.

Please notify your supervisor if any equipment, automobiles, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Lost or stolen property should be reported immediately to your supervisor.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment may result in disciplinary action, up to and including termination of employment. In addition, you may be held financially responsible for any loss to HDC because of such mistreatment.

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## *Human Development Council*

### **505 Inclement Weather/Emergency Closing**

Effective Date: 08/01/2018

HDC realizes that bad weather or hazardous commuting conditions may occasionally make it difficult for employees to report to work on time. Unless an emergency closing is announced, all employees are expected to report to work. However, HDC does not advise employees to take unwarranted risks when traveling to work in the event of inclement weather. Each employee should exercise his/her best judgement with regard to road conditions and safety concerns. If an employee is not able to attend work for weather related reasons, they should notify their supervisor at least one hour in advance of their start time. Employees who elect not to report to work when the office is open will not be paid for their time off but may request to use available PTO for the missed day.

#### Direct Care and Transportation Staff

Employees should follow delays and closures as announced by county school systems.

If the county school announces an early closing the Executive Director will make a decision regarding the early dismissal of our day centers and/or the early departure of our transportation vans. The Executive Director may announce early dismissals, late openings, and center closings independent of the county school systems if he deems that unsafe conditions exist. In such an event, your supervisor will notify you.

Please see the [Weather Days](#) policy for information on how HDC compensates employees.

HDC will announce closings on our Facebook page and on our website. To access the homepage type in “www.wchdc.org”. Scroll down to the bottom of the first page to view the day/transportation operating status by county.

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## *Human Development Council*

### **506 Visitors in the Workplace**

Effective Date: 08/01/2018

To provide for the safety and security of employees and the facilities at HDC, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter HDC at the main entrance of the Administration building. Visitor ID must be shown and a Visitor Badge must be worn while on the premises. Badges must be returned before leaving. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on HDC's premises, employees should immediately notify the Executive Deputy Director or the Executive Director or, if necessary, direct the individual to the reception area.

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## *Human Development Council*

### **507 Computer, Internet and Email Usage**

Effective Date: 08/01/2018

Computers, computer files, the e-mail system, Internet, and software furnished to employees are HDC's property and are intended primarily for business use. These systems include individual PCs provided to employees, centralized computer equipment, all associated software, and HDC's telephone, voicemail, electronic tablets and electronic mail systems. Incidental and occasional personal use of HDC's systems, that does not interfere or conflict with the Agency's business is permitted during an employee's non-working time and should be kept to a minimum.

The equipment, services, and technology provided to access the Internet and email system remain at all times the property of HDC. As such, HDC reserves the right to monitor Internet and email traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems. Employees with passwords must provide them to management. Employees are prohibited from using passwords not authorized by HDC. The use of passwords does not guarantee confidentiality.

Data that is composed, transmitted, accessed, or received via the Internet or email must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

HDC 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, HDC does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. HDC prohibits the illegal duplication of software and its related documentation. Please contact the Executive Director for any software related questions.

Abuse of the computer, Internet, or email access provided by HDC in violation of law or HDC's policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Downloading files without proper authorization
- Using HDC's time and resources for personal gain

## *Human Development Council*

### **507 Computer, Internet and Email Usage - continued**

Effective Date: 08/01/2018

- Stealing, using, or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting financial, confidential, trade secrets, sensitive or proprietary information outside of HDC
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the Agency or initiate unwanted Internet services and transmissions
- Participating in the viewing or exchanging of pornography or obscene materials
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Using the Internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the Agency's electronic communications system
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of HDC
- Sending anonymous e-mail messages
- Sharing passwords
- Engaging in any other illegal activities

Employees should notify the Executive Director upon learning of violations of this policy. Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment.

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## *Human Development Council*

### **508 Personal Cell Phones**

Effective Date: 08/01/2018

Although HDC allows employees to bring their personal cell phones to work, we expect employees to keep personal use (including, without limitation, personal calls, texting, social media and Internet “surfing”) to an absolute minimum. While occasional, brief personal phone calls/texting are acceptable, frequent or lengthy communications can affect productivity and disturb others. For this reason, we generally expect employees to make and receive personal phone calls/texts/email during breaks only

Cell phones should only be used in the presence of participants if business related. Please be advised that employees are not permitted to take pictures in work areas.

Employees who violate this policy may be subject to discipline, up to and including termination of employment.

### **Use of Wireless Device While Driving**

Employees may have access to a cell phone while in their cars or Agency vehicles and should remember that their primary responsibility is driving safely and obeying the rules of the road. Employees are prohibited from using cell phones without legally approved hands free wireless devices while driving on HDC business and should safely pull off the road and come to a complete stop before dialing, talking or texting on a cell phone. We are concerned for your safety and for the safety of other drivers and pedestrians. Every effort should be made to avoid any distractions while driving that can lead to accidents. It is an employee’s obligation to obey state laws governing the use of electronic devices while operating a motor vehicle.

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## *Human Development Council*

### **509 Workplace Violence Prevention**

Effective Date: 08/01/2018

HDC has a zero-tolerance policy concerning threats, intimidation and violence of any kind in the workplace either committed by or directed towards our employees. HDC is committed to preventing workplace violence and to maintaining a safe work environment.

HDC has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited on the premises of HDC without proper authorization from the Executive Director. A license to carry the weapon on Agency property does not supersede Agency policy. "Weapons" or "dangerous weapons" include, without limitation, firearms, explosives, knives and other weapons that might be considered dangerous or that could cause harm. Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy and are encouraged to discuss any questions with the Executive Director. The determination by HDC as to what constitutes a "weapon" or "dangerous weapon" shall be in its sole and absolute discretion, and shall be final and conclusive.

HDC reserves the right at any time and at its sole and absolute discretion to search any and all Agency-owned or leased vehicles and all vehicles, plus packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon is being, or has been, brought onto its property or premises in violation of this policy. By accepting employment with HDC, all employees consent to any and all such searches and knowingly, voluntarily and intelligently waive any expectation of privacy they may have with respect to same. Employees who fail or refuse to promptly permit a search under this policy may be subject to discipline, up to and including termination.

Conduct that threatens, intimidates, or coerces another employee, a participant, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, religion, sexual orientation, or any other characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the Executive Director or any other member of management. This includes threats by employees, as well as threats by participants, suppliers, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible. Employees will conduct themselves in such a way to reduce the possibility of any conflicts or acts that would create a violent, abusive or unsafe workplace environment for themselves or others. Employees will remove themselves from any situation

## *Human Development Council*

### **509 Workplace Violence Prevention - continued**

Effective Date: 08/01/2018

that may result in workplace violence. This means that if confronted with a potential situation involving workplace violence, an employee must make a serious attempt to retreat from the situation and report to management immediately.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your work station, do not try to intercede or see what is happening.

HDC will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, HDC may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

HDC encourages employees to bring their disputes or differences with other employees to the attention of the Executive Director before the situation escalates into potential violence. HDC will not permit employment-based retaliation against anyone who, in good faith, brings a complaint of workplace violence or who speaks as a witness in the investigation of such complaint. An individual who makes unwelcome advances, threatens or in any way harasses another employee is personally liable for such actions and their consequences.

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## *Human Development Council*

### **510 Social Media**

Effective Date: 08/01/2018

At HDC, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

#### **Guidelines**

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log, blog or vlog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with HDC, as well as any other form of electronic communication. The same principles and guidelines found in HDC's policies and these basic beliefs apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects participants, suppliers, people who work on behalf of HDC or HDC's legitimate business interests may result in disciplinary action up to and including termination.

#### **Know and follow the rules**

Carefully read these HDC guidelines, [Conduct and Work Rules Policy](#), [Confidentiality Policy](#), [Computer, Internet and Email Usage Policy](#), and the [Sexual and Other Harassment/Discrimination Policy](#), to ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

#### **Be respectful**

Always be fair and courteous to participants, suppliers or people who work on behalf of HDC. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or supervisor than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage participants or suppliers, or that might constitute harassment or bullying, or which otherwise could lead to morale issues in the workplace or otherwise detrimentally affect the Agency's business. Examples of such conduct might include posts intentionally meant to harm someone's reputation or posts that could contribute to a hostile work environment on the

## *Human Development Council*

### **510 Social Media - continued**

Effective Date: 08/01/2018

basis of race, sex, disability, religion, sexual preference or any other status protected by law or Agency policy.

#### **Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and should you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about HDC, fellow associates, participants, suppliers, and people working on behalf of HDC or competitors.

#### **Post only appropriate and respectful content**

- Maintain the confidentiality of HDC's private or confidential information. Do not post internal reports or other internal Agency-related confidential communications.
- Do not create a link from your blog, website or other social networking site to a HDC website.
- Express only your personal opinions. Never represent yourself as (or imply that you are) a spokesperson for HDC. If HDC is a subject of the content you are creating, be clear and open about the fact that you are an employee, and make it clear that your views do not represent those of HDC, fellow employees, participants, suppliers or people working on behalf of HDC. If you do publish a blog or post online related to the work you do or subjects associated with HDC, make it clear that you are not speaking on behalf of the Agency. It is best, and strongly suggested that you include a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of HDC." Employees should refrain from using any Agency logos, trademarks and any other similar intellectual property.
- HDC reserves the right to request that employees remove postings that are in violations of any Agency policy.

#### **Using social media at work**

The use of social media on HDC's equipment during work time is not permitted, unless it is work-related and authorized by the Executive Director. Do not use a HDC's email address to register on social networks, blogs or other online tools utilized for personal use.

#### **Retaliation is prohibited**

HDC prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation may be subject to

## *Human Development Council*

### **510 Social Media - continued**

Effective Date: 08/01/2018

disciplinary action, up to and including termination. Nothing in this policy is intended to conflict with applicable laws. HDC will not construe or apply this policy in a manner that improperly interferes with or limits employees' rights under any state or federal laws, including without limitation the National Labor Relations Act.

#### **Media contacts**

Employees should not speak to the media on behalf of HDC without contacting the Executive Director. All media inquiries should be directed to the Executive Director, or to the Deputy Director if the Executive Director is not available.

#### **For more information**

If you have questions or need further guidance, please contact the Executive Director.

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## *Human Development Council*

### **601 Family Medical Leave Act (FMLA)**

Effective Date: 08/01/2018

The federal Family and Medical Leave Act (FMLA) provides eligible employees with job protected leave from work for certain qualifying reasons. Where State law provides greater leave benefits than those provided under the FMLA, the State rules shall be applied to an employee's leave request. Please note that this Policy provides a summary of FMLA leave benefits. Employees who believe that they have an FMLA-qualifying need for leave should contact the Executive Director to receive more information.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or a family member of the individual, except as specifically allowed by this law. To comply with this law, employees and their healthcare providers will be asked not to provide any genetic information in connection with an FMLA leave request. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

#### **Eligibility**

To qualify for FMLA leave, an employee must have worked for HDC for 12 months, have worked at least 1,250 hours during the 12-month period immediately preceding the date the leave is to begin, and be employed at a worksite where 50 or more employees are employed by the Agency within 75 miles of that worksite

#### **FMLA-Qualifying Reasons for Leave**

##### ***Basic FMLA***

Eligible employees may take up to 12 weeks of leave in a 12-month period for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or childbirth;
- To care for the employee's child after birth or placement for adoption or foster care (the leave must be taken within a year of the child's birth/placement);
- To care for the employee's parent, spouse, son or daughter who has a serious health condition;
- For a serious health condition that makes the employee unable to perform his/her job.

##### ***Military-Related FMLA***

**Military Caregiver Leave.** Eligible employees may take up to 26 weeks of leave in a single 12-month period to care for a spouse, son, daughter, parent or family member for whom the employee is "next of kin" who is a current member of the U.S. Armed Forces (including a member of the National Guard or Reserves) and who has sustained or aggravated a serious illness or injury in the line of duty. This leave

## *Human Development Council*

### **601 Family Medical Leave Act (FMLA) - continued**

Effective Date: 08/01/2018

may also be taken for a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. A “serious injury or illness” of a Servicemember for which leave may be taken is one incurred or aggravated in the line of duty that may render the Servicemember medically unfit to perform the duties of his/her office, grade, rank or rating. In addition, leave may be taken while the Servicemember is undergoing treatment, recuperation, or therapy, is on outpatient status, or is on the temporary disability list.

**Qualifying Exigency Leave.** Eligible employees with a spouse, son, daughter, or parent who is a current member of the U.S. Armed Forces (including a member of the National Guard or Reserves) or who has been called to active duty status, in connection with deployment to a foreign country, may take up to 12 weeks of leave in a 12-month period to address certain “qualifying exigencies.” Qualifying exigencies include attending certain military events, arranging for alternative (but not routine) childcare and attending to certain child-related emergencies and school matters, addressing certain financial and legal arrangements, attending certain counseling sessions, addressing certain care-related needs of the parent of a servicemember who is unable to care for him/herself, and attending post-deployment reintegration briefings. Leave also may be taken immediately prior to a Servicemember’s short-notice deployment (up to seven days) and during a Servicemember’s short-term rest and recuperation leave (up to 15 days).

#### **Twelve Month Period Defined**

The 12-month period used by the Agency for FMLA leave other than Military Caregiver leave is a “rolling” 12-month period measured backward from the date the employee uses FMLA leave. Where Military Caregiver leave is taken, the 12-month period is measured forward from the date the employee first takes FMLA leave and ends 12 months following that date (even if the employee has not exhausted the 26 weeks of leave available for this purpose).

Where an employee takes leave for multiple FMLA-qualifying reasons in a 12-month period, time taken for all FMLA covered absences count toward the applicable limit during the 12-month period (that is, 12 weeks total in a 12-month period for FMLA leave subject to a 12-week limit and 26 weeks total where an employee takes Military Caregiver leave; provided, however, that any leave taken for FMLA-qualifying reasons unrelated to Military Caregiver leave during the 26-week period may not exceed 12 weeks total).

Each time an employee takes leave, HDC will compute the amount of leave the employee has taken under this policy and subtract it from the available leave. The balance remaining is the amount available to the employee during the applicable 12-month period.

## *Human Development Council*

### **601 Family Medical Leave Act (FMLA) - continued**

Effective Date: 08/01/2018

#### **Serious Health Condition**

A serious illness or health condition for purposes of Basic FMLA leave is an illness, injury, impairment or physical or mental condition that involves:

- Any period of incapacity or treatment that involves inpatient care (an overnight stay in a hospital or medical care facility);
- Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a covered family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy or a chronic condition. Other conditions also may qualify as "serious health conditions."

#### **Use of Paid and Unpaid Leave**

Except as may be required by State law, and also except as provided in the immediately following paragraph, an employee taking FMLA leave is required to use all available paid time off (PTO). Such paid time runs concurrently with the employee's FMLA leave. Once all earned paid time off is exhausted, any remaining FMLA leave will be unpaid.

Where leave is for an employee's own serious health condition and that condition also qualifies for Short Term Disability (STD), Long Term Disability (LTD) or Workers Compensation(WC) leave benefits, such leave will also be designated as FMLA leave and will run concurrently with STD, LTD or WC leave. An employee whose leave is running concurrently with STD, LTD, or WC leave is not required to use available paid time off benefits while in STD, LTD, or WC status, although the employee may choose to use such benefits to make up the difference between his usual full pay and the amounts received under STD, LTD, or WC.

#### **Schedule of Leave**

Leave may be taken in blocks of time. When medically necessary, leave also may be taken on a reduced schedule basis or intermittently. Qualifying Exigency leave may also be taken on an intermittent basis. Employees are required to make reasonable efforts to schedule their leave for planned medical treatment so as not to unduly disrupt HDC operations.

#### **Employee Status & Benefits During Leave**

Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the employee's FMLA leave. While an employee is on leave, HDC will continue the employee's health benefits and others as applicable during the leave period at the same level and under the same conditions

## *Human Development Council*

### **601 Family Medical Leave Act (FMLA) - continued**

Effective Date: 08/01/2018

as if the employee had continued to work. Under current HDC policy, the employee pays for a portion of the health care premium. When possible, HDC will continue to make payroll deductions to collect the employee's share of the premiums. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received by the Deputy Director by the prearranged due date of each month. If the payment is more than 30 days late, the employee's health care coverage may be discontinued for the duration of the leave. HDC will provide 15 days' notification prior to the employee's loss of coverage. This also applies to all other benefits that require an employees' contribution. If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, HDC reserves the right to require the employee to reimburse HDC the amount it paid for the employee's health insurance premiums during the leave period.

#### **No Inconsistent Activities During Leave**

While on FMLA leave for his/her own serious health condition, an employee may not engage in activities that are inconsistent with his/her represented incapacity. Violation of this rule will constitute misconduct, will be cause for discharge, and may disqualify an employee from reemployment with HDC.

#### **Spouses Employed by HDC**

If FMLA eligible spouses both work for HDC and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, to care for a parent with a serious health condition, or to care for a covered Servicemember, the spouses may take only a combined total of 12 weeks of leave (or 26 weeks of leave in the case of Military Caregiver leave), in the applicable 12-month period.

#### **Return To Work After Leave**

An employee who takes FMLA leave will be notified if a fitness-for-duty certification is required for the employee's position. Returning employees will be restored to the same position or a position with equivalent status, pay, benefits and other employment terms. HDC may exempt certain highly compensated "key" employees from job restoration when doing so would cause substantial and grievous economic injury to HDC. If at the end of FMLA leave the employee is unable to return to work and perform the essential functions of his or her last regular position due to disability, the employee must inform HDC of such inability to return to work prior to the expiration of FMLA. In such instances, the Agency will engage in a case-by-case analysis with the employee to determine if a reasonable accommodation exists that would allow the employee to return to work, or if additional leave would be reasonable.

## *Human Development Council*

### **601 Family Medical Leave Act (FMLA) - continued**

Effective Date: 08/01/2018

#### **Employee Notice to the Agency**

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable. Employees are required to comply with Agency call in and notice-of-absence rules. In addition, employees who are on FMLA leave must report to their supervisor on a weekly basis on their status and any changes in their status, including the anticipated return to work date. Employees should speak with their supervisor to establish a call in day for this purpose.

In providing notice of a need for FMLA leave, employees must provide enough information to permit HDC to determine if the leave may qualify for FMLA and the expected timing and duration of the leave. Sufficient information may include that the employee is unable to perform one or more job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a healthcare provider, or circumstances supporting the need for military family leave. Calling in sick is not sufficient and will not provide HDC with enough information to make an FMLA assessment. If the request is for leave that previously was designated as FMLA leave, the employee must inform the Agency of this when again requesting leave.

Certification of the need for FMLA, whether from a health care provider or otherwise, may be required of the employee. When certification of the need for leave is required, employees will need to return the appropriate certification form to HDC within **15 calendar days**. Failure to return the form timely may result in FMLA leave being delayed or denied. For situations involving a serious health condition, a second or third medical opinion (at our expense) may be required upon our request, as may periodic recertifications. **FMLA may be denied if proper certification is not submitted.**

#### **HDC's Notice to the Employee**

An employee who requests FMLA leave will be informed of his/her eligibility for leave, any additional information that HDC will require, and his/her employee's rights and responsibilities under FMLA. If an employee is found ineligible, he/she will be informed of the basis for this determination. If the employee is FMLA-eligible and the reason for the leave is FMLA-qualifying, the employee will be provided with notice of the designation of the leave as FMLA leave and the amount of leave available. If the leave request is found not to qualify for FMLA leave, the employee will be informed of basis for this determination.

#### **Non-Retaliation Under FMLA**

HDC supports its employees' right to the protections available under the FMLA and will not interfere with, restrain, or deny employees the opportunity to exercise their FMLA rights, nor will HDC discharge or discriminate against any employee for opposing practices prohibited by the FMLA or being

## *Human Development Council*

### **601 Family Medical Leave Act (FMLA) - continued**

Effective Date: 08/01/2018

involved with FMLA proceedings. Employees who believe that their rights to FMLA leave have been violated in any way should bring the matter to the attention of the Executive Director promptly. In addition, or alternatively, employees have the right to file a complaint with the U.S. Department of Labor or under civil law. HDC will not retaliate against any employee who asserts a right to take FMLA leave, who takes leave in compliance with HDC policies, or who lodges or supports a complaint concerning his/her FMLA rights. Any employee who believes that he/she is being retaliated against should immediately notify the employee's supervisor or the HR department so that appropriate action can be taken.

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## *Human Development Council*

### **602 Personal Leave of Absence**

Effective Date: 08/01/2018

Regular full-time employees who have completed 90 calendar days of continuous service with HDC may request an unpaid personal leave of absence for a period of up to 4 workweeks. An unpaid personal leave must be requested in writing at least 30 days in advance, unless necessitated by an emergency, in which case oral notification should be followed by written application for the leave.

An unpaid personal leave may be granted for any justifiable reason at HDC's discretion, and HDC reserves the right to deny such request for business needs and/or staffing requirements. Job performance, absenteeism and participant requirements will also be taken into consideration before a request is approved. Employees must use available Paid Time Off (PTO) before taking time off as unpaid.

Benefit accruals, such as Paid Time Off (PTO) and holiday benefits, will be suspended during the leave and will resume upon return to active employment.

HDC cannot guarantee reinstatement to employees returning from leave, unless reinstatement is required by the Uniformed Services Employment and Reemployment Rights Act (USERRA), or another federal, state, or local law, but will make every effort to reinstate employees to their former positions if business requirements permit.

If an employee fails to return to work on the agreed upon date, HDC may assume that the employee has elected to voluntarily resign from employment.

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## *Human Development Council*

### **603 Military Leave (USERRA)**

Effective Date: 08/01/2018

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Military leave will be unpaid. However, employees may use any available PTO for the absence. Continuation of health insurance benefits (if applicable) is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as PTO leave or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

An employee will be re-employed by HDC so long as re-employment would not be impossible or unreasonable, or impose an undue hardship on HDC. The employee ordinarily will be re-employed in the position he or she would have attained if continuously employed, if the employee is qualified. Such employee will be treated as though he or she was continuously employed for purposes of determining benefits based on length of service.

An individual loses the protection of the military leave laws if he or she receives a dishonorable discharge or bad conduct discharge from the service; is discharged under other than honorable conditions as characterized in relevant government regulations; or is dismissed or dropped from the rolls by the government.

HDC will comply with all applicable military leave laws, including without limitation the USERRA, and will not discriminate or retaliate against any individual who exercises his or her rights under those laws.

Contact the Executive Director for more information or questions about military leave.

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## *Human Development Council*

### **604 Reasonable Accommodation for Disabilities Related to Pregnancy**

Effective Date: 08/01/2018

Under Maryland law, pregnant employees are entitled to a reasonable accommodation for a disability caused or contributed to by pregnancy. If an employee provides the Executive Director a certification from a health care provider as to restrictions on their ability to perform their job while the employee is pregnant, HDC will explore with the employee all possible means of providing a reasonable accommodation, which may include, but not be limited to:

- changing job duties;
- changing work hours;
- relocating work area;
- providing mechanical or electrical aids;
- transfer to a less strenuous or less hazardous position; or
- providing leave

HDC is not required to make any accommodation for a pregnant employee that imposes an undue hardship on the Agency.

If you have any questions or concerns, please contact the HR department.

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## *Human Development Council*

### **701 Employee Conduct and Work Rules**

Effective Date: 08/01/2018

HDC expects every employee to adhere to the highest standards of job performance and of personal conduct, including individual involvement with Agency personnel and outside business contacts.

The following list is intended to give you notice of our expectations and standards and provide examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment. The list does not include every type of infraction as it is not possible to list all the forms of behavior that are considered unacceptable in the workplace. Examples include:

- Theft or inappropriate removal or possession of property
- Falsification of documentation
- Working under the influence of alcohol or illegal drugs, or other violation of the [Drug Free Workplace/Substance Abuse Policy](#)
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned equipment
- Fighting or threatening violence in the workplace
- Negligence or improper conduct leading to damage of employer-owned or participant-owned property
- Insubordination
- Violation of safety or health rules
- Smoking in prohibited areas
- Abuse or neglect of a participant
- Jeopardizing the health and safety of a participant
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized use of telephones, mail system, or other Agency-owned equipment
- Unauthorized disclosure of business "secrets" or confidential business or employee information
- Violation of personnel policies
- Unsatisfactory performance or conduct as determined by HDC.
- Being convicted of a crime that indicates unfitness for a job or presents a threat to the Agency or its employees in any way.
- Any other conduct of a serious nature that, in the sole opinion of HDC, violates the standards it can reasonably expect from employees.

Employment with HDC is at the mutual consent of HDC and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

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## *Human Development Council*

### **702 Drug Free Workplace/Substance Abuse**

Effective Date: 08/01/2018

It is HDC's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. HDC's policy is intended to comply with all federal and state laws governing drug and alcohol testing and is designed to safeguard employee privacy rights to the fullest extent of the law. Drug and alcohol testing for employees in safety sensitive positions (i.e. CDL drivers) will be administered in accordance with DOT regulations.

While on HDC's premises, in an Agency vehicle (whether owned or leased), or while conducting business-related activities off HDC's premises, no employee may manufacture, distribute, dispense, possess, sell, transfer, transport, use or be under the influence of illegal drugs, controlled dangerous substances or alcohol. The only exception to the consumption of alcohol is an Agency-sanctioned event where alcohol is served. Nevertheless, employees are expected to use discretion when consuming alcohol during these events and under no circumstances should any such employee operate a vehicle or equipment after consuming alcohol at any such event which renders him or her legally intoxicated and/or otherwise impaired to drive. No alcohol will be served to anyone under the age of 21.

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

HDC will not tolerate an employee who exhibits physical symptoms such as blood-shot, dilated or glassy eyes, or a strong aroma of alcohol that indicates the employee may be unable to perform required duties. The employee who drinks alcohol off duty is responsible to do so in a responsible manner and one which eliminates its odor and effects before reporting to work.

As a condition of employment, all employees must abide by the terms of this policy and notify HDC, in writing, of any criminal drug statute conviction, no later than five (5) days after such conviction.

HDC is committed to providing a safe, efficient, and productive work environment for all employees and participants. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, employees reasonably suspected of drug or alcohol use in the workplace may be asked to provide body substance samples (such as urine, breath and/or blood) to determine the illicit or illegal use of drugs and alcohol. Any employee involved in an on-the-job accident may be asked to provide body substance samples (such as urine, breath and/or blood) to determine whether illicit or illegal use of drugs and alcohol was involved. Reasonable suspicion may exist in a variety of circumstances, including, but not limited to: (1) where an employee manifests physical or behavioral symptoms or reactions commonly attributed to the use of illegal drugs

## *Human Development Council*

### **702 Drug Free Workplace/Substance Abuse -continued**

Effective Date: 08/01/2018

or alcohol, which could include appearance, conduct, speech, or odor, or (2) HDC otherwise receives reliable information indicating that an employee or group of employees may be engaging in conduct that violates this policy. Reasonable suspicion will be determined at the sole and absolute discretion of Agency management.

Illegal drugs and controlled dangerous substances are those which cannot be legally obtained, including (without limitation) controlled dangerous substances and controlled substance analogues, as well as those drugs which, although legal, have been illegally obtained (i.e., prescribed drugs not being used for prescribed purposes, including amphetamines and barbiturates). Examples of illegal drugs include (without limitation) cocaine, "crack", heroin, morphine, phencyclidine (PCP), hallucinogens, methamphetamine, marijuana, and other narcotics.

"Under the influence" means that the employee is affected by alcohol, drugs or the combination of both in any detectable manner. This may be established by professional opinion, a scientifically valid test, or, in some cases, by observation of impairment of physical or mental ability, such as slurring of speech, difficulty in maintaining balance, etc.

Refusal to submit to the types of drug and alcohol tests employed by HDC may be grounds for refusal to hire applicants, and for termination of employment of existing employees. A "refusal to test" is defined as any conduct that would obstruct the proper administration of a test. A delay in providing a urine, breath and/or blood specimen may constitute a refusal. If an individual cannot provide a sufficient urine specimen or adequate breath, he or she will be evaluated by a physician of HDC's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either urine or breath), the individual will be considered to have refused to test.

Each employee is required to immediately report any violation of this policy to the Executive Director. An employee who fails to report such a violation may be subject to disciplinary action, up to and including discharge.

Where HDC has reason to believe that an employee is in violation of this policy, he or she may be asked to submit immediately to a search of his or her person and/or to make his or her work areas, lunch box, briefcase, purse, packages, personal belongings, desk, vehicles, or any other receptacle he or she uses or has access to, available for inspection. Such search or inspection typically will be conducted in the presence of at least one witness other than the HDC representative performing the search or inspection. Entry onto HDC's premises (including, without limitation, parking lots) constitutes consent to search and inspection. Refusal to consent to search or inspection shall be considered grounds for which an employee may be disciplined, up to and including termination of employment.

## *Human Development Council*

### **702 Drug Free Workplace/Substance Abuse -continued**

Effective Date: 08/01/2018

Any employee who engages in prohibited conduct as set forth herein, including without limitation testing positive for alcohol and/or illegal drugs, or refusing a test under this policy, may be subject disciplinary action, up to and including termination of employment.

Notwithstanding the foregoing, HDC recognizes that alcohol or drug dependence can be a significant personal problem and that employees should be encouraged to come forward voluntarily to overcome such problems. Employees who want to obtain professional assistance in dealing with dependence problems may voluntarily inform the Executive Director that a rehabilitation or treatment program will be undertaken. HDC will cooperate reasonably with such treatment efforts.

Such requests for voluntary assistance must be made prior to any known violation of this policy and before HDC has initiated an investigation or selected the employee for a drug or alcohol test. Any employee who fails or refuses a drug or alcohol test, or has otherwise committed a known violation of this policy, will not be excused from such violations by expressing a willingness to participate in rehabilitation or treatment. All such requests must be made voluntarily and prior to investigation under this policy.

An employee participating in a rehabilitation or treatment program must comply with all requirements of the program, provide certification of completion to HDC, and test negative on an initial follow-up test.

Following such a treatment program, follow-up testing may be conducted for up to one year at the discretion of HDC.

All information received by the Agency through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with the Executive Director without fear of reprisal

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## *Human Development Council*

### **703 Attendance and Punctuality**

Effective Date: 08/01/2018

To maintain a safe and productive work environment, HDC expects employees to be reliable and punctual in reporting for scheduled work. Attendance is a key factor in your job performance. Absenteeism and tardiness place a burden on other employees and on HDC. Each employee's daily attendance is essential to the ongoing operation and success of HDC as a whole.

In the rare instance when you cannot avoid being late to work or are unable to work as scheduled, you should notify a supervisor at least one hour in advance of the anticipated tardiness or absence. If the supervisor is not available, you must speak with the HR department or the Executive Director. You should call in each day of an absence due to illness unless you provide a written medical authorization to be excused for a specific amount of time. Any planned absence from work must be approved in advance by management.

Satisfying the above requirements does not necessarily excuse your absence or tardiness. If your absence is due to illness, we reserve the right to require written medical documentation verifying the nature of the illness, its duration, and your ability to return to work. HDC reserves the right to require employees who demonstrate a recognizable and recurring pattern of excessive absences to provide a doctor's excuse for their absences. Any employee absent for three or more scheduled work days must submit the above-mentioned medical authorization before a return to work will be permitted.

Frequent, excessive or pattern tardiness and absenteeism, as well as frequent leaving work early, may jeopardize your continued employment. HDC may issue oral or written warnings, suspend, or terminate your employment in our discretion. If you fail to call in for three consecutive work days, you may be deemed to have voluntarily resigned your employment.

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## *Human Development Council*

### **704 Personal Appearance/Dress Code**

Effective Date: 08/01/2018

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image HDC presents to participants and visitors. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Specific department policies may be provided by supervisors and may be updated on a regular basis.

The following are personal appearance guidelines but are NOT intended to be all inclusive:

- All clothing should be clean and in good condition (check for stains, holes and frayed areas before leaving for the office.)
- Pay attention to the fit of your clothing. Avoid too short, revealing, or tight fitting clothing. Undergarments should not be visible.
- Tank tops, tube or halter tops, and sweat pants are not considered appropriate during business hours.
- Shirts and pants must not contain inappropriate or offensive graphics or language.
- Open toe shoes are not permitted.
- Administrative Professional and Clerical staff are not permitted to wear shorts, jeans, sneakers, t-shirts or sweatshirts.
- Mustaches and beards must be clean and groomed.
- Offensive body odor and poor personal hygiene is not professionally acceptable.
- Perfume, cologne, and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.
- Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, is not professionally appropriate and must not be worn during business hours.
- Jewelry should not be functionally restrictive or dangerous to job performance. Employees who work directly with participants may not wear earrings or necklaces.

Employees who report for work inappropriately dressed or exhibiting other poor personal appearance may be sent home and directed to return to work in proper attire and/or proper appearance. Consult the Executive Director if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a qualified disability in accordance with the law.

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## *Human Development Council*

### **705 Employment Terminations**

Effective Date: 08/01/2018

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- **Resignation** - voluntary employment act initiated by the employee to terminate employment with HDC. Although advance notice is not required, HDC requests the professional courtesy of at least 2 weeks' written resignation notice. Exempt employees are requested to give (30) days written notice. An employee's failure to provide advance notice as requested may negatively impact his or her consideration for rehire.

Prior to the employee's departure, an exit interview may be conducted with the supervisor. The exit interview provides employees with the opportunity to freely express views about working at HDC. Suggestions, complaints, and questions may also be voiced during the exit interview. HDC values the information received during this process, however the employee has the option to decline providing their views.

An employee who resigns will be paid through the last day of work less outstanding loans, advances or other written agreements the employee may have with the Agency. The check will be issued on the next regular payday.

- **Discharge** - involuntary employment termination initiated by the organization. Any advanced PTO leave that has not been accrued as of the termination date will be deducted from the employee's final paycheck.
- **Layoff** - involuntary employment termination initiated by the organization for non-disciplinary reasons.
- **Retirement** - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Since employment with HDC is based on mutual consent, both the employee and HDC have the right to terminate employment at will, with or without cause, at any time so long as there is no violation of applicable federal, state, or local law.

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## *Human Development Council*

### **706 Return of Property**

Effective Date: 08/01/2018

Employees are responsible for all HDC's property, materials, or written information issued to them, written by them or in their possession or control. All HDC's property must be returned by employees on or before their last day of work. Where permitted by applicable laws, HDC may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. HDC may also take all action deemed appropriate to recover or protect its property.

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## *Human Development Council*

### **707 Corrective Action**

Effective Date: 08/01/2018

The purpose of this policy is to state HDC's position on administering equitable and consistent corrective action for unsatisfactory conduct in the workplace. The best corrective measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

HDC's own best interest lies in ensuring fair treatment of all employees and in making certain that corrective actions are prompt, uniform, and impartial. The major purpose of any corrective action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with HDC is based on mutual consent and both the employee and HDC have the right to terminate employment at will, with or without cause or advance notice, HDC may use progressive corrective action at its discretion and reserves the right to combine and skip steps depending upon the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or corrective action.

Corrective action may call for any of four steps, verbal warning, written warning, suspension with or without pay, or termination of employment, and - depending on the severity of the problem and the number of occurrences, as well as the offending employee's work history, there may be circumstances when one or more steps are bypassed.

Progressive corrective action means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

While it is impossible to list every type of behavior that may be deemed a serious offense, the [Employee Conduct and Work Rules Policy](#) (#701) includes examples of problems that may result in immediate suspension or termination of employment. However, the examples listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive corrective action.

By using progressive corrective action, the Agency hopes that most employee problems can be corrected at an early stage, benefiting both the employee and HDC. Employees should contact the Executive Director with any questions regarding HDC's Corrective Action Policy,

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## *Human Development Council*

### **708 Grievances**

Effective Date: 08/01/2018

HDC is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from HDC supervisors and management.

HDC strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with HDC in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step. Problem resolution procedure:

1. Submit grievance in writing to the supervisor within five (5) business days after incident occurs. Supervisor will provide written response with (5) business days of receipt of the grievance.
2. If employee is not satisfied with the supervisor's response, he/she should submit a written appeal along with the original grievance within three (3) business days of the supervisor's response to the Executive Director.
3. The Executive Director will investigate the grievance and will respond to the employee in writing within ten (10) business days of receipt of the appeal.
4. If the employee is still not satisfied with the Executive Director's decision, he/she should submit an appeal along with all documentations to the Board of Directors. The Board of Directors will review the appeal at the next regularly scheduled meeting and provide the employee and Executive Director with a written response within five (5) business days of its decision. The decision of the Board of Directors is final.

Not every problem can be resolved to everyone's total satisfaction; however, through understanding and discussion of mutual problems, employees and management develop and increase confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

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## *Human Development Council*

### **709 Solicitation**

Effective Date: 08/01/2018

In an effort to ensure a productive and harmonious work environment, persons not employed by HDC may not solicit or distribute literature on HDC's premises at any time for any purpose.

HDC recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time or in any work area. Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.

In addition, the posting of written solicitations on Agency bulletin boards is restricted. All postings must be approved by their Supervisor. These bulletin boards display important information, and employees should consult them frequently for:

- Organization announcements
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information

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## *Human Development Council*

### **710 Business Gifts**

Effective Date: 08/01/2018

HDC wants to avoid the appearance of impropriety in the acceptance of gifts from business contacts or participants. It is the express policy of HDC that you are prohibited from, either directly or indirectly, asking, demanding, exacting, soliciting, or seeking anything of value for yourself or for any other person or entity.

It is the express policy of HDC that you are prohibited from, either directly or indirectly, accepting, receiving, or agreeing to receive anything of value for yourself or for any other person or entity (other than your paycheck from the Agency) for or in connection with any transaction or business of the agency that has a value of \$20 or more. If you are promised, offered or given anything of value from any participant, vendor or perspective participant for or in connection with any transaction or business of the agency, you are to advise your immediate supervisor at once.

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