

## Employment

Employment guidelines are an important part of the employer/employee relationship. Both employees and candidates for employment should have a good understanding of the employment opportunities available and the employment requirements expected at Kids Central numerous federal, state, and local laws govern many of the systems established in the employment process. In addition, Kids Central officers have added some reasonable steps to ensure that the workforce is comprised of qualified, talented, and diverse employees who are willing to work in a mutually supportive manner. Kids Central expects all employees with supervisory authority to be uncompromising in their search for and management of employees by following these policies.

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## Attendance

Kids Central understands occasions arise when an employee must be absent from work. At the same time, it is important for employees to understand that punctuality and regular attendance are essential to insure optimal productivity and customer service. If an employee is unable to report to work, they are expected to notify their supervisor within one (1) hour prior to their starting time.

### PROCEDURE

1. Authorized Absence – the employee notifies their supervisor in advance and obtains approval to be away from, or late to work.
2. Unauthorized Absence – an employee not showing up for work, not calling in, and not having a valid reason for an absence, as determined by the supervisor.
3. Unscheduled Absence – an absence and/or tardy that is unrelated to authorized time off.
4. Tardiness – an employee who is more than five (5) minutes but less than two hours late to work. This also includes leaving early for lunch, returning late from lunch, and leaving prior to the end of the scheduled workday without approval.
5. Late Report – failure to notify supervisor when unable to report to work within one (1) hour of the start time.
6. Partial Absence – arriving at work two (2) hours late but missing less than 50% of a scheduled workday.
7. Full Absence – missing 50% or more of a scheduled workday.
8. Patterned Absence – absences before or after weekends, holidays, or following payday.
9. Excessive Absenteeism – Refers to repeated occurrences (more than six in six months) of unscheduled absence and/or tardiness that are unrelated to approved time off.

## **Child Abuse updated 3/2017**

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

### **PROCEDURE**

1. Employees will preserve the confidentiality of all records pertaining to child abuse or neglect in accordance with applicable state law.
2. No one within Kids Central will undertake, on their own, to treat cases of child abuse and neglect. Employee or volunteers must not attempt to investigate suspicion of child abuse or neglect.
3. Each employee will cooperate fully with child protective service agencies.
4. Kids Central will make every effort to retain in the program children allegedly abused or neglected.
5. Kids Central Staff is designated with responsibility for:
  - a. Establishing and maintaining cooperative relationships with the agencies providing child protective services in the community, and with any other Agency to which child abuse and neglect must be reported under state law, including regular formal and informal communication with staff at all levels of the agencies;
  - b. Informing parents and staff of what state laws require in cases of child abuse and neglect;
  - c. Knowing what community medical and social services are available for families with an abuse or neglect problem;
  - d. Reporting instances of suspected child abuse and neglect reportable under state law on behalf of Kids Central to the Department of Social Services.
  - e. An incident or suspected incident involving a staff member or volunteer must be reported to the Regional Office of Head Start as well as the Dept. of Social Services.
  - f. The staff member or volunteer will not have contact with the children until the incident is resolved.

## **Communications and Expectations**

Kids Central believes that the employment relationship is a shared responsibility of the employer and employee and it promotes good employee relations through on-going communications which include periodic organization-wide notices, voice mail, electronic mail, handbooks, brochures, web site, newsletter, and policy and procedures updates. A hallmark of Kids Central's commitment to fair and equitable treatment is Kids Central policy of dealing directly with employees without the presence of external representatives.

At the same time, Kids Central expects that employees understand that their primary role is to perform their job to the best of their ability and to provide service to Kids Central's mission of excellence. The mutual commitment and responsibility as outlined below will serve the best interests of both Kids Central and its employees.

### **PROCEDURE**

To demonstrate its sense of community, Kids Central will:

1. Foster and preserve open communications
2. Offer opportunities to develop new ideas and projects
3. Promote standards of excellence of which all employees can be proud
4. Treat all members of the Kids Central community fairly, equitably, and courteously
5. Provide employees with the resources and training to maximize productivity
6. Set aggressive but achievable goals
7. Serve employees through a talented team of leaders
8. Provide employees with means to discuss Kids Central practices
9. Solicit employee input as necessary on a variety of issues
10. Develop appreciative leadership organization wide
11. Promote an inclusive environment

As members of the Kids Central community, employees will:

1. Treat all members of the community fairly, equitably, and courteously
2. Value the different perspectives of team members, departments, and support groups
3. Emphasize a service orientation throughout Kids Central community
4. Utilize the resources and training provided to maximize productivity
5. Promote high standards of performance in themselves and among their peers
6. Conduct themselves in a professional and productive manner
7. Comply with all approved policies and procedures
8. Recognize Kids Central's proprietary interest in service to children
9. Raise issues of ethics, conflict, and concern with the proper personnel, as necessary

## **Confidentiality**

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

### **PROCEDURE**

1. All information pertaining to Kids Central clients is confidential and must not be discussed with or divulged to anyone, unless the performance of their official duties requires access to the information. Even the presence of a particular client should not be acknowledged to others without proper authorization.
2. If an employee terminates employment, the employee must surrender all information-bearing items in his or her possession, whether or not containing confidential information, including but not limited to, diskettes and other storage media, notebooks, reports, and other from any third party, or containing Kids Central confidential information.
3. Confidential information is to be used only in connection with the legitimate functions of an employee's job duties. The release of confidential information other than in treatment of clients shall occur only with proper authorization. If contacted personally about confidential information, the employee should direct the inquiring party to their Supervisor or the Executive Director. Client files should not be removed from the offices of Kids Central.

## **Conflict of Interest**

Kids Central conducts business ethically and avoids conflict of interest including the appearance of such conflicts. All persons involved in Agency operations have an equal obligation to avoid conflicts of interest.

### **PROCEDURE**

1. Employees are expected to report conflicts of interest to the Executive Director immediately upon discovery or suspicion of the conflict. Examples of conflicts of interest are listed below (but are not limited only to these items):
  - a. An outside business interest that competes with the activities of the Agency.
  - b. An outside business that is a supplier of goods or services to the Agency.
  - c. An outside business involvement or employment that interferes with the ability to devote necessary attention to the responsibilities of the Agency.
  - d. A relative or a person with a significant relationship employed by, or has a business interest in companies compete with, or sell to the Agency.
  - e. Gifts, including money, goods or services, from vendors that benefit the employee personally (directly or indirectly) or are unauthorized or questionable in nature.
2. Personal gifts and favors from people with whom the Agency has a business relationship are prohibited. Gifts should be tactfully declined or returned, to avoid any appearance or suggestion of improper influence.
3. Members of the Board of Directors or Policy Council and their immediate family members are not eligible for employment with Kids Central. Former members are eligible for employment following their resignation.
4. Kids Central expects employees to conduct business in accordance with relevant policies, procedures, and laws and to refrain from any illegal, dishonest, or unethical conduct.

## Disciplinary Action

Employees should be aware that Kids Central will not tolerate certain acts and behaviors that are unproductive or detrimental to Kids Central. These acts are usually acts of non-compliance or acts of misconduct and are handled through disciplinary action.

Supervisors are responsible for notifying employees immediately of any act of misconduct or non-compliance that requires disciplinary action. Because each action is a potential cause for employee termination, supervisors must be familiar with and comply with the following steps carefully.

### PROCEDURE

#### Acts of Non-Compliance – Step One – Initial Notification

1. Supervisors are expected to advise an employee of the specific problem and focus the employee on the possible repercussions of such behaviors. Examples of acts of non-compliance requiring disciplinary action include, but are not limited to:
  - Failure to maintain a desired level of performance after performance enhancement plan.
  - Misuse of work time
  - Excessive absenteeism
  - Failure to comply with Kids Central policies and rules
  - Repetitive disregard of stated rules and procedures (i.e., parking, safety equipment requirements, etc.)
  - Disregard of authorized work request
  - Lack of cooperation
  - Failure to follow work instructions
  - Failure to stay at assigned work location
2. Supervisors are to complete the Disciplinary Action Form prior to conducting a meeting with the employee. The supervisor must determine if the situation warrants a written warning of termination or a suspension with the written warning when preparing the disciplinary action form. Consultation with a senior staff member, the Executive Director, or the Human Resource Specialist will be helpful in determining the correct disciplinary approach.
3. The supervisor may elect to conduct the discipline meeting with the employee in the presence of a senior staff member, the Human Resource Specialist, another supervisor, or the Executive Director as soon as possible following the occurrence requiring disciplinary action.
4. In the meeting, the supervisor is responsible for
  - a. Advising the employee that an act of non-compliance has occurred
  - b. Working with the employee to determine the appropriate corrective action in a specified time frame
  - c. Documenting the information on the form



5. The supervisor, a senior staff member, the Executive Director, or the Human Resource Specialist will close the meeting by stressing with the employee the severity of the incident and that if a second occurrence arises, disciplinary action will automatically be termination.
6. After the meeting, the supervisor is responsible for giving a copy of the form to the employee and forwarding a copy of the form to the Human Resource Specialist.

#### Successful Completion of Disciplinary Period

1. If the employee successfully completes the initial notification of disciplinary action resolution in the time given, the supervisor is to write a memo of acknowledgment to the employee. Included in the memorandum will be a warning that if there is a repeat experience of any unsatisfactory performance for the same or different reason, termination is likely.
2. The supervisor will forward a copy of the memo to the Human Resource Specialist to be placed in the employee's personnel file..

#### Acts of Non-Compliance – Step Two – Second Notification-Termination

1. If the employee does not successfully complete the corrective action in the time given, the supervisor is responsible for conducting the second disciplinary session to terminate the employee.
2. The supervisor will complete part two of the form, specifying why the termination was necessary and forward a copy to the employee and to the Human Resource Specialist.
3. The employee will be terminated as of the date of notification.
4. If the disciplinary action results in termination or a voluntary resignation, the Human Resource Specialist is to inform the employee of the normal termination processes and be prepared to conduct the termination on the spot, collect keys, passes, identification cards, etc.

#### Acts of Misconduct – Step One – Initial Notification

1. Supervisors are expected to advise the employee of the specific problem and focus the employee on the repercussions of such behaviors. Examples of misconduct requiring disciplinary action and/or termination include, but are not limited to:
  - Acts of violence
  - Endangering life or property
  - Harassment
  - Sexual harassment
  - Violation or misuse of confidential information
  - Misrepresentation or misuse of authority
  - Reporting to or engaging in Kids Central related work while under the influence of illegal drugs/alcohol
  - Possession and/or sale of illegal drugs on Kids Central property
  - Theft or fraud

- Failure to disclose conflict of interest
  - Possession of a weapon at the workplace
  - Disruptive behavior
  - Insubordination
2. Supervisors are to complete the Disciplinary Action Form prior to conducting a meeting with the employee. The supervisor must determine if the situation warrants termination or a suspension with the written warning when preparing the disciplinary action form. Consultation with a senior staff member, the Executive Director, or the Human Resource Specialist will be helpful in determining the correct disciplinary approach.
  3. Normally, if the employee has engaged in acts of violence or created other similar emergencies, the supervisor should notify the Executive Director that an employee is being suspended immediately to ensure the safety of others even if immediate termination is appropriate. If the employee resists the suspension, the supervisor should call the sheriff or police to escort the employee off Kids Central property.
  4. In cases that are not acts of violence or emergencies, the supervisor will conduct the discipline meeting with the employee in the presence of a senior staff member, the Human Resources Specialist, or Executive Director as soon as possible following the occurrence requiring disciplinary action.
  5. In the meeting, the supervisor is responsible for
    - a. Advising the employee that an act of misconduct has occurred
    - b. Working with the employee to determine the appropriate corrective action in a specified time frame
    - c. Indicating that an investigation may be undertaken, if applicable
    - d. Documenting that information on the form.
  6. If the disciplinary action is a suspension, the supervisor will close the meeting by stressing with the employee the severity of the incident and that a second occurrence will automatically result in termination.
  7. After the meeting, the supervisor is responsible for giving a copy of the form to the employee and forwarding a copy of the form to the Human Resource Specialist.

#### Successful Completion of Disciplinary Period

1. If the employee successfully completes the initial notification of disciplinary action resolution in the time given, the supervisor is to write a memo of acknowledgment to the employee. Included in the memorandum will be a warning that if there is a repeat experience of any misconduct for the same or different reason, termination is likely.
2. The supervisor will forward a copy of the memo to the Human Resource Specialist to be placed in the employee's personnel file.

Acts of Misconduct – Step Two – Second Notification – Termination

1. If the employee does not successfully complete the corrective action in the time given, the supervisor is responsible for conducting the second disciplinary session to terminate the employee in the presence of the Human Resources Specialist, senior staff member, or Executive Director.
2. The supervisor will complete part two of the form, specifying why the termination was necessary and forward a copy to the employee and to the Human Resource Specialist.
3. The employee will be terminated as of the date of notification. If the disciplinary action results in termination or a voluntary resignation, Human Resource Specialist is to inform the employee of the normal termination processes and be prepared to conduct the termination on the spot, collect keys, passes, identification cards, etc.

## **Employment At Will**

Employment-at-will impacts employment relationships at Kids Central. Employees who do not have a written employment agreement for a definite period of time are employed at the will of KCI for an indefinite period. Employees may resign from KCI, or be terminated, for any reason and with or without notice.

### **PROCEDURE**

1. No one may modify this policy for any employee or enter any agreement contrary to this policy. No one shall make any representation to any employee or applicant concerning any term or condition of employment with the Agency that is not consistent with this policy.
2. No statement contained in this policies and procedures manual, employee handbook, employment application, recruiting material, Agency memorandum, or other material provided to any employee in connection with his or her employment, shall be construed as contradicting this policy by creating any express or implied contract of employment.
3. At the time of hiring, each employee shall be informed that he or she is employed at the will of Kids Central and is subject to termination at any time, for any reason, with or without notice and with or without cause.
4. Completion of a probationary period shall not change an employee's status as an employee-at- will or in any way restrict KCI's right to terminate such an employee.

## **Employee Classifications and Status**

KIDS Central recognizes three employee classifications: Executive, Senior Staff and Staff. The employment status of our employees can be defined in three ways: full-time employee, part-time employee and temporary employee. The opportunity to employ individuals with different employment status in each classification satisfies the flexibility necessary for KIDS Central to meet the varying employment needs. Definitions of each classification and status are shown below. The combination of employee classification and employment status determines the application of other human resource policies as well as eligibility for benefits.

### **PROCEDURE**

1. Positions are classified in three (3) ways:
  - a. Executive Staff: Executive Director
  - b. Senior Staff: Comptroller, Family and Community Partnership Director, and the Educational Services Director
  - c. Staff: All others who work for Kids Central
2. Full-Time Employee
  - a. A full-time employee is an employee regularly scheduled to work 40 hours per week for 52 weeks per year, may be exempt or non-exempt, and is not a temporary employee. Full-time employees are eligible for benefits.
3. Regular Part-Time Employee
  - a. A regular part-time employee is an employee regularly scheduled to work 40 hours per week for less than 52 weeks per year, may be exempt or non-exempt, and is not a temporary employee. Regular part-time employees are eligible for benefits.
4. Part-Time Employee
  - a. A part-time employee is an employee regularly scheduled to work less than 40 hours per week for less than 52 weeks per year, and is not a temporary employee. Part-time employees are not eligible for benefits.
5. Temporary Employee
  - a. A temporary employee is hired as an interim replacement to supplement the work for or to assist in a specific project. Temporary employees will have a length of employment not to exceed six months.
6. Volunteer
  - a. The term "volunteer" refers to an unpaid person who assists in implementing ongoing program activities on a regular basis under the supervision of a staff person.

## 7. Consultant

- a. A person who receives compensation for professional or technical services at a fee agreed upon and paid by Kids Central, who is engaged as an independent contractor for specified services and is not a Kids Central employee. Consultants will be informed that their compensation will be reported to the IRS and a 1099 Form will be issued for all contracts.

## DEFINITIONS

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

### 1. Exempt Employee

- a. Employee is paid to do a job and must meet the DOL requirements for exemption
- b. Employee is excluded from specific provisions of federal and state wage and hour laws
- c. Employee is not eligible for overtime pay

### 2. Non-Exempt Employee

- a. Employee is paid on an hourly or salary basis
- b. Employee is eligible for overtime pay for hours worked in excess of 40 hours in a work week

## **Employee Orientation**

New employees must understand Kids Central's mission, goals and objectives. This includes the scope of services and an employee's contribution in the accomplishment of these goals and objectives. All newly hired employees are required to participate in the Employee Orientation program.

### **PROCEDURE**

1. The Human Resource Specialist is responsible for:
  - a. Offering new employee orientation after candidate receives and accepts offer of employment.
  - b. Verifying new employee's eligibility for employment by following the Department of Homeland Security's eligibility requirements.
  - c. Ensuring new employees complete all necessary personnel forms correctly.
  - d. Providing benefit information and applications to eligible new employees. This includes explaining eligibility dates and premiums.
  - e. Providing information and resources pertaining to the personnel Policies and Procedures.
  - f. Sending new employees for a pre-employment drug screen, physical, and TB screen at Kids Central's current contracted clinic.
  - g. Taking a photo of new employees for their identification badge which must be worn during working hours.
  - h. Reviewing job description and obtain employees signature.
  - i. Reviewing employee handbook and obtain employees signature.
  - j. Explaining time sheet/payroll procedures.
  - k. Reviewing performance management process.
  - l. Reviewing organizational chart and chain of command.
  - m. Demonstrate Kids Central's website.
  - n. Introducing new hires to administrations staff.
  - o. Reviewing Kids Central's mission statement and vision.
  - p. Reviewing Head Start Philosophy.
  - q. Providing information and resources pertaining to online Child Abuse training and collecting documentation of completion of this training.
  - r. Providing OSHA training.
  - s. Reviewing Safety procedures.
  - t. Collecting documentation meeting job qualification requirements such as but not limited to certification certificates and education transcripts.
2. The new employee's Supervisor is responsible for:
  - a. Providing each new employee with orientation specific to his/her duties and workplace.
  - b. Providing appropriate new employees with information required by the Licensing Standards.
  - c. Provide on-the-job training needed for new employees to assume their responsibilities
  - d. Initiating the 30, 90, and 180 day evaluation process during the first week of employment.
  - e. Introducing new hire to co-workers.
  - f. Assign keys and any other equipment provided by KCI.
  - g. Review attendance policy and time off procedures.
  - h. Review work schedule (hours and days).
  - i. Initiate Professional Development Plan located in Performance Evaluation document.

- j. Follow-up every two weeks or as needed during probationary period.
3. New employees are responsible for:
- a. Participating in appropriate orientation processes.
  - b. Seeking information to enhance his/her orientation processes.
  - c. Completing and returning all appropriate personnel and benefit forms and applications.
  - d. Participating in Professional Development Plan.



## **Employee Probationary Period**

All new and rehired employees, and all current employees who have transferred or been promoted to a new position, shall be placed on probationary status for the first ninety (180) days of employment. This is to help build a successful working relationship between Kids Central and its employees.

The purpose of a probationary period is to: confirm that the employee demonstrates the skills to be successful in the position; provide a period of adjustment to the Kids Central community; conduct orientation and training as required; communicate employment expectations and standards of excellence; and provide the employee an opportunity to review and commit to these standards.

### **PROCEDURE**

1. Newly hired employees will work in a probationary period for the first ninety (180) days of employment.
2. Supervisors are responsible for developing a start-up plan that will include on-going job training and performance counseling during the probationary period.
3. Supervisors are responsible for completing an evaluation on the employee's progress after 30 days, 90 days, and 180 days of employment. The final evaluation during the probationary period should recommend either continued employment, to extend the probationary period for an exact number of days, or to terminate employment.
4. If employment is terminated by the employee prior to the end of their 180 day probationary period, Kids Central will deduct from the employee's final paycheck all costs of the physical, tuberculosis screen, pre-employment drug screen, criminal history check and child protective services check. Your signature on the Applicant's Agreement and Certification Form authorizes this deduction.

## Employee Recognition

Kids Central seeks to encourage and recognize outstanding performance by employees. Officially approved recognition programs in development and currently in place include the Award for Distinguished Service, the Staff Service Award, In-Appreciation Awards, Special Awards and various awards to recognize outstanding work. Nominations of persons to be recognized through these programs are solicited annually and award recipients are announced at the annual awards and installation banquet, in the newsletter, on the web site and other Kids Central communications.

### PROCEDURE

1. Outstanding Performance
  - a. Supervisors are encouraged to develop meaningful, yet simple, recognition opportunities in their area of responsibility. Departments may establish recognition systems for contribution, effort and accomplishment. Recognition may be in the form of announcements, either personal or public, or in the form of reward(s).
  - b. Additional forms of recognition for outstanding performance by employees are periodically proposed or reviewed by the Human Resources Department and the Office of the Executive Director. The Comptroller and the Senior Management Team are authorized to approve employee recognition programs for general staff, academic and administrative areas respectively.
2. Employee Involvement
  - a. Supervisors and the Human Resources Department will actively encourage and recognize employees who participate in activities of Kids Central. Such opportunities include:
    - \* Employee participation and support of the goals of the organization
    - \* Employee involvement on various committees and task forces
    - \* Employee involvement on special projects
3. Personal and Professional Development
  - a. The Human Resources Department will work with Supervisors to provide acknowledgement or certificates when employees have worked to develop their skills or increase their qualifications. These opportunities include:
    - \* Participation in staff meetings
    - \* Participation in leadership activities
    - \* Completion of software tutorials and courses
  - b. Supervisors will forward copies of certifications from training taken externally to the Human Resource Department for inclusion in the personnel file.

## **Employment Decisions**

To insure the integrity of the recruiting and hiring process, Kids Central delegates the authority to approve employment offers as follows:

For the Executive Director and all key personnel positions as specified in the grant application or award document – the Board of Directors with approval of the Policy Council and the Office of Head Start.

For all other positions – the Executive Director with approval of the Board of Directors and Policy Council

### **PROCEDURE**

1. The Executive Director will work with the senior staff to fill all positions within the organization. The process will include review of applications and interviews with candidates.
2. When warranted, a search committee will be established. The search committee for the Executive Director position will consist of the Board of Directors Manpower Development Committee members and any other members of the Board appointed by the Chairperson. The Chairperson will also appoint members of the Policy Council to serve on the search committee.
3. The hiring authority may make an offer of employment, assuming the appropriate actions have been taken with regard to Equal Opportunity Review, job posting, additional recruiting as necessary, interviewing, concurrence between the hiring supervisor and the hiring authority, satisfaction of employment requirements, and compensation alignment with incumbents and within hiring range of salary grade.
4. Kids Central considers an employment offer the beginning of the employment relationship and places strong emphasis on ensuring that the offer is well thought out and suitable for the candidate in question. Any information relating to terms of employment will be presented in a positive and complete manner and reviewed and approved by the hiring authority. This attention to the beginning of the employment relationship helps to establish good relations, emphasize mutual expectations and contributions, and avoid future misunderstandings with regard to the responsibilities, opportunity and benefits available to the employee.

## **Employment of Former Employees**

Kids Central allows former employees to be rehired provided there are no prior performance problems or policy violations. Employees rehired will be reinstated with their new date of hire.

### **PROCEDURE**

1. Former employees rehired will be required to use their new hire date. Benefits will be calculated using the rehire date as their first date of employment for eligibility.
2. Former employees will be subject to a probationary period.
3. Former employees shall not be given preference as job applicants for rehiring.
4. Former employees are subject to all pre-employment procedures as new employees.

## **Equal Employment Opportunity**

Kids Central shall provide its employees and applicants Equal Employment Opportunities (EEO) without regard to race, color, religion, sex, national origin, age, disability (physical or mental), veteran status, pregnancy, marital status, medical condition, sexual orientation or any other status protected under Federal and state law as outlined in the Equal Employment Opportunity Commission (EEOC) regulations.

This policy applies to recruiting, hiring, appointment and promotion into all position classifications. Kids Central will ensure all personnel policies will be administered without discrimination.

### **PROCEDURE**

1. The Comptroller is responsible for overseeing the administration of the EEO Policy and may act through the Human Resource Specialist as necessary to carry out this policy.
2. Kids Central is responsible for ensuring that it does not illegally discriminate, harass or retaliate in any policy, practice or procedure on the basis of any non-merit factor as outlined in the Federal and state laws and regulations.
3. The Comptroller will compile data for required EEOC reports, ensuring the Agency meets all EEOC-related requirements, including confirming appropriate notices are posted on the bulletin boards of the various programs and sites. This information may also be used to ensure that employment related decisions are made in compliance with Federal and state non-discrimination laws and this policy.
4. Employees are responsible for creating and maintaining a work environment free of discrimination and harassment.
5. Kids Central is committed, and required by law, to take action if it learns of discrimination, harassment or retaliation in violation of the Agency's EEO Policy, whether or not the aggrieved employee files a complaint.
6. An employee, applicant, or volunteer shall be given the option to file a discrimination, harassment or retaliation complaint with the Comptroller or Human Resource Specialist. The complaint must be written and specify date, the event that took place, and the name of the person(s) involved. Both parties will be promptly informed at the conclusion of the investigation whether allegations were founded, unsubstantiated or unfounded.
7. The Comptroller or Human Resource Specialist is responsible for promptly responding to, reporting, and/or investigating any suspected acts of unlawful discrimination, harassment, and retaliation in violation of Kids Central's EEO Policy.

## **Exit Interview**

Exit interviews may be conducted for employees terminating employment with Kids Central who are willing to be interviewed.

### **PROCEDURE**

1. The Supervisor or Human Resource Specialist utilizes the exit interview form to conduct an exit interview with the terminating employee.
2. During this interview, all items belonging to Kids Central must be returned by the employee. This may include keys, cameras, phones, tools and/or equipment. If items are not returned or are returned in less than good condition, an amount equal to the cost of the item will be withheld from the employee's final paycheck.
3. Information gathered from the exit interview will be shared with the Supervisor and the Executive Director to identify any issues and ensure resolution.

## Harassment

Kids Central is committed to maintaining a work environment that is free from harassment where employees at all levels of the Agency are able to devote their full attention and best efforts to the job. Harassment, either intentional or unintentional, will not be allowed in the workplace, nor while traveling for and during all work-related functions, even those held off site from the workplace. Kids Central prohibits, and will not tolerate any form of, harassment of or by any employee or individual within the Agency (whether managerial or non-managerial) based on race, color, religion, sex, national origin, age, disability (physical or mental), veteran status, pregnancy, marital status, medical condition, sexual orientation, or any status protected by Federal and state law and regulation.

### PROCEDURE

#### Sexual Harassment

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following:
  - a. Submission to such conduct is either explicitly or implicitly made a term or condition of employment.
  - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment for working.
2. Examples of sexual harassment include, but are not limited to:
  - a. Some incidents of physical assault.
  - b. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, or promotion.
  - c. Direct propositions of a sexual nature and/or subtle pressure for sexual activity that is unwanted and unreasonably interferes with a person's work.
  - d. Sexual comments or inappropriate references to gender or physical characteristics.
  - e. Sexually explicit statements, questions, jokes, or anecdotes regardless of the means of communication (oral, written, electronic, etc.).
  - f. Unwanted touching, patting, hugging, brushing against a person's body, or staring.
  - g. Inquiries and comments about sexual activity, experience, or orientation.
  - h. The display of inappropriate sexually oriented materials in a location where others can view them.

## Other Harassment

1. All persons involved in the Agency are entitled to work in an atmosphere free of harassment of any kind. Individuals may occasionally make statements or use words, objects, or pictures that others could interpret as being insulting or derogatory towards persons based on their race, color, religion, sex, national origin, age, disability (physical or mental), veteran status, pregnancy, marital status, medical condition, sexual orientation or any other status protected by Federal and state law or regulation.
2. Such conduct may make a reasonable person uncomfortable in the work environment or could interfere with an employee's ability to perform his or her job. Comments or actions of this type, even if intended as a joking matter among friends, are always inappropriate in the workplace and will not be tolerated.

## Reporting Procedures

1. Any individual, regardless of position, who has a complaint of, or who witnesses, harassment at work by anyone has a responsibility to immediately bring the matter to their Supervisor's attention.
2. Kids Central will make every reasonable effort to conduct all proceedings in a manner that will protect the confidentiality of all parties. Parties to the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.
3. Complainants will be asked to provide a detailed, written statement, dated and signed, to the Human Resource Specialist.
4. The Human Resource Specialist will contact the alleged harasser(s), provide them with a copy of the written statement, and ask for a written response to be submitted by a specified date. The response should also identify any person(s) who may have information that would be helpful to the hearing committee's determination. This response will be forwarded to the hearing committee and to the person(s) charging sexual harassment.
5. Once a complaint has been accepted for review, an investigation will begin. The investigation may include, but is not limited to, review of written statements from both parties, witness interviews, obtaining witness declarations, review of documentation, and on-site investigation. Any persons conducting an investigation will maintain a written record of all witness interviews, evidence gathered, the outcome of the investigation, and any other appropriate documents. Records of such an investigation will not be maintained in personnel files unless they are part of a formal corrective action. The outcome of this review will be forwarded to the Hearing Committee, which consists of at least one Board Member, one Policy Council Member, and three Senior Staff Members.
6. A meeting will be arranged between the parties involved and the Hearing Committee. Results of the investigation will be shared during this meeting.
7. If it is concluded that discrimination, harassment, or retaliation has occurred, a determination will be made as to the appropriate corrective action.



8. Either party may appeal the final decision or sanctions to be imposed to the Chairperson of the Board in writing within two (2) weeks of the receipt of the final decision. The Chairperson shall review transcripts of the meeting to determine whether to uphold or reject the findings or sanctions. If in disagreement with the findings and/or sanctions to be imposed, the Chairperson shall provide a written statement of a decision and the reasons for it to the parties. The Chairperson's decision shall be final.

## **Health Insurance Portability and Accountability Act**

Kids Central complies with the proper handling of all private information and individually identifiable health information and outline steps in appropriate Health Insurance and Portability and Accountability Act (HIPAA) compliance.

### **PROCEDURE**

1. Any Protected Health Information (PHI) is confidential and may not be discussed with anyone except on a “need to know” basis in order to perform job duties.
2. PHI is a record that contains individually identifiable information. Information relating to individuals such as names, addresses, birth dates, telephone numbers, fax numbers, electronic mail addresses, social security numbers, health plan beneficiary numbers, or any other unique identifying number, characteristic or code.
3. The regulations are applicable to all health information held or created by Kids Central.
4. Kids Central is prohibited from using or disclosing health information except as authorized by the employee or specifically permitted by the regulation. This includes all personally identifiable health information.
5. Kids Central’s Senior Management Team will be responsible for developing and implementing privacy policies and procedures, as well as ensuring general compliance.
6. Any complaint of a violation will be reported to a privacy officer. They will investigate and take appropriate action to ensure that privacy practices are being followed.
7. Records should be secured in locked file cabinets and access shall be controlled by the Human Resource Specialist.

## **Job Posting**

Kids Central's job posting procedures provide employees with information regarding job opportunities.

### **PROCEDURE**

1. Job announcements will be posted in-house through e-mails and/or fax notices to all current staff for five days. After five days, the job announcement will be placed in the local paper for a minimum of one (1) week.
2. Each job announcement can include, but is not limited to, the date of posting, job title, location, job summary, essential duties, skills and abilities necessary to perform the job, and educational requirements for the job.
3. To be eligible to apply for posted job, an employee must have been in their current position for at least ninety (90) days.
4. Current employees interested in applying for an opening should submit a letter of interest to the Human Resource Specialist. Employees must possess the necessary knowledge, skills and abilities to perform the work of the open position to be considered for an interview. Past work history, including attendance, will be considered in making the final determination.
5. All decisions concerning promotions, transfers, demotions, etc., will be made without regard to race, color, religion, sex, national origin, age, disability (physical and mental), veteran status, pregnancy, marital status, medical, sexual orientation, or any other status protected under Federal and state law.

## **Performance Review Management**

Kids Central acknowledges that all employees benefit from on-going communication with their supervisors on goals, expectations, skills and performance. The intent of this policy is to ensure that a formal process occurs in addition to information feedback during the year. The more formal process, entitled Performance management, is designed to achieve the following goals:

- To link the work of the employee to the work of the group and the department
- To set objectives so that expectations are clear
- To review the objectives mid-year for updates, assistance, and recognition
- To reinforce positive work habits and ethics
- To offer the employee information regarding professional development

In addition to these outcomes, the supervisor will benefit from more frequent conversations by:

- Obtaining suggestions from the employee on operational and functional enhancements
- Having the opportunity to guide employees through development that improves and enriches the productivity of the group
- Improving the likelihood of success for employees who participate in their own development and work objectives

The Human Resource Specialist is responsible for:

- Reminding supervisors of performance review dates
- Providing Performance Management Outline forms

The supervisor is responsible for:

- Setting objectives early in the performance year
- Reviewing objectives and performance standards mid-year
- Finalizing the employee's performance documentation over the twelve-month period.
- Conducting performance management sessions in private with the employee
- Submitting the documentation to the Human Resource Manager no later than 15 days prior to the effective date of any compensation request. Timely performance updates and related salary actions are one of the supervisor's most important responsibilities

All staff that are responsible for supervising employees in any category of employment for Kids Central will complete an annual evaluation on the performance of the employee. The form will be placed in the personnel file of the employee. Forms are available from the Human Resource Specialist.

### **PROCEDURE**

1. There are at least three (2) steps to the Performance Management Process. It is important to understand the process in order to coordinate the timing of steps with the appropriate events.

- a. Rating Period
  - June 1<sup>st</sup> through May 31<sup>st</sup>
  - If new hires have completed their six month employee probationary period before October 1 the Performance Evaluation & Professional Development Plan should be completed.
- b. Beginning Rating Period
  - Complete Professional Development Plan and review competencies standards using the Performance Evaluation & Professional Development Plan form.
- c. End of Rating Period
  - At the end of the performance review period, the supervisor will hold an end of rating period performance discussion with the employee. Together, they will review the objectives for the current review period and the performance rating appropriate for the performance over the same time frame.
  - If an employee's overall competencies rating is unsuccessful/unacceptable or partially successful/needs improvement a performance enhancement plan should be established.
2. Supervisors will give employees two to three days notice of when their performance discussion will be scheduled so that employees may prepare for the discussion. At the discussion, the supervisor and employee should discuss the past year's performance and the update Professional Development Plan for the next review period.
3. At the close of the end of rating period discussion, supervisors are to complete the form Performance Evaluation & Professional Development Plan. The form is a means of documenting the outcome of the discussion, but is not a substitute for a one-on-one oral discussion with the employee.
4. If the employee has a performance enhancement plan at the time of the performance discussion, this process may be considered one step in the performance enhancement plan procedure but must be documented as such. The performance enhancement plan form must be completed as well as the performance evaluation form.
5. If the performance warrants it, a compensation review may occur at the same time as the performance management discussion with the supervisor having had prior authorization regarding approved salary adjustments with his/her supervisor. A review is not a guarantee of an increase.
6. Compensation Review
  - a. The basis for determining staff salary increases is meritorious performance and position within the salary range. A salary adjustment guide will be distributed annually to assist supervisors in calculating appropriate increases per Kids Central's overall budget process.

- b. Employees whose overall rating falls in the lower two rating categories of slightly below standards or below standards are not eligible for an increase.

7. Closure

- a. At each session, the employee will be asked to sign the performance management form to confirm that the discussion occurred. If the employee elects not to sign the form, the supervisor is to write on the form "the employee has elected not to sign this form". The supervisor should initial the notation.
- b. Performance Management forms must be returned to the department director. The department director will submit forms to the Human Resource Specialist after reviewing.

## Personnel Records

Kids Central takes great strengths to ensure proper handling of confidential information and paper records pertaining to employees and their personnel matters. Kids Central will only retain one official personnel file. The Human Resource Specialist will maintain and ensure controlled access to the personnel files of all staff.

### PROCEDURE

1. Personnel files shall be secured in locked file cabinets and access shall be controlled by the Human Resource Specialist.
2. At no time shall personnel files leave the premises.
3. The Human Resource Specialist is responsible for creating and maintaining employee personnel files. Each employee shall have their own file including such information as:
  - a. A signed employment application
  - b. Job Title
  - c. Job description
  - d. Hire date
  - e. Salary history
  - f. W-4 form
  - g. Pay Agreements, if applicable
  - h. Employee authorization for release of information
  - i. Employee signature acknowledging review of policies and procedures and receipt of employee handbook
  - j. Performance evaluations
  - k. Disciplinary actions
  - l. Performance goals
  - m. Scheduled training and training certificates
4. Employees are responsible for notifying the Human Resource Specialist when there is a change in any of the following information:
  - a. Legal name
  - b. Home mailing address
  - c. Telephone number
  - d. Marital status
  - e. Number and names of dependents
  - f. Change in marital status or number of tax exemptions on W-4
  - g. Emergency contacts
  - h. Beneficiary changes
  - i. Driving record or license status, if employee operates any agency vehicle
  - j. Military status
  - k. Professional license

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

5. Employees should not be provided references or any written comments to anyone requesting to view an employee file.
6. Medical information is to be stored in a separate file from personnel files, however it is part of the employee's main personnel file.
7. Only basic employment information (dates of employment, title of position held, and salary confirmation) for employment verifications and those requests meeting legal requirements will be provided by the Human Resource Manager.
8. Detailed personnel information will not be released to anyone outside Kids Central without prior written consent by the employee. Exceptions will only be made as required by law as in the case of subpoenas or other court orders.
9. Employees have the right to review their personnel file. With reasonable advanced notice, employees may review their own file in the Human Resource Specialist's office, on the employee's own time, and in the presence of the Human Resource Specialist, the Executive Director or a member of Senior Staff.

Exceptions to this include:

- a. Letters of reference
- b. Information of a personal nature about another person, the disclosure of which could constitute an unwarranted invasion of privacy
- c. Documents maintained by the employer to investigate employee misconduct



## **Persons With Disabilities**

Kids Central will not discriminate in employment opportunities or practices, including recruitment, hiring, promotion, training, layoff, termination, compensation, benefits, or other employment related activities. The Agency complies with the Americans with Disabilities Act of 1990 (ADA) and ensures equal employment opportunity for qualified persons with disabilities.

### **PROCEDURE**

1. Employment opportunities will be afforded to persons with disabilities who are qualified to perform the essential functions of the job with or without reasonable accommodation. Kids Central will seek reasonable accommodations that do not result in undue hardship on business operations for qualified individuals with disabilities.
2. The Human Resource Specialist will be responsible for implementation of guidelines and operational procedures related to ensuring Agency compliance with the ADA.
3. Employees who experience a disability may be entitled to leave under the Family Medical Leave Act (FMLA) as a reasonable accommodation under the ADA. Questions regarding leave rights should be directed to the Human Resource Specialist.
4. Kids Central will comply with Federal and state laws that provide persons with disabilities greater protection than the ADA.
5. Employees with a qualifying disability, that requires an accommodation, should contact the Human Resource Specialist.

## **Political Affiliations**

Kids Central, will assure, so far as reasonably possible, that all program activities are conducted in a manner which provides assistance effectively, efficiently and free of any taint of partisan political bias.

Kids Central employees may not:

1. Use his or her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office; or
2. Directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a political party, committee, organization, agency, or person for a political purpose; or
3. Be a candidate for elective public office in a partisan election.

### **PROCEDURE**

1. Programs shall not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with:
  - a. Any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; or
  - b. Any voter registration activity; or
  - c. Any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election.

## **Requirements of Employment**

Due to Kids Central's commitment to excellence, safety, and the welfare of its employees, employees will be required to comply with employment requirements specific to the position that they will fill. Employees must satisfy these requirements throughout their employment to maintain their eligibility to stay in the position. The following information outlines requirements that a successful employee or employment candidate will satisfy for specific positions, as designated.

The Executive Director and the Human Resource Specialist will work together to expedite the satisfactory completion of these requirements, but the successful candidate should not report to work without awareness of and assistance in fulfilling these requirements. All information with regard to these requirements will be retained in the candidate's file or a confidential file as necessary in the office of the Human Resource Specialist.

1. Any employee who provides false or misleading information on any employment form, including an application or resume, shall be subject to disciplinary action including termination. Newly hired employees, consultants, or contractors will not have unsupervised access to children until the complete background check process described within is complete.
2. The Human Resource Specialist shall verify that the candidate satisfies proof of employment eligibility required by the Department of Homeland Security (1-9) within 3 days of hire.
3. Each candidate will be screened through local court records and the National sex offender registry prior to being scheduled for interview. This National sex offender check is to be repeated every 5 years if hired.
4. Each candidate shall complete a sworn statement or affirmation as to past criminal record before employment and renew every 5 years as a successful candidate.
5. Each candidate shall have a Virginia State Police Criminal History Check with fingerprint and FBI Background Check with fingerprint before being hired. This fingerprint background check will be repeated every 5 years as an employee. If an employee is charged or convicted of a crime while employed, the employee is required to discuss this with the Executive Director. Continued employment is dependent upon the nature of the conviction as it relates to the employee's responsibilities. Any conviction of a crime of violence will result in the employee being terminated from their position immediately.
6. Each candidate will complete a reference release form. The information is to be verified by the Human Resource Specialist before hire.
7. Each candidate will complete an Applicant Appraisal Request for personal reference. The information is to be verified by the Human Resource Specialist before hire.

8. Each candidate will complete an application for the Child Abuse and Neglect Background Check for the Virginia Department of Social Services and any other state in which the person resided in the past 5 years.. This request will be submitted before hire and must be returned within 90 days after hire. The candidate cannot be left alone with children until all background checks have been completed. A negative report will result in immediate dismissal.
9. The Human Resource Specialist will review the information found in each employment application and completed background check to assess the relevancy of any issue uncovered by the complete background checks including any arrest, pending criminal charge, or conviction and must use Child Care and Development Fund (CCDF) disqualification factors described in 42 U.S.C. 9858f (c)(1)(D) and 42 U.S.C. 9858f(h)(1) to determine whether the prospective employee can be hired or the current employee must be terminated.

#### **10. Drug and Alcohol Testing**

- a. In accordance with federal law, Kids Central will conduct testing for alcohol and controlled substances on candidates and current employees for all positions, especially those requiring a commercial driver's license (CDL).
- b. Candidates applying for positions at Kids Central will be tested for controlled substances. Candidates will be asked to submit to testing only after an offer of employment has been made. An offer of employment however, is conditioned on the candidate testing negative for controlled substances.
- c. Employees in all positions will be required to submit to testing at any random time. Employees who refuse to undergo testing or who test positive will be subject to disciplinary action including termination.

#### **11 Education Verification**

- a. The Human Resource Specialist is responsible for verifying the candidate's education documentation as referenced on the application. No diploma will be accepted from any college or university deemed a "diploma mill".

#### **12 Physical Examinations and Tuberculosis Screening**

- a. All candidates will have a physical exam and a tuberculosis screening conducted by a clinic at no charge to them, only after an offer of employment has been made.
- b. Should the results of the physical exam and/or tuberculosis screening indicate a health issue, every reasonable accommodation will be made to work with the employee, if possible, given the circumstances.

### **13 Motor Vehicle License**

- a. The Human Resource Specialist will verify driver license status on employees who are subject to use any agency vehicle. Additional license checks may be performed throughout employment.
- b. Any employee required to drive a personal or agency vehicle in the course of their employment are required to maintain a valid driver's license and insurance coverage while they are in a position necessitating this requirement.

### **14. Professional Licenses**

- a. The Human Resource Specialist will verify professional or state licenses such as accounting, architecture, bar, engineering, medical, nursing or certified technician

### **15. Vaccination**

- a. In compliance with U.S. Occupational Safety and Health Administration (OSHA) regulations, all employees using or potentially exposed to human blood borne pathogens must receive hepatitis B vaccination or sign a declination statement prior to working with blood borne pathogens. This vaccination is available through a selected clinic at no charge to the employee. The Health Services Manager is responsible for identifying positions in which this risk is possible and making this risk known to the candidate.



## **Problem Resolution**

Kids Central provides means for all persons involved in the Agency to bring problems and complaints concerning their employment to their Supervisor.

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

### **PROCEDURE**

1. All grievances should be presented in writing on a grievance form to an immediate Supervisor within five (5) working days of first receiving knowledge of the alleged incident underlying the grievance. The Supervisor shall respond in writing to the employee within a reasonable time, generally not to exceed three (3) working days from receipt of the grievance form. At that time, the employee and supervisor should meet to discuss and attempt to resolve the grievance.
2. Within two (2) working days of receipt of the Supervisor's response, the employee may seek review of the Supervisor's response by submitting a statement in writing to the Senior Staff Member in charge of the employee's department. The Senior Staff Member will reasonably inquire into the nature of the grievance and shall meet with the employee to discuss and attempt to resolve the grievance. The Senior Staff Member shall respond to the employee in writing within a reasonable time, generally not to exceed five (5) working days from receipt of the grievance form.
3. Within two (2) working days of receipt of the Senior Staff Member's response, the employee may seek review of the Senior Staff Member's response by submitting a statement in writing to the Executive Director. The Executive Director will reasonably inquire into the nature of the matter, and shall respond to the employee and the employee's department Senior Staff Member in writing within a reasonable amount of time generally not to exceed twenty (20) working days from receipt of the grievance form.
4. With a reasonable time, generally not to exceed three (3) working days of the receipt of the Executive Director's response, the employee may appeal the response to the Staff Grievance and Termination Review Board.

#### The Staff Grievance and Termination Review Board

1. The Board is a standing committee made up on members of the Senior Staff, the Executive Committee of the Board of Directors, and the Executive Committee of the Policy Council.

## Grievance Hearings

1. The Board shall convene and conduct the hearing as soon as practicable.
2. The hearings shall be conducted in private; however, the Board may, at its discretion, permit one advisor to accompany each party. The advisor may not participate in the hearing.
3. The grievant and the party involved in the grievance will be allowed to present evidence and make statements before the Board.
4. The Board may consider any and all facts, which it deems relevant and proper.
5. All parties are expected to attend all meetings in which they are scheduled to participate and if they are not able to do so, they must promptly notify the Chairperson prior to the scheduled meeting time. Failure of the grievant to respond promptly to the Chairperson's requests or to participate in the scheduled meetings may result in dismissal of the grievance. Failure of the involved party or witnesses to respond promptly to the Chairperson's requests or to participate will be reported to the Supervisor and noted in the documentation presented to the Executive Director.
6. The Board shall make a written recommendation regarding the grievance, reached by the majority of the Board, to the Executive Director or his/her designee within a reasonable time generally not to exceed thirty (30) working days.

If the Executive Director is an interested party to the grievance, another disinterested Kids Central officer (member of the Board of Directors) shall be authorized by the Chairperson to consider the matter. The decision of the Executive Director, or his/her designee, or another disinterested Kids Central officer authorized by the Chairperson to act in place of the Executive Director, shall be final and binding on all parties.

There may be special instances when it would be appropriate to bypass one or more steps of the grievance procedure. Whether to bypass one or more steps will be determined by Executive Director following a request of any party to the grievance.



## **Performance Enhancement**

KIDS Central Inc. intends to give employees reasonable opportunity to improve their performance as soon as they have been notified that their performance is falling below a satisfactory level. When performance is below a satisfactory level, communication will be through the performance enhancement process. Performance enhancement is designed to identify performance problems and to recommend action plans for development and correction. Performance enhancement offers the employee a fair, objective, and consistent process for professional development while offering the supervisor an unbiased and expeditious method for communicating expectations and performance standards.

Performance enhancement is used for performance-related situations that affect productivity, quality, and efficiency. The focus of performance enhancement is to promote employee success by identifying cause(s) and agreeing on method(s) for improving employee performance to a satisfactory level. Since the counseling is intended to be action oriented, every step will include scheduled review dates to monitor the employee's progress toward success.

Examples of performance-related issues that may require counseling include:

- Consistent errors in work
- Inability to perform assigned work
- Inconsistent performance
- Poor communications
- Adversely affecting others' ability to do work

When a supervisor determines for the first time that an employee will benefit from performance enhancement, the employee may expect the maximum of a three-step process, as discussed below. In the event that an employee's performance requires counseling again for the same or different reason, performance enhancement will resume at the next step after the step in which the employee was placed when the previous process stopped. After all three steps have been exhausted and the employee has received acknowledgement of successful achievement, any repeat occurrence for the same or different reason will usually be handled as disciplinary action under the Disciplinary Action Policy.

Normal steps in the plan are outlined below:

- Step 1 – Verbal Plan
- Step 2 – Written Plan
- Step 3 – Disciplinary Action

## PROCEDURE

### Initial Performance Enhancement Process

1. Conducting a face to face meeting between employee and supervisor, with completed performance enhancement form marked verbal action.
  - a. Action
    - Corrective action documented. Document timeframe for corrective action. The recommended time frame if no training is required is 10 to 45 workdays, 60 to 90 workdays if training is required.
  - b. Successful Achievement
    - Acknowledgement memo to employee. The memo should advise employee if there is a repeat occurrence of unsatisfactory performance for the same or different reason within one year, warning will resume with written action.
    - If successful achievement of verbal action is established and compliance is maintained for one year and there is no other compliance issues then the verbal documentation is destroyed and removed from the employee file.
    - If process is not successful, proceed with written action.
2. Conduct a face to face meeting between the employee, supervisor, and a senior staff member. Complete performance enhancement plan form and mark written action. The employee should be advised that if there is a repeat occurrence of unsatisfactory performance for the same or different reason, disciplinary action listed in the Disciplinary Action Policy will usually occur.
  - a. Action
    - Corrective action must be documented. The recommended timeframe if no training is required is 10 to 30 workdays, 30 to 45 workdays if training is required.
  - b. Successful Achievement
    - An acknowledgement memo will be sent to the employee. The employee should be advised that if there is a repeat occurrence of unsatisfactory performance for the same or different reason, counseling will resume at the next step as a continuous process.
    - If process if not successful, documentation will remain in employee's personnel file and the disciplinary action plan will proceed.

The Performance Enhancement Plan in no way guarantees that all these steps will necessarily be followed, depending upon the circumstances. The use of a performance enhancement plan does not alter the employment at will status of our employees.

## **Promotions**

Each employee should have equal access to opportunities for growth and development. Employees will be given first consideration to internal candidates who have a history of satisfactory performance and meet the job qualifications for the vacancy. In all its selection and promotion decisions, Kids Central complies with equal employment opportunity requirements.

### **PROCEDURE**

1. Two types of advancement opportunities are outlined below:
  - a. A promotion is the movement from one position to another position which is in a higher salary grade and may involve a salary increase. A promotion may result in a title change.
  - b. A reclassification is an approved change in pay grade of an existing position as a result of significant changes in the duties and responsibilities of that position. A reclassification may result in a pay grade and/or title change.
2. Every effort is made to fill vacancies by promoting qualified employees. Supervisors are encouraged to identify employees for promotion. Employees must possess the necessary skills, abilities and knowledge to satisfactorily perform the work of the advanced position. Past work history, including attendance, will also be reviewed in order to make this determination.
3. Employees are encouraged to maintain an awareness of vacancies and to seek job opportunities for which they qualify.
4. Employees should submit a letter of interest to the Human Resource Manager for any position they would like to apply for.
5. The Supervisor with the Executive Director shall select the appropriate candidate for promotion. Refer to the policy on Recruitment and Selection for more information.
6. The newly promoted employee will be subject to a probationary period. Refer to the policy on Orientation Period for more information.

## **Recruitment and Selection**

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

### **PROCEDURE**

1. Use a variety of recruitment efforts to attract qualified applicants. The Human Resource Specialist coordinates recruitment and selection processes for staff in consultation with the Executive Director.
2. New positions must be approved by the Board of Directors and the Policy Council.
3. Staff positions must be advertised in-house five (5) days prior to public advertisement in local papers and on Kids Central's website.
4. Applications will remain active for forty-five (45) days. Applications older than forty-five days will be destroyed.
5. The Executive Director and the Supervisor of available position will develop a list of candidates to be interviewed and will create an interview committee, which should include a member of the Policy Council.
6. The interview committee will conduct interviews of candidates and will select an individual for hire.
7. The Supervisor will extend an offer of employment to the candidate.
8. The Human Resource Specialist will send letters to candidates not selected.
9. The Human Resource Specialist will conduct pre-employment checks on the final candidate for the position.
10. The Human Resource Specialist shall maintain records of the selection process, such as applications, evaluation criteria, notes from interviews and reference checks in the Human Resource Office.
11. The Board of Directors and Policy Council must approve the new hire decision.

## **Relocating New Employees**

To ensure Kids Central obtains the highest quality staff, it may be possible to ease the transition and enhance the job offer of Senior Staff positions by providing reasonable relocation assistance through reimbursement of expenses.

### **PROCEDURE**

1. Reimbursement of expenses must be reasonable and should be agreed upon between the Board of Directors, the Policy Council, and the new employee based on legitimate criteria of need, distance, and weight of shipment.
2. Employees must understand that some or all of the relocation expenses may be subject to income tax so accurate record keeping of expenses with receipts is critical.
3. The hiring authority shall confirm that budgeted money is available to offer reasonable relocation assistance.
4. The hiring authority shall contact the Comptroller for contracts and negotiated pricing with moving companies.
5. The hiring authority shall review the overall relocation package for consistency with OMB Circular A-122 (45) a.-d. with the Comptroller or the Human Resource Specialist and the Executive Director or the Chairperson of the Board of Directors.
6. Any employee receiving relocation funds who resigns for reasons within his/her control within twelve months of hire will be responsible for repayment of relocation funds received.

## **Search Committee**

Kids Central believes that a search committee is an integral part of an effective search for defined positions. A search committee shall be established depending upon the type of position to be filled. Search committees are required for the Executive Director position. In some instances, a search committee may also be appropriate for highly specialized positions or those with a high level of public exposure.

### **PROCEDURE**

1. The establishment of a search committee reflects Kids Central's interest in locating and considering for employment a wide pool of applicants, including qualified minority persons, women, veterans and disabled individuals.
2. Searches should communicate to the largest and most diverse group of candidates the merits of this institution as a place in which professional growth is promoted and in which performance and achievement are rewarded.
3. The appointment of search committee members is made by the hiring authority (Board of Directors Chairperson or the Executive Director) as soon as a position vacancy is announced.
4. The search committee should normally be composed of several members drawn from the Board of Directors, the Policy Council and Senior Staff.

## **Staff Termination Review**

Kids Central strives to maintain fair and consistent policies for its employees. If an employee believes that established policies and procedures are not being properly interpreted or applied to his/her involuntary termination, the employee has the right to request a termination review. Upon request, the Staff Grievance and Termination Review Board will convene to assess the complaint.

The Staff Grievance and Termination Review Board will consist of the Executive Director, the Comptroller, the Family and Community Partnerships Director, the Educational Services Director, the Executive Committee of the Board of Directors, and the Executive Committee of the Policy Council.

### **PROCEDURE**

1. The employee must submit a written appeal of termination and the reason for the appeal to the Human Resource Specialist within five (5) working days of the date of termination. The appeal will be forwarded to the Staff Grievance and Termination Board.
2. While a termination is being reviewed, the position from which the employee was terminated may not be filled until completion of Kids Central's appeals process and the termination is upheld.
3. The Board shall convene and conduct the hearing as soon as practicable. Hearings shall be conducted in private.
4. The employee and the staff member recommending the termination will each have the opportunity to present evidence and to make statements before the Board and the Board may consider any and all facts which it deems relevant and proper.
5. Failure of the terminated employee to respond promptly to the chairperson's request or to participate in the scheduled meetings may result in dismissal of the termination appeal.
6. Within a reasonable time, generally not to exceed five (5) working days of completion of the hearing, the Board shall deliver in writing one of the following recommendations, reached by a majority of the Board, to the Executive Director regarding the termination:
  - a. The employee should be reinstated with full pay and benefits retroactive to the date of termination.
  - b. The employee should be reinstated and their performance will be addressed through progressive counseling or disciplinary action. Pay and benefits may be reinstated.
  - c. The termination should be affirmed.

## Termination of Employment

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

Voluntary terminations are those initiated by the employee and include:

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

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

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

### PROCEDURE

1. In the event of unsatisfactory performance, the matter will be reviewed by the Supervisor, a Senior Staff member and the Executive Director. If sufficient guidance and time to improve has been given with no results, suspension/termination must be approved by the Executive Director, Policy Council and Board of Directors.
2. An employee shall give his/her Supervisor at least two weeks notice for a voluntary termination. Kids Central will attempt to provide at least two weeks notice of lay off.
3. An exit interview will be conducted by the Human Resource Manager and will be made a part of the personnel file.
4. Final pay will be in the form of a check and will include all unpaid time worked. Deductions will be made for benefit premiums, docked time, any outstanding expenses, and any paid time not yet worked. The final paycheck will be issued no later than the next normal payday. In the event of a death, the final paycheck will be paid to the designee listed on the Employee Authorization Form located in the personnel file.
5. In the event of a lay-off due to lack of funding, lack of work (other than normal part-year staff layoffs) or reorganization, any employee who has completed five years of service will receive two weeks severance pay plus one additional week for every completed year of service beyond five years, up to a total of ten weeks pay. This calculation will be based on the employee's most recent hire date. This severance pay will be included in the employee's final paycheck.
6. Employees who are laid-off for the above reasons are eligible for recall and rehire within twelve (12) months.



7. Employees who are terminating employment will be notified in writing of their benefit enrollment and conversion options. All eligible employees will have the option under COBRA to elect to continue their health coverage to be paid at the employee's expense but handled administratively through Kids Central's group plan.
8. All employee separations will be handled in a professional manner. When an employee is retiring after lengthy and dedicated service, Kids Central is encouraged to observe the retirement in an appropriate manner. No Kids Central funds will be expensed to recognize a termination for reasons other than retirement.
9. The opinions of departing employees are helpful to Kids Central's continuous attempt to improve. Every Supervisor is encouraged to conduct an informal exit interview with the employee. The Human Resource Manager may send an exit interview questionnaire to departing employees for completion.

## Temporary Employment

Kids Central expects that temporary employees will perform to the same standards of excellence as full- and part-time employees and in turn will receive the same level of respect for their contribution. To ensure the temporary relationship is as successful as possible, the supervisor and employee will work together to define the nature, responsibilities, duration, and the appropriate compensation and recognition for the job. Kids Central will also expect temporary employees to satisfy the same requirements as full- and part-time employees.

### PROCEDURE

#### 1. Temporary Agency Recruit

- a. Senior Staff who are considering recruiting temporary employees should first consider the nature of the job, whether or not an existing position can be modified to incorporate the temporary job, and what other resources are available to perform the work.
- b. Upon determining that hiring a temporary employee is appropriate, staff should proceed in a timely manner, keeping in mind the necessity to follow all Kids Central's non-discriminatory policies on recruiting and selection of employees.
- b. Candidates who are recruited and assigned through a temporary agency should contact them on matters regarding compensation, performance assessment, and the duration of the assignment.
- c. Any temporary agency staff that has questions regarding work responsibility should direct their questions to the temporary agency and they will coordinate the response with the Kids Central supervisor. Temporary agency staff is not employees of Kids Central but are required to follow Kids Central policies and procedures while engaged at work for Kids Central.
- d. Upon selecting the candidate, employment references and verification of credentials will be done as necessary for the position prior to making the offer of employment.
- e. The candidate will have to satisfy other requirements as indicated in the Pre-Employment Requirements Policy 211. These requirements are to be completed prior to or immediately after the candidate begins employment.

#### 2. Internships

- a. Program agreements with educational institutions providing for internships shall be subject to the approval of the appropriate Supervisor and the Executive Director.

#### 3. Volunteers

- a. Volunteers are required to submit personal information for identification purposes (name, address and telephone number).
- b. Volunteers must complete a volunteer packet which includes a Criminal History Background Check form and a Child Protective Service Background Check form.

- c. Volunteers must observe established work hours.
- d. Volunteers must complete time and attendance records.
- e. Volunteers must be accountable to the appropriate Supervisor.
- f. Volunteers must adhere to Kids Central's Policies and Procedures.

## **Transfers**

An employee may transfer, or may be transferred, when the employee meets the job qualifications and when the transfer will benefit both the employee and Kids Central.

### **PROCEDURE**

1. An employee who is transferred temporarily to a higher paying position will be compensated at the rate of the new position. Temporary assignment constitutes a formal assumption of another position's duties for an established period of time, not the occasional filling in for a job.
2. An employee who is transferred temporarily to a lower paying position, at the request of Kids Central, will continue to be paid at his or her existing rate for as long as the temporary transfer is in effect.
3. An employee who is transferred permanently to another position, will be compensated at the rate of the new position and will receive all benefits the position is entitled to.

## **Whistleblower Policy**

### Policy

It is the intent of Kids Central, Inc. to adhere to all laws and regulations that apply to the organization, and the underlying purpose of this Policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of the Executive Director of Kids Central, Inc. and provides Kids Central, Inc. with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

If any employee reasonably believes that some policy, practice, or activity of Kids Central, Inc. is in violation of law, a written complaint may be filed by that employee with the Executive Director.

Kids Central, Inc. will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of Kids Central, Inc., or of another individual or entity with whom Kids Central, Inc. had a business relationship, on the basis of a reasonable belief that the practice is in violation of law or a clear mandate of public policy.

Kids Central, Inc. will not retaliate against an employee who discloses or threatens to disclose to a supervisor or a public body any activity, policy, or practice of Kids Central, Inc. that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate or public policy concerning health, safety, welfare, or protection of the environment.

My signature below indicates my receipt and understanding of this Policy. I also verify that I have been provided with an opportunity to ask questions about the Policy.

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Employee Signature and Date

## Light Duty Work

The purpose of this policy is to establish guidelines for light duty assignment which can be made available to employees who are recovering from disabilities related to injury/illness and who are presumed to be able to return to full unrestricted duty within twelve (12) weeks of the date the original modification is made.

It is the policy of Kids Central to arrange placement when possible of employees that are temporarily mentally or physically disabled of the options available to them.

It is also the policy of Kids Central to administer these procedures in a fair, consistent, and equitable manner.

### Definitions:

Physician	The physician treating the employee requiring a physician's treatment for On-the-job accident/injury.
Compensable Injury	An injury/illness that is confirmed as resulting from an accident during the Course and scope of the employee's employment and qualifies for Workers' compensation.
Light Duty	Modified job requirements to meet short-term disabilities as prescribed By the approved physician treating the employee.
Off-the-job-injury	An injury/illness that occurred off the job and is not related to the Employee's employment.
On-the-job-injury	A disability resulting from an accident during the course and scope of an Employee's job.

### PROCEDURE

1. The employee shall be responsible for immediately notifying his/her supervisor of any job related medical condition, which will affect the job performance. The employee is responsible for providing requested medical information to the supervisor
2. The supervisor shall be responsible for filing the necessary paperwork and notifying the appropriate personnel of the employee's disability. The employee will make the necessary arrangements with his/her physician for diagnosis and treatment. In the event the employee does not have a physician, Kids Central staff will arrange for a consult with our current provider for an evaluation and referral.
3. If an employee is injured on the job and the injury/illness is determined to be compensable, the employee shall receive worker's compensation benefits as administered per the Personnel Policies and Procedures Manual.
4. The Human Resource Specialist shall be responsible for receiving medical information and determining necessary limitations of duties. The medical confirmation shall be maintained in the employee's health records. All medical/health information is considered confidential.
5. If the accident/injury is determined to be compensable, the employee must comply with all instructions or recommendations and keep all appointments with the attending physician.

Supervisors should communicate with employees with occupational injuries to ascertain That rehabilitation instructions are being followed in the most efficient manner.

6. The Executive Director along with the employee's supervisor will make every effort to place the employee in a position within their department that meets the physical limitations recommended by the attending physician. Due to the limited available positions in each department however, light duty assignment will not always be available.
7. The employee assigned to light duty will receive his/her normal pay for work completed during the light duty assignment.  
If the employee is placed on light duty outside his/her normal work area, the reporting supervisor is responsible for assuring that actual hours worked, leave taken, etc., are reported to the employee's supervisor.  
Employees on light duty are required to follow the policies and procedures of the department to which they are assigned.  
If for any reason after the light duty assignment is made, the employee claims to be unable to perform the duties, the employee is to be sent immediately to Kids Central's current provider for reevaluation.
8. The employee who is placed on light duty due to a compensable injury will be monitored by the physician who first requested the light duty assignment at frequent intervals until released for regular duties. The employee will return to regular duty after being released by the physician treating the employee and completion of any Kids Central requirements.
9. Kids Central reserves the right to require a physician's examination for employees by our current provider.
10. If the employee is injured on the job and injury/illness is determined non-compensable, the employee is not entitled to worker's compensation benefits. He/she may elect to use PTO, short-term disability benefits, or leave without pay if no other leave is available.

#### Light Duty Placement for Off-The-Job Injuries

Kids Central will not entertain requests for light duty placement for off-the-job injuries/illnesses.

NOTE: There is no mandatory requirement to place employees recovering from off-the-job injuries/illnesses into any light duty program. Due to the limited available positions in each department, light duty assignments will not always be available. Kids Central reserves the right to make the final determination as to the conditions under which such positions are made available and for how long a person may occupy such a position.

If the Executive Director does not approve the light duty request, employees must use PTO or leave without pay if no other leave is available.

#### Medical/Disability Displacement

If after receiving a medical assessment or reevaluation by an approved physician, an employee is determined to be unable to perform the regular duties of his/her job permanently, the Human Resource Department will assist the employee in applying for medical disability or retirement. The employee may also seek employment outside Kids Central or submit a letter of resignation.