

Southern Workforce Board, Inc.



PERSONNEL POLICIES AND PROCEDURES

SWB - #101

August 2012

October 2012

March 2013

January 2015

April 2016

Modified June 20, 2018 per State Monitoring Report

Modified March 13, 2019

January 27, 2021



SWB is an Equal Opportunity Employer/Program. Auxiliary Aids and Services are available upon request to Individuals with disabilities

BABEL NOTICE (29 C.F.R. § 38.9(g) (3)): This document contains vital information. If English is not your preferred language, contact One Stop Operator, ososouthern@gmail.com, 1414 E. Wade Watts Ave. McAlester, Ok. 74501 (580)634-1853 TTD/TTY: 711 or 800-722-0353 to obtain translation and/or interpretation services for the content of this document

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INTRODUCTION

This Personnel Policy and Procedures Manual is an outline of the basic personnel policies and procedures for all Southern Workforce Board, Inc. (SWB) employees. Management reserves the right to change guidelines of this manual without notice. Management has at their discretion the right to not follow any guideline at any time. SWB also reserves the right to terminate any of its benefit programs, or to require or increase the premiums employees may be required to contribute to these programs at its discretion.

Employment is “at-will”. The information set forth in this manual should not be construed as a contract guaranteeing employment of any specific duration. Either the employee or the company may terminate the employment relationship at any time, with or without cause or notice. Further, no employee or other representative of the company, other than the Board’s, may make any contracts, promises, or commitments contrary to the foregoing principles. Additionally, any contracts entered into, or promises or commitments made to any employee, shall not be enforceable, unless they are in writing and duly executed by the employee and Executive Director and/or Board.

If SWB is contracted to be Fiscal Agent or Employer of Record for another Workforce Area within the State of Oklahoma and that Workforce Area has its own Personnel Policies, then SWB will honor the policies pertaining to the staff in that Workforce area.

SECTION 1—ORGANIZATIONAL STRUCTURE AND EXPECTATIONS

1.1 REPORTING STRUCTURE

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

SWB staff members are accountable to the Executive Director, through whom communication to the Board is channeled unless there are complaints or grievances to be filed. Complaints or grievances will be taken to the Chairman of the Executive Committee following the grievance procedure described in these policies.

1.2 OPEN DOOR

All staff members are encouraged to provide input and suggestions concerning the overall operation and programs of the Company, following the proper channels of communication. Staff members should initially bring their comments to their immediate supervisor. In those cases where that may be inappropriate, employees may approach the Chairman of the Executive Committee with their suggestions.

SWB operates in an “open door” manner. All staff input is considered and can be presented without fear of personal recrimination or retaliation of his or her position.

1.3 CONFLICT OF INTEREST/CODE OF CONDUCT

It is the policy of the Southern Workforce Board, Inc. (SWB) that its members or committee members not engage in any activity that may conflict with the interests of the SWB. Members shall conduct themselves and their activities in a manner that is free from unlawful or otherwise inappropriate offers or solicitations of gifts and favors or other improper inducements in exchange for influence or assistance in transactions. See policy SWB #125 Code of Conduct/Conflict of Interest for complete details.

All SWB staff are required to sign the Company Code of Ethics (Form A) that affirms:

- I will not discriminate against or refuse professional services to any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in any WIOA Title I-financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any WIOA Title I-financially assisted program or activity. (29 C.F.R. § 38.5).
- I will not use my professional relationship to further my own interests.
- I will evidence a genuine interest in all persons served, and do hereby dedicate myself to their best interests and helping them help themselves.
- I will respect the privacy of persons served and hold in confidence all information obtained in the course of professional service.

- I will maintain confidentiality when storing or disposing of client records.
- I will maintain a professional attitude that upholds confidentiality toward individuals served, colleagues, applicants and the Company.
- I, upon termination, will maintain client and co-worker confidentiality, and I will hold as confidential any information I obtained concerning the Company.
- I will respect the rights and views of my colleagues, and treat them with fairness, courtesy, and good faith.
- I will not exploit the trust of the public or my co-workers. I will make every effort to avoid relationships that could impair my professional judgment.
- I will not engage in or condone any form of harassment or discrimination.
- When I replace a colleague or I am replaced, I will act with consideration for the interest, character, and reputation of the other professional.
- I will extend respect and cooperation to colleagues of all professions.
- I will not assume professional responsibility for the clients of a colleague without appropriate consultation with that colleague.
- If I see the client of a colleague during a short-term absence or emergency, I will serve that client with the same consideration afforded any client.
- If I know that a colleague has violated ethical standards, I will report the activity to the Executive Director.
- I will accurately represent my education, training, experience, and competencies as they relate to my profession.
- If serving as the Executive Director, I will make certain that the qualifications of persons I supervise are honestly represented.
- I will abide by Company policies related to public statements.
- I have total commitment to provide the highest quality of service to those who seek my professional assistance.
- I will continually assess my personal strengths, limitations, biases, and effectiveness.
- I will strive to become and remain proficient in professional practice and the performance of professional functions.
- I will act in accordance with standards of professional integrity.
- I will not advise on problems outside the bounds of my competence.
- I will seek assistance for any problem that impairs my performance.
- I understand that violation of this code may be grounds for dismissal.

An employee's conduct toward co-workers is a critical point in the effective operation of Company business and morale. Therefore, appropriate action will be taken if an employee is disrespectful to a co-worker or impedes the spirit of teamwork necessary for overall operational effectiveness.

1.4 SPEAKING TO THE MEDIA

All inquiries from the media should be referred to the Executive Director. An employee may not speak to the news media as an official or unofficial spokesperson of the Company without prior clearance from the Executive Director.

Should an employee receive a media inquiry, he or she should respond: "I have no authority to respond to your request. You should refer your question to the Executive Director."

1.5 CLIENT CONFIDENTIALITY

Employees will, to the best of their ability, ensure confidentiality and privacy in regard to history, records and discussions about the people we serve. The very fact that an individual is served by this Company must be kept private or confidential; disclosure can be made only under specified conditions, which are described below, for reasons relating to law enforcement and fulfillment of our mission. This means that staff shall not disclose any information about a person, including the fact that he or she is or is not served by our organization, to anyone outside of this organization unless authorized by the Executive Director or other authorized personnel or as authorized by cooperative agreements with agencies who serve the same clients. The principle of confidentiality must be maintained in all programs, departments, functions, and activities.

- No information requested by someone outside the Company will be given over the telephone. Staff is instructed to respond with the statement: "SWB policy does not permit me to give out this information without written authorization." That includes whether or not a person is being served or has been served by this Company.
- Release-of-information forms will be explained and completed in the presence of the person about whom any information may be released, before it is released.
- Staff will not discuss any individual's record with unauthorized individuals, whether on or off duty.

1.6 SMOKING

This Company offers a tobacco-free work environment to employees. No tobacco will be permitted on the premises.

1.7 PERSONAL APPEARANCE OF EMPLOYEES

As representatives of the Company, staff is expected to exhibit a professional, businesslike image. Radical departure from conventional dress or personal grooming is not permitted. Certain employees may be required to meet special dress, grooming and hygiene standards. At the discretion of the Executive Director, employees may be allowed to dress in a more casual fashion than is normally required. However, employees are still expected to present a neat appearance.

If the Executive Director decides that an employee is in violation of the dress code, the employee may be asked to go home and change.

1.8 TELEPHONE CALLS

Personal calls during work hours should be kept to a very minimum in order to not disrupt the daily work schedule.

1.9 EMAIL AND INTERNET USE

Employees are provided a computer with Internet and email capabilities. Email and Internet are an important means of conducting business communications and research. Employees should refrain from using the Internet and email for personal use or for use that is not business related. Misuse of email and the Internet will not be tolerated. SWB has the right at any time to access and monitor Internet and email usage.

1.10 USE OF PHYSICAL RESTRAINT

Under no circumstances is physical punishment or restraint ever to be administered to persons served. In the event there is a need for physical restraint, the local law enforcement should be called to handle the situation.

1.11 TRAVEL

SWB will follow the travel policy as set forth in the SWB #100 Accounting and Fiscal Policies and Procedures Manual.

1.12 DRUG-FREE WORKPLACE

The Company falls under the State of Oklahoma Drug-Free Workplace policy. The Company will adhere to this policy and employees will sign a form certifying that they have read the company requirements and agree to follow. (Form H)

1.13 INCLEMENT WEATHER

Because of possible liability implications to the Board from accident or injury, the Executive Director may close the Company due to inclement weather. The absence will be considered an excused absence and will not be charged to earned leave time.

Should an inclement weather closing occur while an employee is already on leave, he/she will not be entitled to additional wages or time off.

SECTION 2—NON-DISCRIMINATION

2.1 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT (EEO)

Equal Opportunity is the Law

The Southern Workforce Board, Inc. (SWB), Board of Directors, nor its Board of Chief Elected Officials believe that equal employment opportunity for all employees in the continuing success of the company. In accordance with State and Federal laws, specifically those addressed by WIOA at 29 CFR § 38, SWB will not discriminate against any individual in the United States, on the basis of race, color, creed, religion, sex (including pregnancy, childbirth, or related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, ancestry, citizenship, veterans status, political affiliation or beliefs, or any other non-job related factors in hiring, promoting, demoting, training, benefits, transfers, layoffs, terminations, recommendations, rates of pay, or other forms of compensation. Opportunity is provided to all employees based on qualifications and job requirements.

SWB Equal Opportunity Officer—

Southern Workforce Board, Inc.

Attention: Karen Davidson

107 South 3rd Street

Hugo, Oklahoma 74743

Phone: (580) -743-0822

TDD/TTY: 711 or (800) 722-0353

Email: kdavidson@swb-ok.com

Work-based employees that are participants of the Title I WIOA program do not qualify for SWB benefits due to the nature of the program and being short-term employment. Benefits are offered to long-term full-time employees. Please refer to the SWB #115 Nondiscrimination and Equal Opportunity Policy and Procedures for EO Complaint or Grievance Procedures for WIOA Title I

2.2 HARASSMENT

SWB's policy is to treat all employees equally in their terms and conditions of employment. The harassment of any employee is contrary to this policy, may be considered a violation of federal and state law, and will be considered justification for disciplinary or other appropriate action up to and including termination of employment. This policy applies to all employees, agents and non-employees who have contact with employees during working hours.

Definition: Harassment is any annoying, persistent act or actions that singles out an employee to that employee's objection, or detriment, because of, but not limited to race, sex, age, religion, ancestry, national origin, disability, or marital status. Harassment may include any of the following:

1. Verbal abuse or ridicule. This includes epithets, derogatory comments, slurs or jokes unwanted sexual advances, invitations, or comments.

2. Interference with an employee's work. This includes physical contact such as assault, blocking normal movement, or interference with work directed at an individual because of his/her sex or other protected status.
3. Displaying or distributing sexually offensive or racist materials. This includes derogatory posters, cartoons, drawings or gestures.
4. Discriminating against any employee in work assignments or job-related training.
5. Intimate physical contact.
6. Making sexual or racial innuendos.
7. Demanding favors (sexual or otherwise), explicitly or implicitly, as a condition of employment, promotion, transfer or any other term or condition of employment.
8. Retaliation for having reported harassment.

Procedure: It is every employee's responsibility to ensure that his or her conduct does not include or imply harassment in any form. If, however, harassment or suspected harassment has or is taking place, the following will apply:

1. Any harassment or suspected harassment should be reported to SWB Executive Director. If any employee is not comfortable with reporting the matter to SWB Executive Director then the harassment should be reported to SWB Chair. The complainant will be requested to provide a written statement containing all pertinent facts.
Should the complaint be against the Executive Director he/she will not be the person to investigate or decide action to be taken SWB Oversight Committee will appoint a non-biased appropriately qualified person to conduct the investigation.
2. The Executive Director shall investigate each complaint and a report/determination of the facts will be made to SWB Oversight Committee. SWB Oversight committee will then take appropriate action up to and including discharge.
3. The results of the investigation shall be kept confidential and provided only to those SWB employees who have a need for the information to the extent practical to fully investigate.
4. The investigative files, including the complaint, shall be maintained by the Executive Director. Any disciplinary action taken will also be documented in the employee's personnel file. If the Complaint is against the Executive Director, the files will be kept in a location deemed appropriate by SWB Oversight Committee.
5. Whistleblower: No employee of SWB who in good faith reports a violation of the Code or report of suspected fraud shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

SWB will not tolerate harassment or any form of retaliation against an employee who has either reported or cooperated in an investigation of alleged harassment. Violation of this provision may

result in discharge.

2.3 REASONABLE ACCOMMODATION

SWB provides a workplace of inclusivity and is committed to the fair and equal employment of persons with disabilities. It is SWB's policy to comply with State and Federal laws and regulations concerning the employment of individuals with disabilities. Therefore, SWB shall provide reasonable accommodations to qualified applicants and employees with a disability or disabilities to ensure non-discrimination and equal opportunity to individuals with disabilities, unless it can be demonstrated that doing so would create undue hardship or pose a direct threat.

SWB is committed to the fair and equal employment of people with disabilities so in accordance with the Americans with Disabilities Act (ADA), as amended (42 U.S.C. § § 12101 et seq.); Section 504 of the Rehabilitation Act of 1973; Equal Employment Opportunity (EEO) Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, No. 915.002; Equal Employment Opportunity Commission (EEOC) Regulations to Implement the ADA Amendment Act; and the Implementation of Nondiscrimination and Equal Opportunity Provisions of WIOA (29 CFP Part 38 (§38.4 (yy), §38.4 (rr), §38.14, and §38.4 (z)), SWB has the obligation to provide reasonable accommodation to applicants and employees with disabilities who are qualified for the job, with or without reasonable accommodations.

SWB will engage in a good-faith, interactive process with applicants and employees determined to be in need of or requesting an accommodation. The requirement to provide reasonable accommodation applies to disabilities that are known to the company.

The Executive Director, in conjunction with SWB's Equal Opportunity Officer (EOO), is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat, and undue hardship issues.

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A written request should be submitted to the Executive Director (See Form L: Request Form for Reasonable Accommodations) and completed to its entirety. The Executive Director may request medical information necessary to evaluate a request. Information needed to establish an actual and current disability that necessitates a reasonable accommodation may be required when the disability and/or need for accommodation is not obvious.

SWB maintains confidentiality of all medical information collected during the reasonable

accommodation process. If the individual's disability or need for accommodation is not obvious, and he/she refuses to provide requested documentation, then he/she may be considered ineligible for the accommodation.

The Executive Director and/or the Equal Opportunity Officer will notify the individual in writing as to the approval or denial of requested accommodation within 2 weeks.

SECTION 3—EMPLOYMENT CONDITIONS & PROVISIONS

3.1 RECRUITMENT

SWB fills job openings with qualified applicants. The following paragraphs summarize the major elements of our hiring policies.

- **PREFERENCE FOR INTERNAL CANDIDATES.** Job openings are filled by qualified persons from within the Company when possible. Preference is given to internal candidates over external candidates when both are equally qualified. However, internal candidates are not guaranteed the positions for which they apply.

Current SWB staff applying for other positions must meet all qualification requirements of the position for which they apply. When opening a position to fill vacancies, a notice of the position will be listed with Workforce Oklahoma Centers. Additionally the Executive Director may announce the opening in appropriate newspapers and other sources.

When hiring staff, the Executive Director will give consideration to education, experience, and qualification requirements of the position. The Executive Director is responsible for hiring SWB employees and for ensuring equal opportunity practices are followed in the recruitment process. Approval for new positions will be made by the Board.

- **INTERVIEWING.** Applicants will be screened to determine who should become candidates for a job. Job candidates may be interviewed by more than one person.
- **REFERENCES.** Background and reference checks may be conducted on all candidates to whom job offers may be made, before the offers are made, which in on the SWB Application for Employment.

3.2 RELEASING JOB REFERENCES

Information requested by prospective employers will be provided only with a written release from the employee or former employee, which is on the SWB Application for Employment.

Information requested by a law enforcement Company will be provided only upon receipt of a valid subpoena.

3.3 RECEIPT OF POLICY MANUAL

Employees, upon receipt of their copy of the personnel policies manual affecting their employment or any addendum thereto, must sign an “Acknowledgement and Disclaimer” form (Form C) indicating they have read and understand the Company's policies. Employees also acknowledge their understanding that no part of this manual shall be construed as being an employment contract – either implied or expressed – between the employee and SWB. SWB is an employment-at-will employer.

This manual has been prepared for the information and guidance of employees working at this Company. It is intended to cover the procedures, rules, and policies most often applied to day-to-day work activities. SWB reserves the right to change these policies at any time without advance notice.

SWB will communicate changes to employees in written and/or oral communications. Employees will be required to sign Form I acknowledging receipt of policy.

3.4 DRUG AND ALCOHOL TESTING

SECTION 1: SWB recognizes that drug and alcohol abuse is a growing problem among our nation's workforce. The Company also recognizes the tremendous cost, both in terms of efficiency and in human suffering, caused by work related accidents.

The Company is committed to providing a healthy, safe and productive workplace for all employees. We believe most drug related problems can be prevented or treated and rehabilitated. We will support and assist employees who reasonably may be expected to benefit from such treatment.

The Company supports the "Drug-Free Workplace Act of 1988" (Public Law 100-690) and the Oklahoma "The Standards for Workplace Drug and Alcohol Testing Act" (40 Okla. Stat. Sec 551 - 565). All employees must individually certify their understanding of the following conditions of employment and this law:

1. It is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance on Company premises.
2. All employees, as a condition of employment, will:
 - a) Abide by the terms of the above statement; and
 - b) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
3. The Company must also notify the federal contracting officer or grant source (if any) within ten (10) days after receiving notice from the employee or other source of the conviction (see paragraph 2B above).
4. Within thirty (30) days after receiving notice under subparagraph 2B of a conviction, the Company will impose the following sanctions or remedial measures on any employee who is convicted of drug abuse violations in the workplace.
 - a) Taking appropriate action against such employee up to and including discharge; or
 - b) Requiring such employee to satisfactorily participate in drug abuse assistance or rehabilitation program approved for such purposes by federal, state, or local health, law enforcement, or other appropriate agency.
5. The Company must also demonstrate a good faith effort to maintain a drug free workplace through implementation of the above requirements.

Through mutual agreement, People Plus, Inc. will be the primary service agency and provide the following programs on request of either party;

- A. The dangers of drug abuse in the workplace;
- B. The Company policy of maintaining a drug free workplace;

- C. Available drug counseling, rehabilitation, and employee assistance programs; and
- D. Penalties that may be imposed upon an employee for drug and/or alcohol violation occurring in the workplace.

Each employee will read a copy of The Drug and Alcohol Testing Policy, which sets forth the written, detailed specifics of the Company drug and alcohol-testing program. Additionally each employee will sign an affidavit, which acknowledges his understanding of the Company program. This affidavit will be kept in each employee's personnel file.

SECTION 2: The purpose of our substance abuse policy is to help insure a safe, healthy and productive work environment for all employees of the Company, to protect the Company's property and assets, and to ensure efficient operation at the facility. The Company is committed to providing a safe and productive workplace free from the effects of substance abuse.

The implementation of the Drug and Alcohol Testing policy will begin May 1, 2016.

Annual education and training for management and employees will be part of this program. Training topics to be covered include, but are not limited to:

- * The nature and extent of substance abuse.
- * Review of drug testing.
- * Recognizing indicators of substance abuse.
- * Finding help for employees.
- * Drug/Alcohol education and avoidance promotion.

SECTION 3: Certain kinds of drug and alcohol related behaviors are unsafe, in some instances are criminal, and will not be tolerated in the workplace. Such behavior includes the use, sale, purchase or transfer or attempted sale, purchase or transfer of illegal drugs and alcohol. Also included is the use of any legal drug to the point where employees' safety or job performance is affected. Persons engaging in the above activities are subject to disciplinary action, including discharge and prosecution, where applicable.

For purposes of this program, the word "drug(s)" includes any substance that alters behavior, including alcohol. The phrase "illegal drugs" includes the following:

- A. Drugs that are not legally obtainable;
- B. Drugs that are legally obtainable, but have not been obtained legally;
- C. Drugs that are legally obtained, but are knowingly used for other than the prescribed purpose or in other than prescribed manner;
- D. So-called "designer drugs" or drug substances that are not approved for medical or other use by the Food and Drug Administration and not available in U.S. retail markets.
- E. Prescription drugs may be used only by the person for whom prescribed, and in the manner,

combination and/or quantity prescribed.

The term “legal drugs” includes any drug legally obtained by prescription or over-the-counter. Of particular concern are tranquilizers, sleeping pills, stimulant diet pills and muscle relaxants at work. As used herein, the term “drugs” shall include “illegal drugs and legal drugs.”

SECTION 4: All job applicants and all employees are subject to testing under the following circumstances:

1. The Company shall request or require an applicant or an employee who transfers to a different position or job to undergo drug or alcohol testing. The applicant’s or employee’s refusal to undergo testing or a positive test result will be used as the basis for refusing to hire the applicant. An applicant or employee has the ability to explain in confidence, the test results and to obtain copies of all information and records related to that individual’s testing.
2. The Company may request or require an employee to undergo drug or alcohol testing for cause at any time it reasonably believes that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:
 - a. Drugs or alcohol on or about the employee’s person or in the employee’s vicinity,
 - b. Conduct on the employee’s part that suggests impairment or influence of drugs or alcohol,
 - c. A report of drug or alcohol use while at work on duty,
 - d. Information that an employee has tampered with drug or alcohol testing at any time,
 - e. Negative performance patterns, or
 - f. Excessive or unexplained absenteeism or tardiness;

Tested employees will be suspended from work until the Company has received the test results. Employees will be made whole for lost wages and benefits should test results return negative.

3. The Company may require an employee to undergo drug or alcohol “post accident testing” If the employee or another person has sustained an injury while at work or the employer’s property has been damaged, including damage to equipment. For purposes of workers’ compensation, no employee who tests positive for the presence of substances defined and consumed pursuant to Section 465.20 of Title 63 of the Oklahoma Statutes, alcohol, illegal drugs, or illegally used chemicals, or refuses to take a drug or alcohol test required by the employer, shall be eligible for such compensation. Tested employees will be suspended from work until the Company has received the test results. Employees will be made whole for lost wages and benefits should test results return negative.
4. The Company may request or require an employee or all members of an employment classification or group to undergo drug or alcohol testing at random and may limit its random testing programs to particular employment classifications or groups.
5. The Company may request or require an employee to undergo drug or alcohol testing in connection with an employee’s return to duty from leave of absence

The Company may request or require an employee to undergo testing for a period of up to two (2)

years commencing with the employee's return to work following a positive test. The Company may require an employee to undergo testing, for up to two (2) years, following participation in a drug or alcohol dependency treatment program.

Should an employee be requested or required to undergo testing, the employee may be tested for alcohol or drugs.

Adulteration of a specimen or of a drug or alcohol test shall be considered as a refusal to test.

Testing will be deemed work time for the purposes of compensation and benefits for active employees. The Company shall pay all costs of testing for drug or alcohol required by the employer. However, if an employee or applicant requests a confirmation test of a sample within twenty-four (24) hours of receiving notice of a positive test in order to challenge the results of a positive test. The employee or applicant shall pay all costs of the confirmation test, unless the confirmation test reverses the findings of the challenged positive test. In such case, the employer shall reimburse the individual for the costs of the confirmation test.

SECTION 5: Testing procedures will be conducted in ways that respect the employee's privacy, that offer due process and that protects employees against unreasonable search and seizure as set forth in the Oklahoma "The Standards for Workplace Drug and Alcohol Testing Act" and "Drug-Free Workplace Act of 1988" (Public Law 100-690). The following procedures will be followed with regard to any testing for the presence of drugs and/or alcohol.

- ❖ Drug testing will comply with federal, state and local laws and regulations.
- ❖ Information gathered from drug testing will be used fairly and equitably and in accord with published statutes.
- ❖ Drug testing will be conducted in ways that are appropriate by current medical standards.
- ❖ Testing methods will be appropriate for gathering the information sought.
- ❖ Recommendations made on the basis of testing results will be appropriate to current medical practice.
- ❖ Employees will be notified of the testing procedures and informed of the results of testing, including copies of all information and records related to the individual's testing, if requested.
- ❖ Results of testing will be handled confidentially. Records of all drug and alcohol test results and related information maintained by the employer may be released by the employer for any of the following purposes:
 - 1) As admissible evidence by an employer or individual tested in a case or proceeding before a court of record or administrative agency if either the employer or the individual tested are named parties in the case or proceeding;
 - 2) In order to comply with a valid judicial or administrative order; or
 - 3) To an employer's employees, agents and representatives who need access to such records in administration of the Standard For Workplace Drug and Alcohol Testing Act.
 - 4) A testing facility, or any agent, representative or designee of the facility, or any review officer, shall not disclose to any employer, based on the analysis of a sample collected from an applicant or employee for the purpose of testing for the presence of drugs or alcohol, any information relating to the general health, pregnancy or other physical or mental condition of the applicant or employee.
 - 5) A testing facility shall release the result of the drug or alcohol test, and any analysis

and information related thereto, to the individual tested upon request.

- ❖ Employees testing positive will have the ability to discuss the results with the Human Resource Manager.
- ❖ Drug testing policies and procedures will apply to all employees.

SECTION 6: The chemical analysis of bodily fluids for drugs and alcohol will be conducted by an approved laboratory. The presence of drugs, other than alcohol, found by one analytical method will be verified by the laboratory using GC-MS or an equivalent scientifically accepted method of levels as determined by Board rule, before the result of any test may be used as a basis for refusal to hire a job applicant or any action by an employer pursuant to the act, utilizing a two-step/two-sample verification process.

SECTION 7: Any facility agreeing to collect urine should be able to adhere to the standard procedures listed below, at the location, hospital, drug counselor, etc.;

- Removal of coat/sweater and bulky outer clothing by the employee before giving the sample.
- Inspection of the sampling room by sampling personnel before and after obtaining the sample, to assure no samples have been secreted for substitution.
- The urine sample will be given in private.
- Methods will be used to insure the authenticity of the sample.

Two samples will be prepared. One will be used for initial testing, the second sample will be held at the laboratory until released, (or the applicable storage time at the facility) at the employee's request, to a second laboratory for a second GC-MS confirmation of a positive test result. The applicant or employee have 24 hours of receiving notice of a positive test in order to challenge the test. The employee will be responsible for the cost of a second confirmed positive test.

Sample taking will follow chain of custody as directed by Oklahoma "The Standards for Workplace Drug and Alcohol Testing Act" and "Drug-Free Workplace Act of 1988" (Public Law 100-690)

SECTION 8: Blood Alcohol Content (BAC) will initially be checked by using a "Breathscan" Alcohol Detector. If a level of greater than or equal to .04 BAC is indicated from the Breathscan, no action will be taken until the BAC is confirmed with a blood test at a licensed facility. For purposes of this agreement, the blood test will be taken immediately after the Breathscan test of .04 or greater, and BAC levels equal to or greater than .05 concentration levels will subject the employee to disciplinary action.

SECTION 9: A positive test result for drugs and/or alcohol is grounds for disciplinary action, up to and including discharge. A subsequent reversal of a positive test, by way of the second sample described above, will be cause for reversal of any discipline including discharge. The Company may take disciplinary action, including discharge, against any employee who refuses to test under this program. Any employee discharged for refusal to undergo testing or test positive under this program, will be considered discharged for misconduct on the job and for purposes of such compensation.

SECTION 10: An employee who feels that he/she has developed an addiction to or dependence on alcohol or drugs is encouraged to seek assistance.

SECTION 11: It is the intention of the Company that this program be established and implemented in accordance with applicable state and federal laws, including Oklahoma “The Standards for Workplace Drug and Alcohol Testing Act” and “Drug-Free Workplace Act of 1988” (Public Law 100-690) and any regulations promulgated hereunder by the Oklahoma State Board of Health. In the event of any inconsistency between this program and the applicable laws and regulations, such laws and regulations shall govern.

3.5 POLITICAL ACTIVITY

SWB employees shall not participate in partisan politics during normal working hours. This means the devoting of time or labor during usual office hours toward the campaign of any candidate for office or for the nomination to any office.

The use of SWB property or facilities (stationary, telephone, offices, etc.) for campaigning is prohibited. Use of SWB offices for partisan political meetings is prohibited.

3.6 EXEMPT & NON-EXEMPT STAFF

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

3.7 PERSONNEL RECORDS

Employees can review their personnel file by requesting an appointment with the Executive Director or designee to do so. Personnel files will be reviewed in the Executive Director’s or designee’s office and not removed from the Executive Director’s or designee’s office. Employees are not allowed to remove or add any documents to their personnel file except by signed consent of the Executive Director. An employee can request a copy of any document in their personnel file. Personnel files will include job description, annual performance evaluations, Code of Ethics, insurance documentation and other documents that are required for employment.

3.8 NEPOTISM

It is our policy to avoid bringing family relationships into the workplace whenever possible. However, on occasion more than one family member may work for this Company. The following guidelines will govern these situations:

- No employee will be permitted to hire a relative.
- When related persons work for this Company, one relative may not supervise another relative.

- Related persons will not be involved in evaluating each other's job performance or in making recommendations for salary adjustments, promotions or other budget decisions.

Family members of SWB personnel may utilize the Workforce Oklahoma Centers, apply as WIOA customers, and receive services through programs operated by SWB. The Service Provider Contractor(s) will determine eligibility and services according to the applicable law or regulations (i.e. Workforce Innovation and Opportunity Act – WIOA).

3.9 WORK SCHEDULES

Work schedules will be defined by the Executive Director. Office hours are from 8:00 am to 5:00 pm. All employees are provided an hour lunch break and two 15-minute breaks, one in the morning and one in the afternoon. The Executive Director or Supervisor can adjust work schedules as needed but the intent is to have Board staff available to the public during normal work hours of 8:00 a.m. to 5:00 p.m.

Exempt employees may be required to work beyond the designated work schedule in order to adequately fulfill their duties and will not be given compensatory time off. Non-Exempt employees may be required to work beyond the designated work schedule in order to adequately fulfill their duties and will be compensated as required by the FLSA.

Employees finding, they are unable to report to work on time or unable to report for a full day must inform the Executive Director or direct Supervisor within 15 minutes of the start time of their work day.

The Executive Director or the direct supervisor may authorize an employee to work during their lunch hour, come early/stay late, or work on weekends/holidays for the purpose of making up work time in lieu of taking authorized accrued time off.

3.10 PROMOTION and SALARY INCREASE

All job openings and promotions will be paid least the Federal rate for minimum wage. Final pay will be based on qualifications, skills and experience of the applicant.

Salary increases may be granted to staff at the direction of the Executive Director. The Board of Directors will be responsible for salary increases to the Executive Director.

3.11 ORIENTATION

New employees will undergo an orientation to acquaint them with the Company's policies and procedures, their jobs, and their internal and external working relationships. The orientation will consist of two parts (Form D).

- Orientation to the organization—The Executive Director or designee generally will coordinate orientation to the Company, to compensation and benefits, and to our expectations of employees. As part of the orientation, it will be explained that “Equal Opportunity is the Law” to the new employee, the employee will receive a copy of the Company's personnel policies, and will be asked to sign a document stating he or she has received and understood the material

in it.

- Orientation to the job—The Executive Director or designee, generally will orient the employee to the job, and the internal and external working relationships. The purposes of this orientation are to give employees a level of success to aim for, to set performance guidelines and expectations, to assist them in succeeding and to give feedback to them on performance.

3.12 PAYROLL DEDUCTIONS

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

- Mandatory deductions are Social Security, state and federal taxes. A staff member's paycheck may be garnished for alimony, child support, delinquent loans, or for some other reason, by court order. All mandatory deductions are made without written authorization of the employee.
- Voluntary deductions are made only with the written authorization of the employee. Voluntary deductions include sums designated for health, vision, and dental insurance for the employee's family members. Additionally, the employee may authorize a deduction for a retirement program, AFLAC, United Way, etc. as authorized by Executive Director for a payroll deduction. An itemized statement of all deductions from the employee's wages accompanies each paycheck.

3.13 PAYROLL AND CHECK DISTRIBUTION

Paychecks are issued bi-weekly and will be issued by direct deposit to the employee. An approved time sheet for the pay period covered is required before payroll is processed. Payroll checks may be issued to participants for the Summer Youth Component or Work Experience program.

3.14 EMPLOYMENT STATUS

Oklahoma is an “at-will” State and therefore, SWB is an “at-will” employer. Employment is not a contract guaranteeing employment for any specific duration, and SWB may terminate the employment relationship at any time, with or without cause or notice. SWB is defining the following staff categories as follows:

- Exempt: Defined by the U.S. Department of Labor as employees that are not granted the protections of the Fair Labor Standards Act and not entitled to overtime pay. Exempt SWB positions include: Executive Director; Deputy Director, Fiscal Officer
- Non-Exempt: Defined by the U.S. Department of Labor as an employee that must be paid at least the minimum wage and overtime pay for any time worked beyond 40 hours in a given week. Non-exempt SWB positions include: Quality Assurance Monitor, Systems/Project Manager, Quality Assurance II, and All part-time positions
- Full-time: All employees who work a minimum of forty (40) hours per week on a consistent basis
- Part-time: All employees whose work less than 40 hours per week
- Long-term: All employees hired for a position without a pre-determined time limit or end date that is usually for longer than one (1) year

- Short-term: All employees hired for a specific period or for one year or less with an expiration date

Introductory/Probation Period

It is the policy of SWB that all new employees and all present employees transferred or promoted to a new job should be carefully monitored and evaluated for an initial period. The Introductory Period will be six-months to determine whether the employee is suitable for the position. The supervisor shall evaluate the employee's job performance and recommend as to whether the employee should be taken off probation. Review of employment suitability will be rendered at the end of the six-month period by the Supervisor with the final decision for continued employment resting with the Executive Director

3.15 BONUSES

In recognition of the vital part a conscientious and productive staff plays in assuring that quality services are provided, SWB has established a bonus program. Bonuses are determined on a year-to-year basis upon the recommendation by the Oversight Committee.

To be eligible for a bonus, an employee must meet the following criteria:

- He/she must have completed at least one year of continuous full-time employment.
- The employee must be a long-term employee at the time the bonuses are issued. If an employee works thru June, quits in July, and bonuses are issued in August, for example, the employee will not receive a bonus.
- No short-term employees are eligible for bonuses.

Bonus availability is determined as follows:

Bonuses are based on the annual performance of the staff and the availability of funds. Recommendations of staff bonuses shall be made by the Executive Director to the Oversight Committee. A bonus awarded to the Executive Director shall be based on the initiation and recommendation of the Oversight Committee. The bonuses are not to be viewed as an automatic fringe benefit. The dollar amounts of the bonuses established by the Board are based on the recommendation of the Oversight Committee.

SECTION 4–BENEFITS ADMINISTRATION

Benefit Eligibility – Long-term Full-time employees are eligible for Company Benefits that include: Insurance, Leave Time (including: Vacation, Sick, Administration, etc), Workers Compensation, Retirement Contributions and Holidays.

Long-term part-time employees that work 20 hours or more are eligible for Vacation and Sick leave on a pro-rata basis of hours worked to hours available to work. Other leave for Administration and Holidays will be based on hours normally worked for that day if applicable.

Short-term Full-time and Part-time employees are not eligible for Company Benefits. This would include all Work-based participants in the Title I WIOA program due to the nature of the program and being short-term.

SWB will adhere to the Federal or State regulations regarding leave and benefits, if applicable.

4.1 INSURANCE

Health Care Plan: A health care for Long-term Full-time employees and their dependents is available beginning the first day of full employment, or during an "open period" for enrollment each year. Twenty-five percent (25%) of the cost of this coverage will be the responsibility of the employee with the remaining seventy-five percent (75%) being paid by SWB. Benefits will be outlined in the policies provided by the insurance companies.

If the employee does not have a dependent at the time of enrollment in the plan, but later acquires a dependent, this person becomes eligible to participate in the plan on the date that he or she becomes the dependent of the employee if signed up for coverage within 30 days of eligibility or at any open enrollment period.

The employee will assume twenty-five percent (25%) of the cost of dependent or family coverage. Before the employee's coverage or that of the employee's dependents becomes effective, the employee must authorize payroll deductions for such coverage by filling out the appropriate form.

If the employee is on approved leave of absence without pay, the employee will be responsible to provide SWB with a personal check to cover the cost of any premium they had authorized as a payroll deduction. Failure to do so will result in a loss of coverage.

LIFE INSURANCE: Employees have life insurance protection in an amount agreed to by the Board.

VISION: This is available to Long-term Full-time employees.

DENTAL: This is available to Long-term Full-time employees

Additional information regarding coverage and submission of claims is available from the fiscal officer.

4.2 PAID TIME OFF POLICY

LEAVE TIME: SWB provides Leave Time from work to eligible employees for such needs as vacation, personal or family illness, doctor appointments, school, volunteerism, and other activities of the employee's choice. Leave Time consists of Annual and Sick Leave. Eligible employees will accrue Leave Time bi-weekly in hourly increments based on their length of service as defined in each section. Leave Time taken will subtract from the employee's accrued time bank in one-hour increments. Leave Time will not be earned in pay periods during which unpaid leave, short or long-term disability leave or workers' compensation leave are taken, but will be prorated by dividing the hours worked by the number of hours scheduled for that pay period.

ANNUAL LEAVE: Annual leave is paid time off work granted to employees to be used for whatever the employee wishes that could include vacations, rest and relaxation, personal business, or emergencies. Annual Leave is a fringe benefit to SWB employees and will accrue in accordance with length of service from the employees start date as follows:

- Zero through three years of service – 80 hours
- Four years of service through nine years of service –120 hours.
- Ten years of service or more – 160 hours

Annual Leave should be requested in advance and approved by the Supervisor or Executive Director with consideration of employee's seniority and the continuity of programs. Annual Leave can be used for sick leave when the employee has exhausted all of their sick leave hours.

Unused Annual leave time may be carried forward from one year to the next. The maximum Annual leave time an employee may carry over at any given time is 240 hours at midnight on December 31 of each year.

Annual leave hours not taken will be paid for upon separation up to the amount of 240 hours or the balance of the employee's Annual leave, whichever is less. If separation occurs during the 180-day introductory period, the annual leave hours will not be paid if unused.

SICK LEAVE: Sick leave provides time off with pay for periods of illness or incapacity resulting from injury of the employee or immediate family. Sick leave may be used for medical, surgical, dental, or optical examination or treatment, or where employee's exposure to contagious disease may jeopardize the health of others were the employee to be present at work.

- Zero through three years of service – 80 hours
- Four years of service or more –120 hours.
- Sick leave shall not be used for vacation.
- Sick leave will be allowed to accumulate with a limit of 520 hours on the hours accumulated.

- Sick leave is available to use as soon as it is accrued.
- No payment is made for unused sick leave upon separation.

Each employee is responsible for directly reporting to their supervisor and/or the Executive Director at the beginning of each working day when illness prevents his or her attendance at work. When an extended length of absence due to illness is required, the Executive Director must be kept advised if the absence is expected to continue for a period longer than originally anticipated.

A doctor's statement may be required for more than three consecutive days' absence due to illness or, at the discretion of the Executive Director, when an accumulation of scattered absences seem to establish a pattern of illness. The Executive Director may request and obtain verification of the circumstances surrounding any use of sick leave.

Employees, at their own discretion, may use sick leave to care for ill immediate family members.

DONATED LEAVE: SWB will allow Donated Leave between staff members when an employee has exhausted or will exhaust all Annual and Sick Leave and one is experiencing extenuating medical circumstances. The following steps will be followed:

- Annual leave hours can be transferred only to be used as Sick Leave.
- Sick Leave hours can be transferred with a limit of 80 hours per employee per incident.
- The transfer of donated hours must be presented to the Executive Director in writing. The Executive Director will then approve or disapprove the request. If approved, the request will be submitted to the accounting department where record of the transaction will be documented and tracked.
- The form (Attachment J) will state how many hours the donating employee is willing to donate. The amount of donated leave will be tracked and any unused leave will revert to the account of the donating employee. The hours donated will be valued at the rate of the donor and converted to the employee receiving the hours based on the receiver's rate of pay.
- The amount of donated leave cannot exceed the amount of leave the donating employee has at his/her disposal.
- An employee who has given or received notice to terminate employment cannot donate any sick leave accrual.
- The receiving employee must be out of all types of leave available to him/her and the circumstances must be such that the receiving employee is in the position of going on leave without pay or terminating employment. Donated leave will be given on a strictly voluntary basis and will be approved only to those experiencing extraordinary circumstances.

4.3 ADMINISTRATIVE LEAVE

- (a) Bereavement - Up to three (3) days, at the discretion of the Executive Director, may be allowed for a death in the immediate family of a full-time employee. Criteria for the amount of time off allowed include a variety of factors, including, but not limited to, the need for out-of-town travel and responsibility for handling funeral arrangements. The term “immediate family” includes the following: husband, wife, son, stepson, daughter, stepdaughter, mother, stepmother, father, stepfather, brother, stepbrother, sister, stepsister, son-in-law, daughter-in-law, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandmother, grandfather, aunt, uncle, niece or nephew. Additional time may be requested in the form of other paid leave.
- (b) Inclement Weather – At the discretion of the Executive Director, Administrative Leave may be granted due to extreme weather conditions
- (c) Other situations as determined by the Executive Director with the approval of the Board Chairman.

4.4 MILITARY LEAVE

SWB will comply with the requirements for military leave under USERRA guidelines. Employee should provide the Executive Director with copy of military orders as soon as possible.

4.5 JURY DUTY AND SUBPOENAED LEAVE

If employees are called to serve on jury duty, they should notify the Executive Director immediately. All regular employees will be on paid status while on jury duty. A copy of the jury summons must be turned in to the Executive Director in order for employees to receive pay. Payment(s) received by the employee from service in court and/or jury duty is required to be surrendered to SWB Accounting office.

If an employee is served with a subpoena requiring him or her to serve as a witness as a result of his/her position with SWB, that employee will be permitted time off to attend hearings/trial without loss of pay or threat of loss of pay or job. Documentation of witness times and fee must be submitted to the Executive Director.

Upon verification from court personnel (i.e., letter from prosecutor/ attorney, etc.), victims of a crime may submit a written request for “court attendance” to the Executive Director. The Executive Director must approve the request. Time off will be charged to accrued vacation time, or if the employee does not have any accrued vacation time, they will be on approved time off without pay. Employees must provide verification of attendance from court personnel.

- A regular employee who summoned to serve court or jury duty shall be granted a leave of absence for the period in which he/she is required to be present for duty at the courthouse.

- Any employee called to serve on jury duty or appear in court because of their employment position regarding a case related to SWB business shall be granted a leave of absence for that purpose.
 - The employee shall present to the Executive Director the original summons or subpoena from the court in order to be granted leave.
 - An employee testifying in a case, which is unrelated to their employment position or regarding a case unrelated to SWB business, shall not be eligible for court leave and must request annual leave. If annual leave is not available, the absence shall be designated as leave without pay.

4.6 LEAVE WITHOUT PAY

Leave without pay occurs when an employee has exhausted all their annual and sick leave balance. If the employee has leave without pay during the regular pay period, Annual and Sick Leave will be a ratio basis of hours worked divided by the hours available for that pay period. If the employee is on leave without pay and not receiving any compensation then the employee will be held responsible for their portion of the insurance premiums and all other voluntary payroll deductions.

4.7 WORKERS COMPENSATION

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

- **REPORTING**–Any employee injured on the job will report the injury immediately to the Executive Director or designee regardless of whether the injury is minor or of no apparent significance.
- **INCIDENT REPORT**–An Incident Report will be completed promptly by the Executive Director or designee to ensure documentation and expedite compensation.

Failure of an employee to document job-related injuries may result in disciplinary action. Reporting job-related injuries protects both the Company and the employee.

While an employee is off on Workers Compensation, the employee will not accrue Annual or Sick Leave and will not be paid for Holidays while not working.

4.8 PROFESSIONAL DEVELOPMENT

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

- Attendance at conferences, educational meetings, workshops, and institutes must have the

approval of the Executive Director.

- Each employee may be permitted to attend conferences as funds permit, including registration and reimbursement for lodging, meals, and travel.
- Each employee who attends a conference, seminar and/or training may be expected to inform their supervisor and/or Executive Director what was covered, and how it applies to SWB.

4.9 RETIREMENT PROGRAM

Each year of employment, SWB will contribute money to a Board-approved 403(b) Plan. The contributions made by SWB will match an amount of up to 6% of the full-time employee's compensation as detailed in the Retirement's Summary Plan Description on behalf of each eligible full-time employee to begin at the time the employee is eligible. At termination of employment, employees will be eligible to receive the value of contributions made by them and on their behalf based their years vested service.

Less than 1 year	0%
1 Year	20%
2 Years	40%
3 Years	60%
4 Years	80%
5 Years	100%

The long-term full-time employee may contribute according to the policy specifications and/or applicable IRS laws.

4.10 HOLIDAYS

SWB employees are entitled to 12 annual holidays. If a holiday falls on Saturday, it will be observed the preceding Friday. If a holiday falls on Sunday, it will be observed the following Monday or next business day. SWB will observe the following holidays:

- | | |
|------------------------------------|-------------------------------------|
| (a) New Year's Day; | (g) Veterans' Day; |
| (b) Martin Luther King's Birthday; | (h) Thanksgiving Day; |
| (c) Presidents' Day; | (i) Day after Thanksgiving Day; |
| (d) Memorial Day; | (j) Christmas Eve; |
| (e) Independence Day; | (k) Christmas Day; and |
| (f) Labor Day; | (l) Floating Holiday (pre-approved) |

The Floating Holiday (l) is the choice of the employee to be taken at any time during the calendar year. The Floating Holiday is credited to the employee leave account at the beginning of the calendar year and if not used, then it will be removed from the employees Leave balance at midnight on December 31st of the end of the calendar year. The Floating Holiday request must be submitted on the Leave Request Form (Attachment K) and pre-approved in writing by the Executive Director or direct supervisor.

4.11 TELEPHONE ALLOWANCE

In order to maintain and modernize the communications capabilities of SWB staff, employees may be eligible for a work cellular phone or a telephone allowance per pay period. To qualify, the employee must be a full-time employee and actively working.

The Executive Director shall be authorized to approve the receipt of a mobile phone or the payment of the allowance, based on a determination of SWB's need to maintain mobile telephone contact with each individual employee. The determination should take into consideration each employee's job duties and location(s) where work is actually performed or is likely to be performed.

SECTION 5--PERFORMANCE AND DISCIPLINE

5.1 WORK PERFORMANCE

SWB values and encourages the hard work and dedication of its employees. Periodically, SWB may recognize an employee for exceeding their job duties and expectations by recognizing it in a written work performance.

SWB is committed to help employees improve their work performance. When there is an employee with performance deficiencies, a work performance improvement plan may be necessary. The improvement plan is to give an employee the opportunity to succeed. It can be used to address failures to meet specific job goals or to address behavior-related concerns.

NOTE: All employment with SWB is “at will” and either the employee or SWB may terminate the employment relationship at any time, with or without cause or notice.

5.2 DISCIPLINARY PHILOSOPHY

SWB has a philosophy that staff should, in all circumstances, do the right thing, in the right manner, at the right time, according to the conduct and ethics criteria set out in policy. In the event discipline is required a form of progressive discipline which may include informal communication/discussion, first written notice, second written notice, and termination will be used.

5.3 GRIEVANCE / COMPLAINT PROCEDURE

Any employee who has a complaint or grievance concerning a recognized federal and local civil rights law (i.e., race age, disability, sex, etc.) has the right to file a grievance (Form G). Employees should attempt to resolve the problem informally, if possible, with the Executive Director and Equal Opportunity Officer. If a solution cannot be reached, the employee may present a formal written complaint or grievance to the Executive Director who will initiate an independent investigation of the complaints made. If a resolution cannot be reached, the complaint will be presented to the SWB Executive Committee for resolution.

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

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

Unresolved grievances of employees should be turned over to the Executive Committee for a resolution within 21 working days of the time the grievance is filed. Employees may not file grievance procedures challenging the substance of a performance appraisal but do have the opportunity to write their comments in the appropriate place designated for the employee’s comments.

5.4 DISMISSAL

Some offenses which will warrant immediate dismissal include but are not limited to:

- Theft—including, but not limited to, the removal of company property or the property of another employee from company premises without prior authorization.
- Drugs/Alcohol—possession, use, sale, purchase or distribution on Company property of alcohol or any illegal drugs or illegally possessed drugs. Also, reporting to work after having ingested alcohol or illegal drugs or illegally possessed drugs, in a condition that adversely affects the employee's ability to safely and effectively perform his or her job functions, or which would imperil the safety of other employees.
- Falsifying or altering Company records.
- Sabotaging or willfully damaging Company equipment or the property of other employees.
- Walking off the job without permission of the Executive Director.
- Insubordination involving, but not limited to, defaming, assaulting or threatening to assault a fellow employee, and refusing to carry out the order of the Executive Director where personal safety of the individual is a problem.
- Fighting or provoking a fight on company premises.
- Absence for three consecutive working days without notice to the Executive Director or Direct Supervisor, in which event the offending employee will be deemed to have quit voluntarily.
- Sleeping on the job.
- Bringing or possession of firearms, explosives, or any dangerous weapon on the Company property.

THIS LIST OF OFFENSES IS NOT ALL INCLUSIVE.

When a new employee is hired, they will be asked to read and sign a Dismissal Acknowledgement (Form E).

5.5 TERMINATION

For voluntary termination, the employee is required to give a two-week notice. SWB is an “employment-at-will” company; the employer may terminate his/her employment with or without notice and with or without cause or reason.

5.6 FINAL PAY

Employees who leave the service of the Company for any reason shall receive all pay that may be due them with the following qualifications (including the completion of Form F):

- Long-term Full-time & Part-time employees will be paid for all unused vacation hours.
- Long-term Full-time & Part-time employees who are dismissed after committing a criminal offense against the Company or for other gross violations of company policies as determined by the Executive Director will not receive Annual Leave pay.

- Separation date for all employees is the last day of actual work or approved leave. Final pay received by an employee will not be construed to extend his or her employment with the Company beyond the separation date.
- Employees will be advised of their rights under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). This act entitles employees and their dependents to continue their coverage under the Company's health insurance plan – at their own expense, but at group rates – for 18 months after they leave. SWB will provide employees a Certificate of Credible Coverage.
- Employees will receive a notice in the mail of their HIPPA status and rights.
- If an employee death occurs during their employment, SWB will submit payment of all final wages due to the employee's designated beneficiary, surviving spouse or dependent children upon proof of death and evidence of the relationship to the employee.

FORM A

SWB CODE OF ETHICS

By signing a copy of this code of ethics, I as a staff member of SWB affirm that:

- I will not discriminate against or refuse professional services to any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in any WIOA Title I-financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any WIOA Title I-financially assisted program or activity. (29 C.F.R. § 38.5).
- I will not use my professional relationship to further my own interests.
- I will evidence a genuine interest in all persons served, and do hereby dedicate myself to their best interests and helping them help themselves.
- I will respect the privacy of persons served and hold in confidence all information obtained in the course of professional service.
- I will maintain confidentiality when storing or disposing of client records.
- I will maintain a professional attitude that upholds confidentiality toward individuals served, colleagues, applicants and the Company.
- I, upon termination, will maintain client and co-worker confidentiality, and I will hold as confidential any information I obtained concerning the Company.
- I will respect the rights and views of my colleagues, and treat them with fairness, courtesy and good faith.
- I will not exploit the trust of the public or my co-workers. I will make every effort to avoid relationships that could impair my professional judgment.
- I will not engage in or condone any form of harassment or discrimination.
- When I replace a colleague or I am replaced, I will act with consideration for the interest, character, and reputation of the other professional.
- I will extend respect and cooperation to colleagues of all professions.
- I will not assume professional responsibility for the clients of a colleague without appropriate consultation with that colleague.
- If I see the client of a colleague during a short-term absence or emergency, I will serve that

client with the same consideration afforded any client.

- If I know that a colleague has violated ethical standards, I will report the activity to the Executive Director.
- I will accurately represent my education, training, experience, and competencies as they relate to my profession.
- If serving as the Executive Director, I will make certain that the qualifications of the persons I supervise are honestly represented.
- I will abide by Company policies related to public statements.
- I have total commitment to provide the highest quality of service to those who seek my professional assistance.
- I will continually assess my personal strengths, limitations, biases and effectiveness.
- I will strive to become and remain proficient in professional practice and the performance of professional functions.
- I will act in accordance with standards of professional integrity.
- I will not advise on problems outside the bounds of my competence.
- I will seek assistance for any problem that impairs my performance.
- I understand that violation of this code may be grounds for dismissal.

All SWB staff is required to sign the Company Code of Ethics.

Employee's conduct toward co-workers is a critical point in the effective operation of Company business and morale. Therefore, appropriate action will be taken if an employee is disrespectful to a co-worker. Name-calling, improper displays of affection, and threatening remarks directed to another employee are examples of behavior that will not be tolerated.

New Employee's Signature

Date

Executive Director's Signature

Date

FORM B

SWB REFERENCE RELEASE WAIVER

I authorize SWB to furnish any future employers with whom I seek employment with whatever information they may desire regarding my employment here, including my reason(s) for leaving. I am signing this waiver voluntarily, and request that SWB respond to all reference inquiries with full and complete, factual information.

Since this reference is an important part of my application for my future employment, I therefore waive and release SWB from any and all claims or causes of action in law or equity, including, but not limited to, defamation of character or invasion of privacy, which might arise from responding to a reference check.

New Employee's Signature

Date

Executive Director's Signature

Date

FORM C

SWB ACKNOWLEDGMENT AND DISCLAIMER

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

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

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

Employee's Signature

Date

Employee's Name (Printed)

Date

Executive Director's Signature

Date

FORM D

SWB NEW EMPLOYEE ORIENTATION CHECKLIST

Employee's Name: _____ Hire Date: _____

Title: _____ Employee Number: _____

Social Security Number: _____ Phone: () _____

Address: _____

Emergency Contact: _____ Phone: () _____

Section I–WELCOME TO THE COMPANY

- Welcome new employee
- Explain that “Equal Opportunity is the Law” statement to new employee and reaffirm Company's commitment to opportunities for advancement
- Introduce new employee to Company employees; explain history and purpose of the Company
- Provide new employee with tour of facility
- Show new employee his or her work area (explain supplies and give keys to building)
- Explain the purpose of the new employee's job description and his or her expected contribution to the Company
- Present copy of personnel policies and have employee sign a form to acknowledge receipt of the handbook and his/her intention to become familiar with its contents

Section II–GENERAL INFORMATION

- Tell location of rest rooms
- Tell location of lunch and break rooms
- Inform of parking areas
- Explain work hours (define work week and state overtime policy if applicable)
- Explain break policy
- Explain lunch break
- Explain smoking policy
- Explain rules of dress, personal grooming
- Explain rules about absenteeism and tardiness
- Explain safety procedures
- Explain introductory period for new employee

- Explain work performance reviews
- Explain pay procedures (time sheets, date of the first check)
- Explain steps in discipline procedure (verbal warning, written warning, etc.) and specify actions that will result in discipline

Section III–SWB BENEFITS AND POLICIES

- Complete form I-9 (required by the Immigration Reform and Control Act of 1986) within three days of employee start date
- Complete W-4 form from IRS & Oklahoma for employee to claim payroll deductions
- Explain SWB benefits and fill out necessary forms (health insurance, for example)
- Explain holidays
- Explain vacation days
- Explain sick leave policy
- Explain EO/Grievance and Complaint Process Policy “Equal Opportunity is the Law”.

Section IV–QUESTION/REVIEW

- Answer any questions new employee has
- Review necessary information (hours, paydays, sick leave procedure)

I acknowledge that I have discussed the items listed above.

New Employee's Signature

Date

Executive Director’s or Designee Signature

Date

FORM E

SWB DISMISSAL ACKNOWLEDGMENT

I understand that the following behaviors are grounds for immediate dismissal. They include, but are not limited to:

- Theft—including, but not limited to, the removal of company property or the property of another employee from company premises without prior authorization.
- Drugs/Alcohol—possession, use, sale, purchase or distribution on Company property of alcohol or any illegal drugs or illegally possessed drugs. Also, reporting to work, after having ingested alcohol or illegal drugs or illegally possessed drugs, in a condition that adversely affects the employee’s ability to safely and effectively perform his or her job functions, or which would imperil the safety of other employees.
- Knowingly falsifying a personal time sheet or that of another employee, or soliciting such conduct from another employee.
- Falsifying or altering company records.
- Sabotaging or willfully damaging Company equipment or the property of other employees.
- Walking off the job without permission of the EXECUTIVE DIRECTOR.
- Insubordination involving, but not limited to, defaming, assaulting or threatening to assault the EXECUTIVE DIRECTOR, and refusing to carry out the order of the EXECUTIVE DIRECTOR where personal safety is not a problem.
- Fighting or provoking a physical or verbal fight on company premises.
- Absence for three consecutive working days without notice to the Company, in which event the offending employee will be deemed to have quit voluntarily.
- Sleeping on the job.
- Carrying concealed weapons on Company property.

Employee’s Signature

Executive Director’s Signature

Date

Date

FORM F

SWB FINAL PAY AGREEMENT UPON TERMINATION

I understand that upon my separation from this Company, I am responsible for returning any Company equipment or property issued to me, including keys.

The following items have been issued to _____

(Print Employee's Name)

Item	Date of Issue	Date of Return
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Employee's Signature

Date

Supervisor Signature

Date

FORM G

SWB Grievance Report

Date: _____

Name: _____

Position/Title: _____

EXECUTIVE DIRECTOR: _____

Description of the problem:

I first reported this problem on: _____

Steps I have taken to solve the problem:

Employee's Signature

Date

Executive Director's Signature

Date

Form H

SWB CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 29 CFR Part 98, Section 98.305.320 and Subpart F.

- I. The grantee certifies that it will or will continue to provide a drug-free workplace by:
 - A. Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
 - B. Establishing a drug-free awareness program to inform employees about
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
 - C. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph A.
 - D. Notifying all employees that, as a condition of employment under the grant, the employee will:
 1. Abide by the terms of the statement; and
 2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute for a violation occurring in the workplace no later than five days after such conviction.
 - E. Notifying the Company within ten days after receiving notice under paragraph D.2. with respect to any employee or otherwise receiving actual notice of such conviction. Employers of convicted employees provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working. The Federal Company has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
 - F. Taking one of the following actions, within 30 days of receiving notice under paragraph D.2., with respect to any employee who is so convicted –

1. Taking appropriate personnel action against such an employee, up to and including termination consistent with the requirement of the Rehabilitation Act of 1973, as amended; or
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate Company;
- G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (A), (B), (C), (D), (E), and (F).

New Employee Signature

Date

Typed or Printed Name and Title of Authorized Representative

FORM I

SWB Receipt of Personnel Policies and Procedures

My signature is an acknowledgment that I have received a copy of the Personnel Policy and Procedures. I further acknowledge that I will read this policy and notify SWB of any questions within 1 week.

Employee Signature

Date

HR/Fiscal Officer Signature

Date

FORM J

SOUTHERN WORKFORCE BOARD, INC.

Request to Transfer Leave

_____ Employee Name	_____ SS #	_____ Job Title
_____ Work Location	_____ Program	

I, hereby, request that _____ hours of my accrued Annual or Sick Leave be transfer to _____ for use as extended paid leave as provided by Southem Workforce Board Inc. Personnel Policies and Procedures, Section

I understand that the transferred leave is a gift to the receiving employee and cannot be repaid or returned to me unless the recipient returns to work or does not return to work. Then, any unused leave will be transferred back to me on a pro-rata basis.

I, hereby, certify that signing this request by me is being done voluntarily. I was not coerced, threatened, intimidated or finacially induced into donating leave.

Date

Donating Employee Signature

Eligibility Verification

Employee's leave balance _____ hours as of _____ Annual Leave available

Employee's leave balance _____ hours as of _____ Sick Leave available

Date

Fiscal Officer/Accounting Signature

FORM K

SOUTHERN WORKFORCE BOARD, INC. LEAVE REQUEST FORM

Must be approved prior to the date leave commences except in extreme emergencies.

Name (Print or type) _____ Program

ANNUAL LEAVE - Leave in excess of amount available will be without pay. Personal Day

SICK LEAVE - Check item below that applies. Written verification by physician may be required for absence over 3 consecutive days required for any that apply below.

Any absence related to employee's own sickness, injury or routine care

On-the-job injury or sickness (first 7 days off)

Care of immediate family member
Limited to spouse, child (natural, foster, adopted, step) and parent

ADMINISTRATIVE LEAVE - Not charged against any other leave. Must be approved by the Executive Director.
If for death of a family member length will be determined by relationship, distance to travel and legal responsibility, list relationship and location: _____

MILITARY LEAVE - Granted for Active Duty, written notice must accompany application for leave.

JURY DUTY - Written notice must accompany application for leave. Employee will be paid for time off, but pay received for jury duty must be submitted to the Executive Director.

LEAVE WITHOUT PAY - Approval must be obtained in advance except in unusual circumstances.

FLOATING HOLIDAY - Approval must be obtained in advance except in unusual circumstances.

DATE AND TIME REQUESTED From: _____ To: _____
Date Hour Date Hour

Hours
Total Hours Requested

APPROVED _____
Employee's Signature Date

DISAPPROVED _____
Supervisor Signature (or Board Chair) Date

SWB-LRQ (REV 03/19)

Form L

Southern Workforce Board, Inc.

Request Form for Reasonable Accommodation

This form must be completed when an individual is requesting accommodation due to a disability.

Please describe how your disability/medical condition limits your ability to perform the essential functions of your job:

Please detail the type of accommodation(s) being requested that will aid in your ability to complete the essential functions of your job:

Please provide details on how said accommodation(s) will assist you with performing essential job functions:

Please offer alternative accommodation(s) that may also be effective:

Signature of employee making request

Date Request submitted

Signature of Executive Director

Date Request received

Submit the original completed form to the Executive Director
