

# Milan Seniors for Healthy Living Policy

10.11.01-06.19 Employee Manual

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### Section 1: Organizational Structure and Expectations

#### 1.0 Welcome/Mission Welcome to our team!

**Mission Statement: Milan Seniors for Healthy Living is a non-profit organization committed to provide activities, programs, services, and referrals designed to enhance quality of life and encourage aging with independence and dignity in the Milan, MI area.**

Our mission can only be achieved if everyone on our staff knows, understands, and promotes it. MSHL is delighted you now accept your role in helping make our mission a reality.

#### 1.1 About this Manual

This manual is intended as a guide to the policies, practices, and benefits associated with your employment. We believe that each person has something valuable to contribute and we strive to build the best possible working environment. In turn, MSHL expects the highest effort and cooperation from you. You were hired because we believe you are the candidate with the best mix of experience, ability, and integrity to complement our team. Statements herein are subject to change, in whole or in part, at any time by MSHL. Recognition of these prerogatives is a condition of your employment. This manual is not a contract of employment. Only the Board of Directors may make modifications and, to be effective, those modifications must be in writing. Should any questions or disputes arise about the interpretation or application of the contents of this manual, MSHL retains the absolute right to decide its policy and practices, which shall be final and binding upon all employees.

#### 1.2 Chain of Command

The Board of Directors of MSHL is responsible for setting policies. The Board employs the Executive Director, to whom it delegates responsibility for the day-to-day administration of MSHL. The Executive Director employs and manages the staff using policies approved by the Board of Directors. MSHL operates in an “open door” manner. Employee input and team work is considered valuable to providing high quality services. All employees, regardless of position, are encouraged to provide input and suggestions concerning the overall operation and programs of MSHL. To facilitate healthy communication, staff are to follow the chain of command. A staff member who does not follow the chain of command is subject to disciplinary action. Unless otherwise indicated in these policies (specifically as noted in the Sexual Harassment Policy), the chain of command is as follows:

- A. Immediate Supervisor
- B. Executive Director
- C. Board of Directors

#### 1.3 Employee Conflict of Interest Policy

MSHL expects that the primary interest of our employees to be the people we serve and the organization. A conflict of interest occurs when the interests of an employee actually or potentially affect MSHL in a negative way.

Prohibited activities include, but are not limited to:

- A. Outside business interests: Employees may have outside business interests and employment so long as these do not interfere with their job performance. MSHL has the prerogative to determine if this may be the case.
- B. Gifts, Gratuities, etc: Employees shall not accept personal gifts, gratuities, free trips, personal property, or other items from an outside person or organization as an inducement to provide services or products.
- C. Personal Beliefs: MSHL recognizes that its employees may hold a wide range of personal beliefs, values, and commitments. These beliefs, values, and commitments are a conflict of interest only if;
  1. They prevent fulfillment of job responsibilities;
  2. MSHL’s time, facilities and/or resources are used to further them; and/or
  3. Employees continue to convince others of their personal beliefs after they have been asked to stop.

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## 1.4 Client Confidentiality

MSHL's employees will, to the best of their ability, ensure confidentiality and privacy in regards to history, records, and discussions about the people we serve. No information requested by persons or agencies outside of MSHL employees will be given over the phone or in person unless prior permission is given by the individual. Staff is instructed to respond with the statement "Milan Seniors for Healthy Living policy does not permit me to give out this information." If records are inspected by an outside agency specific authority must be given by the Executive Director. These are held to the same standard of confidentiality. All employees are required annually to sign a confidentiality agreement stating their responsibility and commitment regarding client information.

## 1.5 Drug-Free Workplace Policy

MSHL has established a drug-free workplace policy committed to protecting safety, health, and well-being in accordance with the Federal Drug-Free Workplace Act. This includes use of tobacco products in any facility (including vehicles) where MSHL activities are being conducted. A safe and productive drug free workplace is achieved through cooperation and shared responsibility. All employees/volunteers are required to not report to work or be on duty while their ability to perform job duties is impaired due to use of alcohol or other drugs (legal or otherwise).

**Our policy is applied to any individual/position who is conducting business during our hours of operation in the building, whenever anyone is representing or conducting business for MSHL, and/or while paid.**

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants. Exceptions to this may apply if alcohol is served as a part of a program or activity. Any violation of this policy is subject to discipline up to and including termination for a first offense.

## 1.6 Drug Testing and Notification of Criminal Drug Violation Policy

Any employee who is convicted of a criminal drug violation in the workplace must notify MSHL in writing within five business days of the conviction. In turn, MSHL will take appropriate action within 30 days of notification.

Each employee, as a condition of employment, may be required to participate in a "reasonable suspicion and follow-up" testing upon request. All drug-testing information will be maintained in confidential records. Any employee who tests positive may be immediately removed from duty, suspended without pay for a period of 30 days, or referred to a substance abuse professional for assessment and recommendations, and required to successfully complete recommended rehabilitation, including continuing care. An employee will be subjected to the same consequences of a positive test if he/she refuses the screening or the test, alters or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test. Employees identified for testing are required to sign a consent form agreeing to submit to the terms and conditions of the test and for the release of information to MSHL. Employees who incur workplace injuries or accidents while under the influence of drugs and/or alcohol may be denied coverage under Worker's Compensation. Any employee testing positive for drug or alcohol use while on the job will be subjected to disciplinary action up to, and including, termination.

## 1.7 Dress Code

As representatives of MSHL, employees are expected to exhibit a neat, well-groomed appearance commiserate with the nature of work duties. A well-groomed employee creates a favorable impression of the services we provide, especially when paired with a friendly smile and a gracious attitude. If the Executive Director or immediate supervisor decides that an employee is in violation of the dress code, the employee will be asked to go home and change (unpaid time).

## 1.8 Inclement Weather & Emergency Closings

In general, if Milan Area Schools are closed due to inclement weather, the senior center will also be closed. Notification of a closure is available over local news media. In addition, the Executive Director or his/her designee

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may close the facility if conditions deem it prudent. Transportation Services and Home Delivered Meals will be decided on a case by case basis as these services are deemed more critical to maintain if possible to do so safely. Unless otherwise requested, staff members without specific assigned duties are not expected to work during an emergency closing. There will be no pay for days off work, but PTO may be used to compensate for the time if available and so desired by the employee.

### 1.9 Personal Vehicle Use

On occasion, employees will have opportunity to travel on official business. When an employee drives his/her personal vehicle, a mileage allowance will be reimbursed at the rate approved by the IRS. Meals and lodging are not reimbursable unless the Executive Director gives prior approval. Any employee using a personal vehicle for MSHL business must maintain a valid, state issued driver license and adequate, active automobile insurance. The employee is responsible for notifying his/her immediate supervisor in the event of any change in driving status or lapse in insurance coverage. MSHL is not responsible for fines incurred by employees while driving a personal vehicle on MSHL's business.

### 1.10 Workplace Violence Policy

MSHL is committed to maintaining a safe, healthful, and efficient working environment where employees and clients are free from the threat of workplace violence. In keeping with this policy, MSHL prohibits any employee from engaging in any act – either on company premises or during the performance of work-related duties that:

- A. Threatens the safety of an employee and/or client;
- B. Adversely affects the health, life, or wellbeing of an employee and/or client; and/or
- C. Results in damage to company, employee, or client property.

Such acts include, but are not limited to:

- A. Threatening, intimidating, coercing, harassing, or assaulting an employee or customer;
- B. Sexually harassing an employee or client;
- C. Carrying or concealing a weapon on company property;
- D. Allowing unauthorized persons access to the building without management permission;
- E. Using, duplicating, or possessing keys to the building or offices without authorization; and/or
- F. Stealing or attempting to damage the property of MSHL, an employee, or a client.

Any employee who has been threatened, is a victim of a violent act, witnesses any threats or violent acts, or learns of any threats or violent acts, is to report such activity to the Executive Director or the Board of Directors.

Each report will be promptly evaluated and investigated to determine what follow-up actions are necessary.

Information about an incident or threat will be disclosed on a need-to-know basis only so that a fair and thorough investigation can be conducted, and/or appropriate corrective action can be taken. Additionally, MSHL will make every effort to ensure the safety and privacy of the individuals involved.

An employee who engages in prohibited conduct will be subject to appropriate disciplinary action as determined by the findings of the investigation. Such discipline may include warnings, reprimand, suspension, or immediate termination. In addition, certain actions may cause the employee to be held legally liable under state and/or federal law. All employees are encouraged to take an active role in creating a safe work environment.

### 1.11 Personal Property

Employees bringing personal belongings to the workplace to decorate or facilitate their work should be sure to prominently mark the items to show ownership. MSHL cannot be responsible for any loss or damage to employees' personal property. Display of personal belongings is subject to the discretion of the Executive Director.

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### 1.12 Data Systems and Internet Usage

MSHL is committed to maintaining technology that enhances employees' efficiency and effectiveness while remaining fiscally prudent. All employees are responsible for safe, secure, and responsible use of the technology. MSHL's internal computer network is connected to the internet. It is the responsibility of employees using these tools to do so primarily for work purposes and in an appropriate manner. Personal use is allowable so long as there is no negative effect on job expectations, never a priority over work responsibilities, and is done on the employee's own time. All data sent, received, stored, or created on the equipment provided is the property of MSHL and may be periodically monitored, surveyed, or reviewed. Electronic mail sent via MSHL's account should be treated in the same manner as any other communication coming from the organization. All communications represent our organization and as such, should be written in a professional and appropriate manner. Check with the Executive Director if you are in doubt about the appropriateness of any communication. No e-mail, voicemail, or documents viewed or stored on computers should be considered private. MSHL may monitor communications, or grant permission to others to do so, as it deems necessary for business reasons, safety issues, under order of subpoena, or other appropriate situations.

Prohibited uses include, but shall not be limited to:

- A. Inappropriate, illegal, or harassing activity;
- B. Offensive, slanderous, discriminatory, or otherwise disruptive messages;
- C. Removal of any data or information from the system in any form (except with approval of the Executive Director);
- D. Attempts to send unsolicited non-business-related mail, "for-profit" messages, or chain letters;
- E. Downloading copyrighted material without permission or installing unlicensed software.
- F. Downloading any inappropriate or illegal materials, such as pornography.

### 1.13 Requests for Information Regarding Employees

All requests for information about a current or previous employee must be referred to the Executive Director. The only information given out will be the dates of employment, the final title or position held, and job location. With the employee's written permission, the Executive Director may give an employment and salary history. Upon request, an employee may examine his or her personnel file. Employees interested in reviewing their personnel record may do so by making an appointment with the Executive Director. These inspections will be in the presence of the Executive Director or a designated representative. Reasonable accommodations will be made so employees may obtain a necessary copy of their personnel file. If there is any information the employee believes to be inaccurate in his or her personnel file, this should be indicated in writing to the Executive Director.

### 1.14 Employee Protection (Whistleblower) Policy

It is the intent of MSHL to adhere to all laws and regulations that apply to the organization. If any employee reasonably believes that some policy, practice, or activity of MSHL is in violation of the law, that employee must file a written notice to the Executive Director or the Board Chair.

An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of MSHL and provides MSHL with a reasonable opportunity to investigate and correct the alleged activity. MSHL will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of MSHL or of another individual or entity with whom MSHL has a business relationship, based on a reasonable belief that the practice is in violation of law, or of a clear mandate of public policy. MSHL will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy, or practice of MSHL 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 the health, safety, welfare, or protection of the environment.

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## 1.15 Safety Standards & Emergency Procedures

Safe workplace general procedures:

- A. Work per good safety practices as common-sense dictates, or as posted, instructed, and/or discussed;
- B. Refrain from any unsafe act that might endanger oneself, the people we serve, or coworkers;
- C. Use all safety devices provided for protection;
- D. Report any unsafe acts or situations immediately to a supervisor.

The Building Emergency Preparedness Plan, on file in the main office, should be followed in the event of any situation that calls for its use.

## 1.16 Personal Use of MSHL's Equipment and/or Property

Personal use of the computer, fax machine, copier, printer, telephone and any other equipment belonging to MSHL will be permitted only during off duty hours and at the expense of the employee/volunteer. Employees will not directly or indirectly use or allow the use of property, equipment, or supplies belonging to MSHL or located on the MSHL's premises for any purpose other than MSHL's business unless special permission is obtained from the Executive Director. Furthermore, no employee shall willfully alter, mutilate, abuse, or waste any property, equipment, or supplies belonging to MSHL or located on the City of Milan's or MSHL's property. The improper, careless, negligent, destructive, or unsafe use or operation of equipment may result in disciplinary action up to and including termination.

## 1.17 Representing Milan Seniors for Healthy Living

No employee shall make a public appearance, provide a press release, or give a public speech representing MSHL without the specific knowledge and prior authorization of the Executive Director.

## **Section 2: Non-Discrimination**

### 2.1 Equal Employment Opportunity

In accordance with State and Federal Laws, MSHL will not discriminate against an employee or applicant for employment because of race, disability, handicap (unrelated to job requirements), color, creed, religion, sex, sexual orientation, age, marital status, height, weight, national origin, ancestry, citizenship (subject to Section 3.6 herein), veteran status, or 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 qualification and job requirements.

### 2.2 Americans with Disabilities Act Compliance

MSHL complies with the American with Disabilities Act of 1990. As required under the Michigan Persons with Disabilities Civil Rights Act, a notice is posted concerning the Act's provisions, which explain an employee's rights under that law.

## **Section 3: Employment Conditions and Provisions**

### 3.1 Job Descriptions

MSHL will maintain a written job description for all staff positions. In the event new positions are created through expansion or reorganization, written job descriptions will be prepared and then approved by the Board of Directors prior to filling the position.

Job descriptions are to be as detailed and explicit as possible. However, employees occasionally may be required to perform related duties not specified in the job description.

### 3.2 Licenses & Certification

Employees whose jobs require professional license or certification must present documentation of their license or certification prior to employment.

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- A. Employees pay the cost of obtaining their license or certification or maintaining it in an active status. MSHL may reimburse the employee for the cost of their license or certificate with the proper documentation.
- B. Copies of the license or certification, plus copies of all renewals or changes, must be provided by the employee for inclusion in his/her personnel file.
- C. Employees must notify their supervisor before the next scheduled workday of any changes in the status of their license or certification.

### 3.3 Nepotism

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

- A. No employee will be permitted to hire a relative without the written approval of the Board of Directors (relative is defined as a spouse, parent, child, grandparent, grandchild, sibling, aunt, uncle, or cousin).
- B. Related persons evaluating each other's job performance or making recommendations for salary adjustments, promotions, or other budget decisions shall be reviewed and approved by the Board of Directors.

### 3.4 Employment Status/Classifications

For purposes of wage and salary administration and eligibility for employee benefits and overtime payments, MSHL classifies its employees as follows:

- A. Full-time regular employee: 66 or more regularly scheduled hours per pay period;
- B. Part-time regular employee: **less than** 66 regularly scheduled hours per pay period;
- C. Temporary employee: employee engaged to work (full or part time) on MSHL's payroll with the understanding that their employment will be terminated no later than on completion of a specific assignment.
- D. Review Period: All new hires or employees changing positions will have a 90-day review period within which to demonstrate his/her ability to perform the job satisfactorily as determined at the discretion of the supervisor. In addition, employees can expect a formal annual review of their job performance.

### 3.5 Immigration Reform & Control Act of 1986 and Department of Homeland Security Employment Eligibility Verification

The Immigration Reform and Control Act of 1986 requires that employers ensure that employees are authorized for employment in the United States. Only individuals lawfully authorized for employment in the US will be employed. In conjunction with the Immigration Reform and Control Act of 1986 and with the Department of Homeland Security, MSHL must collect certain information on the Employment Eligibility Verification Form I-9 and review certain documentation concerning the employment authorization of individuals hired after May 31, 2005. This information and documentation will be used only for compliance with the Immigration Reform and Control Act of 1986, the Department of Homeland Security and not for any unlawful purpose. If your employment authorization changes or terminates after the start date of your employment, please inform the Executive Director immediately.

### 3.6 Compensation

Staff members shall be compensated every two weeks, consisting of 26 pay periods within a calendar year. Employees are paid the Friday following the end of each payroll period. The paycheck will include earnings for all work performed through the end of that payroll period, and any Personal Time Off (PTO) or Compensatory time redeemed. Employees are responsible for submitting their timesheet the next business day after the pay period ends. Employees will receive an itemized statement of wages, tax deductions, and other withholdings as required by Federal and State Laws.

## Section 4: Benefits

### 4.1 Holidays

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MSHL is committed to fostering a healthy and productive work place environment as our employee's hard work, dedication and commitment is deeply appreciated. MSHL offers paid holidays. Full time employees will receive 8 hours of pay for the following holidays: New Year's Day, Martin Luther King Jr Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day. Part -time employees working 20+ hours in that pay period will receive 4 paid holiday hours per holiday. If you are required to work on one (or a portion of) any of the above stated holidays, you will receive equal time off as comped time as approved by the Executive Director. Holidays that all MSHL services are closed but are not paid for employees are the Friday after Thanksgiving, Christmas Eve, and New Years Eve.

### 4.2 Personal Time Off (PTO)

Employee health is important to MSHL thus we encourage our employees to make decisions which will have a positive impact on their health. MSHL has established a generous Personal Time Off policy – both in PTO accrual and usage. The first 90 days of employment will be considered a review period within which no PTO time will accrue. After completing the review period, all employees shall earn PTO to be used as vacation, sick, or personal time off in proportion to the hours worked and employment longevity.

Up to 3 years: 1 hour PTO for every 20 hours worked.

3-6 years: 1.25 hours PTO for every 20 hours worked

7-9 years: 1.5 hours PTO for every 20 hours worked

10-12 years: 1.75 hours PTO for every 20 hours worked

13+ years: 2 hours PTO for every 20 hours worked

In the event an employee is unable to work their regularly scheduled time due to an illness or need to take care of personal business, PTO is to be used. PTO requests must be made in advance whenever possible and submitted in writing to the Executive Director. Requests are granted (or denied) subject to the needs of the department and based on seniority. PTO time may be taken by the hour or half hour.

Every employee is vital in the optimal functioning of MSHL. If you are absent, someone else must perform your duties and responsibilities. It is the responsibility of each employee to be sure that their duties and responsibilities are being fulfilled by someone capable of doing so. In the event that an employee has an unexpected absence or significant delay in reporting to work, PTO is to be used.

The following outlines the procedure for requesting time off in advance:

- A. The employee will submit the PTO Request Form to the Executive Director.
- B. The Executive Director will notify if PTO is granted or denied via signing the PTO Request Form and returning it to the employee within 48 hours.

### Accruing PTO

PTO is provided by MSHL to encourage and enhance each employee's physical and mental health. Thus, it is encouraged that employees use their PTO rather than allowing it to accrue excessively. Accrual of PTO hours shall not exceed 160 hours in total at any time. Any earned PTO accrued more than 160 hours will be lost. Used PTO hours themselves will not accrue additional PTO hours. Upon termination of employment, the employee shall be paid for unused PTO, not to exceed 160 hours, at the employee's last hourly rate of employment less required federal and state withholdings and deductions.

### 4.3 Employee Medical Leave

Although MSHL is not subject to the requirements of the Federal Medical Leave Act, the Board of Directors of MSHL, believes that it is in the best interests of MSHL and its employees to have a Medical Leave Policy

- A. Policy:
  1. All eligible MSHL employees shall be entitled to twelve (12) consecutive weeks of medical leave in any one-year period for covered medical conditions.
  2. Definitions:

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- a. An “eligible employee” is one who has been employed by MSHL for at least twelve (12) consecutive months and accrued 1250 or more hours of service during said twelve (12) month period immediately prior to the requested medical leave.
- b. A “covered medical condition” shall be the birth/adoption or foster care of a child and the immediately following period, caring for a child, spouse or parent with a serious health condition, or the convalescence after an employee’s own serious health condition.
- c. A “serious health condition” shall be an illness, injury, impairment or any physical or mental condition that requires inpatient medical care or continuing treatment by a health care provider. A written statement by a physician shall be required to support the serious health condition.

### B. Medical Leave Compensation

The eligible employee during his or her medical leave period shall be entitled to the following compensation:

1. During the first week of absence, the employee shall be allowed to use his or her accrued PTO up to a normal work week’s compensation for that employee.
2. During weeks two through four, the employee shall be entitled to seventy five percent (75%) of his or her normal weekly compensation with standard withholdings. The employee may use any unused PTO to supplement this benefit up to his or her normal weekly compensation.
3. During weeks five and six the employee shall be entitled to fifty percent (50%) of his or her normal weekly compensation, with standard withholdings, and may again augment this benefit with unused accrued PTO not to exceed the employee’s normal weekly compensation.
4. The employee shall receive no compensation other than unused accrued PTO during weeks seven through twelve of his or her medical leave period.
5. Any benefits received by an employee for employment related worker’s compensation shall be deducted from any benefits provided under this paragraph.
6. At the Executive Director’s discretion or at the discretion of the Board of Directors, if the Executive Director is the employee on medical leave, the employee on medical leave may perform services beneficial to MSHL at home during the medical absence and be compensated at his or her regular hourly rate, not to exceed the employee’s normal weekly compensation, when not on medical leave.
7. PTO will not be accrued while on medical leave.
8. Should the employee not return to work when released by his or her physician at any time within the twelve-week period, or at the end thereof, the employee will be considered to have voluntarily terminated his or her employment with MSHL.

#### 4.4 Leave without Pay

Leave without pay may be requested for Bereavement, Military Service, and Jury Duty. Additional requests for leave without pay may be granted at the discretion of the Executive Director.

#### 4.5 Professional Development

The continued professional development of our staff is important to MSHL. Employees are expected to take an active role in expanding their knowledge as it relates to their specific job and in the field of gerontology/senior services. Employees are expected to further their education with at least two classes, trainings, webinars, etc. annually. While most educational opportunities are expected to be at the personal expense of the employee, limited funding is available to share in the expense of professional development. All travel, lodging, and meal expenses are incurred by the employee. Requests for professional development may be to the Executive Director in written form.

#### 4.6 Breaks/Meals

Our jobs here at MSHL are interactive in nature and we encourage our employees to socialize and build relationships with our clients. This needs to be balanced carefully with maintaining productivity and should not conflict with the completion of job expectations. Employees are welcome to use time “off the clock” for *extended* socializing. For

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every six hours of work in a day, an employee is entitled to 30 minutes paid break, ideally to get a bite to eat. That time should be counted in the employees "regular hours". Employees are welcome and encouraged to eat with our lunch clients following the nutrition program guidelines.

### Section 5: Performance & Discipline

#### 5.1 Standard of Conduct

MSHL strives to create a supportive, family-like atmosphere. Our employees are held to a high standard of conduct including but not limited to giving 100% while on the job, upholding the honor and dignity of fellow employees, consistently striving to improve both oneself and the services offered through MSHL, and unflagging integrity. MSHL retains the sole right and discretion to evaluate what conduct is subpar. Any behavior which MSHL determines to be unacceptable may result in disciplinary action, up to and including, immediate termination. Moreover, MSHL retains the right to determine what level of discipline is appropriate.

#### 5.2 Performance Evaluations

Working well together with a strong commitment towards excellence is the standard for all MSHL employees. At any time, employees are encouraged to seek feedback from their supervisor(s) as to their job performance. Staff may receive a formal annual performance evaluation designed to objectively assess their performance and accomplishments relative to their job description. Employee feedback is welcomed and encouraged. The performance appraisal, while used in merit-based personnel actions (advancements, salary reviews, layoffs, etc.), is primarily a tool to enhance the continued education and professional growth of our employees. All employees will be given the opportunity to review and make copies of performance evaluations. Employees are encouraged to include written comments on the performance evaluation that is kept as part of the employee's personnel file. Employees must sign and date their evaluation. Signing does not necessarily indicate agreement with the evaluation, but that the evaluation was discussed with the employee. All performance evaluations will be held in confidence and may only be released to a third party with the prior written approval of the employee.

#### 5.3 Disciplinary Actions

To encourage compliance with performance standards, ethics, and conduct, MSHL uses a progressive disciplinary philosophy: informal correction, oral warning, written warning, disciplinary probation, suspension, and termination. The frequency and/or severity of misconduct will determine which level of disciplinary action is required. If a supervisor finds it necessary to use formal disciplinary measures, it is intended that the discipline be administered fairly, without prejudice and only for cause.

##### A. Warnings:

Documentation of both oral and written warnings will be signed by the supervisor and the employee and kept in the employee's file. If an employee refuses to sign, the supervisor should have a witness sign that a copy was given to the employee. The employee's signature indicates receipt of the document, not necessarily agreement with it. This document should include date, violation, necessary improvement, and further disciplinary action that could result from failure to show improvement. The employee will be afforded an opportunity to include his/her "defense" to the warning if he/she desires to do so. This statement will be kept with the warning document.

##### B. Disciplinary Probation:

An employee may be placed on disciplinary probation by the supervisor to allow the employee to show improvement on the problems specified at the time of probation. The disciplinary probation period begins when the supervisor provides the employee with a written and signed document which:

1. Identifies the problem;
2. Indicates the necessary improvement;
3. Specifies length of probationary period;

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4. Informs the employee of further disciplinary action that could result from failure to show satisfactory improvement within the specified probation period.

### C. Suspension:

The Executive Director may suspend an employee for disciplinary reasons without pay. An employee who is suspended without pay will be given written notice of the reasons for the action and the duration of the suspension. A copy will be made a part of the employee's personnel record.

Employees can be suspended for incidents that merit termination if the employee's participation is suspected, but unclear. Under these circumstances, the Executive Director can suspend the employee with pay pending investigation.

Supervisors will meet formally with suspended employees upon their return to work and define clearly and specifically the improvements in job-related behaviors required as a condition of the employee's continued employment. This meeting will be documented and records of it will be kept in the employee's personnel file.

### D. Disciplinary Termination of Employment:

If the employee fails to achieve the improved conduct or performance after counseling and/or warnings, his or her employment may be terminated. An employee may be discharged immediately if the problem involves illegal conduct on MSHL property, if the employee's performance, or conduct is such that continued service would no longer be in the best interest of MSHL. More serious examples of such conduct include physical violence, gross inefficiency or inaccuracy, theft, breach of honesty, violations of MSHL policies and procedures, etc.

Progressive discipline is not required for all offenses. MSHL reserves the right to terminate employees for commission of serious infractions, regardless of progressive discipline guidelines or counseling.

## 5.4 Resignation

A minimum of two weeks written notice and an exit interview is requested of employees who wish to terminate their employment with MSHL.

The employee's final check will include:

- A. Unpaid hours worked through the date of termination;
- B. Pay for accrued PTO if applicable.

Failure to return any MSHL property (i.e. keys, credit card, etc.) will result in delay of final pay. If these items are damaged or missing, their value may be deducted from the employee's final paycheck.

Frequent tardiness and/or absenteeism may be subject to disciplinary action up to and including termination. An absence for two consecutively scheduled workdays without personally notifying the Executive Director is considered a voluntary resignation.