

Personnel POLICIES & PROCEDURES



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ProWorks, Inc.
Litchfield, MN 55355

**ProWorks' Personnel Policies & Procedures
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ProWorks' Personnel Policies & Procedures

The policies & procedures contained within this document are written for informational purposes only; this document does not claim to contain all policies and procedures relating to ProWorks services or business operations, nor should it be considered to be a part of any employment contract or agreement; each "new" employee or volunteer will review these policies & procedures during their initial orientation; the "official" policy & procedure manual will be kept in the Executive Director's office, and may be reviewed at any time. ProWorks' Executive Director is given the authority and responsibility to interpret written policy or procedure, and to determine policy or procedure for any situation not currently addressed. Anyone may copy part or the entire policy & procedure manual; however, they must know that policies & procedures are subject to change, and they may not possess the most recent changes to this document.

Mission Statement: ProWorks provides adult day training & habilitation services; based upon the premise that every person challenged by limitations of mind or body possesses an inherent capacity to achieve some level of vocational independence; ProWorks provides training and care which encourages each person to develop or maintain their natural abilities.

ProWorks Board of Directors / Administrative Responsibility: ProWorks is a private, non-profit corporation, licensed by the MN Department of Human Services, to provide adult day training & habilitation services to persons with developmental disabilities and other related conditions; ProWorks is governed by a six-member Board of Directors. The annual meeting of the corporation, for the purpose of election of officers, is held annually, on the fourth Tuesday in March; regular meetings of the Board are held on the first Tuesday in February, the fourth Tuesdays in April, July and October, and the first Tuesday in December.

ProWorks' Executive Director is responsible for program development, implementation and employee relations; the Director may delegate this authority, but remains accountable for such delegations. ProWorks personnel must recognize that the Board of Directors are not required to meet and negotiate on matters of governance and inherent managerial responsibilities - this includes, but is not limited to, program direction, services or budget.

Furthermore, ProWorks' Executive Director is given the responsibility and authority to interpret existing policy or procedure, and determine policy or procedure for any situation not currently addressed in written policy or procedure; the Executive Director may correct written policy or procedure provided their content remains unchanged. Any person or group may request an opportunity to discuss a specific "issue" with the Board; their request to be placed on the agenda may be made to the Executive Director or the Board's Chairperson.

Statement of Affirmative Action: ProWorks, Inc. is an Equal Opportunity Employer, and does not discriminate for or against an applicant or employee on the basis of race, color, creed, religion, sex, national origin, age, marital status, sexual orientation*, public assistance

status, physical examination or disability; this commitment extends to all matters of employment - including, but not limited to, selection, placement or transfer, training and development, promotion or demotion, compensatory benefits, reduction in force, disciplinary procedures and all other conditions or privileges of employment. Reasonable accommodations will be made as required under the Americans with Disabilities Act.

* Minnesota defines sexual orientation as “having or being perceived as having an emotional, physical or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness.” Sexual orientation does not include physical or sexual attraction to children by an adult.

Employment Policy:

1) ProWorks promotes the principle of employment/promotion from within; present personnel will be notified of position openings, and may be given priority consideration.

2) **Nepotism:** Friends and relatives of ProWorks personnel may be considered for positions for which they qualify; personal relationships, however, will not be considered factors for or against employment.

3) All ProWorks personnel are employed “at-will.” This means that it is of indefinite duration, and may, regardless of the time and manner of payment of wages and/or salary, be terminated at any time by the employee or ProWorks, for any reason or no reason, and with or without cause or notice. Any representation about the employment relationship and/or this policy document that is different from what is described above will be invalid unless specifically agreed to in writing and signed by both employee and the Executive Director.

Genetic Information Nondiscrimination Act (GINA): ProWorks will not use “genetic” information for decisions on hiring, firing, promotions or job assignments; “genetic information” is broadly defined as: 1) genetic tests of an individual, 2) genetic tests of an individual’s family members and 3) the manifestation of a disease or disorder in family members of the individual.

In accordance with GINA, employers are prohibited from requesting, requiring or purchasing an individual’s genetic information; this prohibition, however, does not extend to information that is requested or required of family and medical leave laws, or to information inadvertently obtained through lawful inquiries, such as the Americans with Disabilities Act, provided the employer does not use the information in any “discriminatory” manner. If a covered employer lawfully or inadvertently acquires “genetic” information, that information must be kept in a separate file and treated as a confidential medical record; this information may be disclosed to third parties only in very limited circumstances. GINA also amends the Health Insurance Portability and Accountability Act (HIPPA) to treat genetic information as protected health information and limits the use and disclosure of such information.

An individual who believes that they have been discriminated against may contact the Equal Employment Opportunity Commission (EEOC) or the Minnesota Department of Human Rights; remedies for GINA violations are the same as those available under Title VII of the

Harassment Policy: ProWorks' employees will work in an atmosphere free from harassment; harassment is defined as the verbal or physical conduct of one or more individuals, relating to the race, color, creed, religion, sex, national origin, age, marital status, sexual orientation, public assistance status, physical examination or disability of another individual, when this conduct has the purpose or effect of creating an intimidating, hostile or offensive work environment, or has the purpose or effect of unreasonably interfering with another individual's work performance.

Sexual Harassment: It is ProWorks policy that any unwelcome sexual advance, request for sexual favor or other verbal or physical conduct of a sexual nature constitutes sexual harassment when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; 2) submission to or rejection of such conduct is used as a factor in any employment decision affecting any individual, or 3) such conduct has the purpose or effect of unreasonably interfering with any employee's work performance, or creating an intimidating, hostile or offensive working environment.

Sexual harassment and/or retaliation against an employee who makes a charge of sexual harassment are a serious offense, and will not be tolerated. If you believe that you have been the victim of sexual harassment, discuss the matter with your supervisor, or if you believe your supervisor to be the source of or a party to the sexual harassment, talk to ProWorks' Executive Director or the Chairperson of the ProWorks Board of Directors; this action begins the **grievance procedure**. An internal investigation will be conducted by "appropriate" ProWorks personnel and/or board members, and if the incident(s) can be substantiated or at least determined to have probably occurred as you have described, appropriate disciplinary action will be taken.

Any employee who knowingly makes false accusations against another employee, or any employee who knows that false accusations have been made and fails to report the truth, will be subject to disciplinary actions.

Employment Procedure:

1) The Board of Directors, with guidance from ProWorks' Director, will determine job classifications within the agency, and number of positions within each classification.

2) When a position becomes available, it will be advertised in the Litchfield Independent Review, the Eden Valley-Watkins Journal-Patriot, the Dassel Dispatch; the ad will state the position title, position summary, position qualifications, address where applications may be picked up, deadline for applications and the statement, **An Equal Opportunity Employer**. The position may be advertised through additional media sources as deemed necessary.

3) The submission of an employment application does not guarantee an interview; the Director will select and interview applicants; Personal and employment references may be contacted before or after an applicant's interview; the Director's decisions will be based upon available information and personal impressions formed during interactions with the applicant. The Board of Directors or other ProWorks personnel may be asked to assist with all or portions of the selection process. If a "suitable" applicant cannot be found, the position may be readvertised immediately or at a later date. Employment applications will be held for a

Reasonable Accommodation: ProWorks is committed to the fair and equal employment of people with disabilities; a disability is defined as a physical or mental impairment that materially or substantially limits one or more major life activities. “Reasonable accommodation” is key to this non-discrimination policy; a reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is ProWorks policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to both applicants and employees; an employee whose physical or mental abilities have changed due to accident or illness, and now require “reasonable accommodations,”

Once the applicant has received an offer of employment, they must inform ProWorks’ Director of their need for reasonable accommodations; the Director and applicant will discuss the requested accommodations and possible alternatives; the nature and cost of the accommodations will be considered to determine whether they would create an “undue hardship” for ProWorks. An “undue hardship” is an accommodation that is too costly, extensive, substantial or disruptive, or that would fundamentally alter the nature or operation of the program. The Director will make a decision regarding their request for accommodation, and if approved, will take the necessary steps to ensure that the accommodation is provided.

If an employee or applicant is not satisfied with the Director’s decision, they may file a grievance utilizing ProWorks’ “grievance policy.”

Employment Classifications

- 1) **Full-time** positions are those, which are typically scheduled for more than 32 hours per week, and are scheduled to work the maximum number of program days per year.
- 2) **Part-time** positions are those, which are typically scheduled for less than 32 hours per week.
- 3) **Permanent** positions are those likely to continue from one program year to the next.
- 4) **Temporary** positions are those, which are time-limited, and usually cover a specific need or period of time.
- 5) **Exempt** employees receive a minimum salary of \$970 per week (or \$50,440 annually).
- 6) **Non-exempt** employees receive an hourly wage, and include Employment Services Specialist, Direct Service Professional, Job Coaches and Drivers.

Safe Harbor Policy & Procedure

The U.S. Department of Labor's rules on "white collar" exemptions from federal overtime and minimum wage requirements, under the Fair Labor Standards Act (FLSA) provide a "safe harbor" that may preserve an employee's exempt status in the event improper deductions are made. It is ProWorks' policy and practice to accurately compensate employees in accordance with the Fair Labor Standards Act and all other applicable state and federal laws.

In accordance with FLSA guidelines, employers are responsible for designating job classifications as either "exempt" or "non-exempt." Employees classified as "non-exempt" are eligible to be paid "overtime" for hours worked in excess of 40 hours per week; employees classified as "exempt" are not eligible for "overtime" pay.

Non-Exempt Employees are paid for actual hours worked. All work hours must be accurately recorded on their time card. At the end of a pay period, each employee must sign their time card to verify that the reported hours are complete and accurate; their time card may then be submitted to ProWorks Business Manager for payment. When their pay check is received, they should promptly review and verify that they were paid correctly. If an error is suspected, the employee needs to report this error, ASAP, to ProWorks Business Manager, Betty Opsahl. It is often easier and better to correct an error sooner rather than later.

Exempt Employees are those individuals employed in a bona fide executive, administrative or professional capacity and who are "exempt" from the FLSA's overtime pay requirements. If you are classified as an "exempt" employee, you will receive a salary which compensates you for all hours that you work. Your salary is established at the time of your hire or when you become classified as an "exempt" employee. While your salary may be subject to review and modification, your salary will not be subject to deductions for variations in the quantity or quality of the work you perform.

You will receive your full salary for any week in which work is performed; there are circumstances, however, where salary deductions, from exempt employees, are necessary and permissible. These circumstances include:

"Safe Harbor" Policy

In accordance with the Fair Labor Standards Act, "exempt" employees are required to be paid on a salary basis and may not have their pay reduced for portions of a day or week, with the exception of certain permissible deductions that are outlined below. It should be noted that the use of accumulated paid time off (PTO) does not constitute a reduction in pay.

The FLSA states that the salary basis component of the exemption test is not lost if the employer, 1) has a "clearly communicated" policy prohibiting improper deductions, including a complaint mechanism; 2) reimburses employees for any improper deductions; and 3) makes a good faith commitment to comply in the future. "Safe harbor" is not available if an employer willfully violates policy by continuing to make improper deductions.

Provisions mandated by the Salary Basis Rules

"Exempt" employees must receive their full salary for any week in which they perform any work, without regard to the number of days or hours worked. However, "exempt" employees need not be paid for any work week in which they perform no work; exceptions to this

Allowable pay deductions include:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- When an exempt employee is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- When an employee has exhausted “paid time off” and is absent from work.
- Weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act;
- To offset amounts received as witness or jury fees, or for military pay;
- Unpaid disciplinary suspensions of one or more full days, imposed in good faith, for workplace conduct rule infractions;
- Deductions for full days not worked during the first and last week of employment, as long as this practice is consistently applied to all exempt employees in the same circumstances.

Prohibited pay deductions include:

- Jury duty
- Attendance as a witness
- Temporary military leave
- Partial day amounts other than those stated above
- Absences caused by ProWorks, or by operational requirements of ProWorks.

Report Procedure

If you believe that an improper deduction has been made, you must report this information, ASAP, to ProWorks’ Business Manager. Your report must be written, signed and dated – you must note, in your report, whether this “error” has occurred on other occasions. Your report will be investigated immediately, and if it is determined that an error was made, the error will be corrected promptly – corrective action will occur within two pay periods from the report of the error. Resolution of this inquiry will be documented, and placed in the employee’s personnel file. A full day absence for personal reasons.

- A full day absence for sickness or disability.
- Unpaid disciplinary suspension for a violation of safety/conduct workplace rules.
- Family and Medical Leave absences (either full or partial day absences).

- Your absence, on a scheduled work day, due to program closure.
- Absences to cover jury duty, attendance as a witness or military leave - within a week that you worked.
- Unpaid disciplinary suspensions of one or more full days for significant infractions of workplace conduct rules set forth in written policies.
- Any other deductions prohibited by Federal or State law.

However, under federal law, your salary is subject to certain deductions; your salary may be reduced for the following reasons in a workweek in which work was performed:

- The first or last week of employment in the event you work less than a full week.
- Partial day absences for personal reasons, sickness or disability.
- When an employee has exhausted personal, vacation, and/or sick leave and is absent from work.

You will be required to use paid time off (PTO) to cover full or partial day absences for personal reasons, sickness or disability; however, your salary will not be reduced for partial day absences if you do not have accrued PTO.

Your salary will be reduced to cover required payroll deductions, such as: State, Federal or local taxes, Social Security/Medicare, court-ordered deductions, your portion of employer offered or supported group health/life plan premiums, and voluntary contributions to your 401(k) or pension plan

It is a violation of ProWorks policy for any employee to knowingly claim hours that they did not work, or to alter another employee's time card. You may not work any hours outside of your scheduled work day without prior authorization from a Program Coordinator or ProWorks' Director.

ProWorks will not allow retaliation against any individual who reports alleged violations of this policy and/or who cooperate in the investigation of such reports. Any form of retaliation may result in disciplinary action up to and including discharge.

Summer Youth Employment Program

Statement of Purpose: ProWorks' may hire high school and college students, during the months of May through August, in order to: 1) to ensure the continuation of individual consumer programs during "permanent" employees' summer vacations, and 2) to provide students a "positive" opportunity to develop an awareness, and a greater appreciation for the abilities and needs of persons with developmental disabilities, and 3) to provide a "youthful" perspective to ProWorks' services.

Statements of Policy:

1) ProWorks' Director will determine how many students may be hired; this determination will be made on a year-by-year basis; typically three to five students will be hired during the summer program.

2) Hiring preference will be given to the children of ProWorks' employees; employees are encouraged to bring their children, of all ages, to visit the program periodically, and by doing this their children will have a clearer understanding of our expectations when they are hired.

3) The following age and wage guidelines will be followed:

a) At fifteen years of age, a person may be considered for part-time employment.

b) At sixteen years of age and older, a person may be considered for full-time employment;

c) At eighteen years of age, a person may be asked to drive a transportation route; they must have a valid Minnesota Driver's License and a clear Motor Vehicle Record (MVR); a valid MN Driver's License and a clear MVR is an employment requirement, and failure to meet these requirements may be considered grounds for dismissal.

Data Privacy Policy & Procedures (Please see MnDHS 245D Policies & Procedures)

Employee Personnel Records: A confidential personnel file is maintained on every employee; this file may contain a ProWorks Employment Application, Statement of Knowledge, current IRS Form W-4, Child Support Disclosure, Earned Income Credit, educational transcripts, reference letters, performance evaluations, disciplinary actions, wage and benefit information and other documents pertinent to their employment; a separate "medical" file is also maintained on every employee; this file contains information related to the employee's health; the employee's Employment Eligibility Verification (Form I-9) is kept in yet another location; all records are "locked." These files are accessible to the MN Department of Human Services for licensing purposes. It is important that you keep your records up to date, you must notify ProWorks' Business Manager of any changes to your name, marital status, address, telephone number, W-4 deductions or person to contact in case of emergency.

Employee Medical Records: A confidential medical file will be maintained for each employee; this file may contain medical reports, emergency information, workers compensation claims and any other documents of a medical nature; this file will be accessible to the MN Department of Human Services for licensing purposes. The employee must notify ProWorks' Executive Director as information changes.

Employees' Right to Review Personnel or Medical Records: ProWorks employees, as well as persons previously employed by ProWorks, may request to review their personnel records.

1) An employee, or former employee, may submit a written request to the ProWorks Director to review their personnel record. Personnel records of former ProWorks employees will be retained for a period of seven (7) years following their departure.

2) The ProWorks Director will accommodate this request - unless the employee has reviewed their file within the prior six months; the ProWorks Director may approve additional reviews if the request seems reasonable.

- 3) The ProWorks Director will accommodate a request for review of personnel records within ten (10) working days.
- 4) All personnel records must be reviewed at ProWorks, 427 East 10th Street in Litchfield, MN; no personnel records may leave the premises.
- 5) All personnel records must be reviewed during regularly scheduled program days, and during regular program hours (8am to 4pm).
- 6) A person's review of their personnel or medical records may include: ProWorks Employment Application, Tennessee Warning, Statement of Knowledge, current IRS Form W-4, Insurance Benefit Notification and Statement of Understanding, Child Support Disclosure, Employment Eligibility Verification Form I-9, Medical Report, Emergency Information, Earned Income Credit, educational transcripts, performance evaluations, disciplinary actions, attendance/leave records, wage/salary information, and wage/salary deductions authorized by the person. personnel records that need not be available for employee review, as allowed in Minnesota statute, will be removed prior to the review and returned thereafter.
- 7) A person may request copies of their personnel records. All personnel records are the property of ProWorks; therefore, any personnel records taken without the permission of the ProWorks Director will be considered stolen property.
- 8) If the person disagrees with a part of the personnel record, they may discuss their disagreement with ProWorks' Executive Director; if the Executive Director and the person agree to remove the information from the personnel record, it will be destroyed; if no such agreement is reached, the person may provide a written statement explaining their disagreement, and such statement will then be included in their personnel records.

Employment & Personal References: An employee or former employee of ProWorks may request an employment and/or personal reference from the ProWorks Director and/or their former supervisor; the reference will be given directly to the employee; no references will be sent to prospective employers; if the reference is not written by the ProWorks Director, it must be cleared by the Director before given to the employee.

Applicant Background Checks: Minnesota Statute 148.A.01, Chapter 372, requires prospective employers of psychotherapists to make inquiries of past and current employers as to any knowledge of sexual contact between the psychotherapist and their patients; this information may be written into the reference letter if so requested; if a prospective employer requests this information, accompanied by a signed release of information, the ProWorks Director will send the requested information to the employee; if the ProWorks Director does not possess the employee's current address, the information cannot be sent.

A prospective employer requesting information by telephone will be given the following information; 1) employee's name, 2) position and responsibilities, 3) dates of employment and 4) wage benefits.

Confidential Nature of Work

All employer records and information relating to ProWorks or its customers are confidential, and employees must, therefore, treat all matters accordingly. No company or company-related information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the employer) may be removed from the employer's premises without permission from the employer. Additionally, the contents of the employer's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose. ProWorks employees must not disclose any confidential information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside the Company. If employees are unsure about the confidential nature of specific information, they must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

Conflict Of Interest: This policy is designed to assist ProWorks' Board of Directors and employees identify potential conflicts of interest, and to outline procedures which would allow a decision or action to be considered "valid" or "acceptable" even though a possible "conflict of interest" has been identified. The term "conflict of interest," by its very definition has come to imply something "negative" or "dishonest;" on the contrary, however, these so-called "conflicts" could actually provide opportunities that might not be available if the "conflict" did not exist; with any action or decision, one must simply ask, "is this action taken" or "is this decision made" to better the organization and the people that it serves, or does the "decision" or "action" primarily satisfy someone's personal interests?

Procedures:

Prior to board discussion and action, on a matter involving a "conflict of interest," the board member, having identified a personal "conflict of interest," shall disclose all material facts relating to the personal "conflict." Following this disclosure, the Board President may determine whether the board member should participate in further discussion and/or action on the matter, or whether the board member should be excused prior to discussion and/or action on this matter. The board member's disclosure and the President's decision should be reflected in the minutes of the meeting.

A board member who plans not to attend a meeting, at which they have reason to believe that the board will discuss or act on a matter, in which the person has a "conflict of interest," shall disclose to the Board President all facts pertinent to the conflict; the President shall report the disclosure at the meeting, and the disclosure shall be reflected in the minutes of the meeting.

An employee of ProWorks, Inc. is expected to avoid actions which involve, or appear to involve, a "conflict of interest" between their job responsibilities and other business or personal interests. They are expected to act with discretion and good common sense in conducting business on ProWorks' behalf.

A ProWorks' Employee must report any "personal" conflicts to ProWorks' Executive Director or a Program Coordinator; "personal" conflicts will be handled by ProWorks' administration on a case-by-case basis.

“Moonlighting” Policy: It is ProWorks’ policy to permit employees to hold a second job; however, doing so will be subject to the considerations outlined below. This policy applies to all exempt and non-exempt, salaried and hourly employees of the company.

Outside Employment Considerations:

- 1) Employees are permitted, but not encouraged, to engage in outside employment or other work activity.
- 2) ProWorks requires that an employees' activities away from their job not compromise ProWorks interests, or adversely affect their job performance and ability to fulfill their responsibilities to ProWorks.
- 3) Employees are cautioned to consider carefully the demands that additional work activity will create before seeking or accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity does cause or contribute to job-related problems, their employment may be terminated, and normal disciplinary procedures will be followed to deal with the specific problem.
- 4) ProWorks will be particularly concerned about outside employment that decreases the employee's performance or efficiency, or involves working for an organization that does a significant amount of business with ProWorks.
- 5) Employees are prohibited from engaging in any activity that compromises ProWorks’ image. This prohibition includes the unauthorized use of any employer tools, equipment, or resources. In addition, employees are not to conduct any outside business during paid working time.
- 6) Employees who have accepted outside employment are not eligible for paid or unpaid leave when the absence is used to work at their second job, or is the result of an injury sustained at the second job. Fraudulent use of sick leave will be subject to disciplinary action up to and including termination.

It is recommended that employees, who accept outside employment, including self-employment, should notify their immediate supervisor. The notification should state the name and address of the outside employer, the nature of the job, and the hours and days of employment. Questions concerning this policy may be addressed to ProWorks’ human resources personnel.

Public Relations: the Executive Director prior to submission to any media must approve any news release involving ProWorks.

Volunteers: ProWorks will minimally utilize volunteer personnel. The ProWorks Director will decide on a case-by-case basis when and where a volunteer may be used.

Practices:

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2) A volunteer may receive a modified orientation/training; the orientation/training will be decided by the Director and Program Coordinator, and will consider pertinent variables relating to the volunteer's placement.

Payroll Periods & Deductions: ProWorks personnel are paid every other Friday; this biweekly schedule allows for 26 pay periods annually. Deductions required by law are withheld; additional deductions require a written authorization from the employee.

New Employee Orientation will provide ProWorks' personnel with relevant information and training necessary to achieve satisfactory performance of their job responsibilities; new direct care personnel will complete 30 hours of training within their first 60 days of employment; this "orientation period" will allow you time to become acquainted with your job, and it allows ProWorks' administration an opportunity to fairly evaluate your progress and potential. Experience is the best teacher. We will help you perform your job effectively by providing you with necessary information and instruction. Your supervisor and our experienced employees are also available to help you in any way possible. Let your supervisor know if you have any problems or questions regarding the work assigned to you. Above all, do not get discouraged. We want to help you succeed in every way possible.

Your orientation will include: 1) an overview of job responsibilities (job description), and information to acquaint you with the persons you will provide services (Program Coordinator); 2) work under the direct supervision of an instructor; 3) an overview of ProWorks policies and procedures and ProWorks' Maltreatment Prevention Plan, and 4) within 90 days of beginning employment, the new employee must possess CPR and first aid certification.

Once you complete the orientation period, you may become eligible for benefits, and your seniority will date back to the first day of your employment. If you fail to qualify for continued employment, the reasons will be discussed with you at that time.

ProWorks Personnel Development Plan: ProWorks direct care personnel will annually complete and document 40 hours of training pertinent to their job classification; this training is a requirement of all direct-care positions, and therefore, the cost and documentation is the employee's responsibility. ProWorks' Director and Program Coordinators will, however, provide training opportunities to the extent such training is available, and ProWorks is financially able to cover related costs.

ProWorks will not cover college tuition; however, if this training is pertinent to the employee's position, it may be counted towards their annual training requirement.

Reimbursement for food, parking, lodging and other related expenses may be submitted on the employee reimbursement form. Traffic and parking fines will not be reimbursed. With the prior approval of the Director, employees using their own vehicles for ProWorks business may be reimbursed at the current Internal Revenue Service allowable rate. Employees are encouraged to use ProWorks vehicles whenever possible; mileage reimbursement within a three mile radius of the city of Litchfield will not be reimbursed without the prior approval of the ProWorks Director or a ProWorks Program Coordinator.

Use of Personal Vehicle: An employee using their personal auto for ProWorks business is

request proof of insurance coverage. ProWorks' auto insurance policy covers only ProWorks' vehicles.

Compensability of Travel Time for Employees Who Provide Transport Services, With a ProWorks' Vehicle, Beginning From Their Home: When this situation occurs, 1) the employee's compensable workday begins when they leave their house, and their workday ends when they return to their home, 2) the arrangement is strictly voluntary, and not a condition of their employment, 3) the vehicle used is the type of vehicle that would normally be used for commuting, 4) the employee incurs no costs for driving the ProWorks' vehicle or parking it at their home or elsewhere, and 5) the transit route is within ProWorks' normal service area. ProWorks "normal" service area includes all addresses within a 30 mile radius of Litchfield.

Program Days & Hours of Operation: ProWorks offers center-based, adult day training & habilitation services from 9:00am to 3:00pm, Monday through Friday, 245 to 250 days each year; ProWorks is closed New Year's Day, Presidents' Day, Memorial Day, July Fourth, Labor Day, Thanksgiving and Christmas.

All ProWorks personnel receiving an hourly wage will record their time worked by using the time clock; if an employee forgets to punch in/out, they attend a workshop and are unable to record their time or have a community-based job which does not allow them to punch in/out without unreasonable effort; they may punch their card and write in the correct information; these corrections must be initialed by an ProWorks Program Coordinator or the ProWorks Director. When ProWorks personnel prepare payroll, they will disregard any time recorded before or after the employee's established beginning/ending times unless a ProWorks Program Coordinator or the ProWorks Director initials the card.

Personal Property: ProWorks staff and consumers are asked to limit the number of personal belongings brought into the Center; a limited number of unlocked cubicles are available to consumers; ProWorks cannot assume responsibility for lost or damaged personal items.

Meals & Coffee Breaks: ProWorks does not offer a hot lunch program; therefore, a daily lunch must be provided by each consumer's primary care giver. ProWorks has available a standard stove/oven and a microwave oven; these items may be used to heat food items; if staff assistance is required, this will be provided. Perishable lunches may be stored in the refrigerator if space allows; however, it is recommended that perishable lunches be packed in coolers containing ice packs.

ProWorks consumers are required to eat their lunch in the Center's dining area; therefore, ProWorks direct care personnel are required to do the same. Two staff may spend their lunch periods away from the Center without time make-up or wage reduction. Scheduled meal times will not exceed one hour except when additional time is specified in the consumer's IPP.

A written description of special dietary needs, prescribed by a physician or due to religious beliefs, may be sent to the ProWorks Program Coordinator; special dietary needs will be posted in the kitchen area.

ProWorks does not provide a scheduled coffee break for its employees; however, a 10-15 minute break for every four hours of work is permissible when program responsibilities allow.

Paid Holidays: ProWorks observes the following holidays, with pay, for all full-time employees: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Eve and Christmas Day.

Paid Time Off (PTO): Time away from work to relax and pursue personal interests is important; PTO will be given to permanent, full-time employees at a rate of one day per month during their first three years of employment, one and one-half days per month during their fourth through sixth years of employment, two days per month during their seventh through ninth years of employment, two and one-half days per month during their tenth through twelfth years of employment and three days per month beyond twelve years of employment; every eligible employee will receive the same number of leave hours per month as they typically work per day; leave hours will not be given before they are earned. PTO may accrue up to 600 hours; unused leave will be reimbursed upon resignation or termination. When an employee resigns, they will receive their final pay check on the next scheduled "pay" day; when an employee is terminated, they will receive their final pay check on the next scheduled "pay" day or upon demand; the employee's "final" check will contain the remainder of their unused PTO hours. If the employee regularly receives their pay check through "direct deposit," that is how they will also receive their "final" check; if the employee regularly receives a written check, they may arrange to pick up their pay check on or after the regularly scheduled pay day, or receive their final check, by certified mail, at their home address. When an employee chooses to receive their pay check "upon demand," they may receive their check at the end of their last day of work, or receive their final check, by certified mail, at their home address. PTO may also be used to cover program closures resulting from holidays and emergency closures. PTO does not count towards overtime.

With the Director's or Program Coordinator's approval, an employee may use paid time off to cover vacation, sickness, medical appointments and other personal matters; a two week written notice is required of vacations and other foreseen absences; requests for leave will be granted or denied based on program considerations. No more than three employees may use leave hours for non-emergency reasons at one time.

Paid leave to cover an employee's "emergency" absence from work, due to illness or injury, must be requested, by phone, of the Director or Program Coordinator, at a reasonable time, before 7:00am on the day it is to be used. The Director or Program Coordinator may request a doctor's verification of illness or injury or a "workability" report prior to the employee's return to work.

Family and Medical Leave Act (FMLA): "eligible" ProWorks employees may request unpaid leave to cover any of the following events: **1)** to care for the employee's newborn child or a child placed with the employee for adoption or foster care, **2)** to care for the employee's spouse, domestic partner, child or parent who has a serious health condition, or **3)** because of a serious health condition, the employee is unable to perform their job. The FMLA defines "eligible" employees as those who have been employed by ProWorks for at least twelve months, and have worked at least 1250 hours during the twelve months preceding the leave. The "eligible" employee may request up to 12 weeks of unpaid leave during any 12-month period; for purposes of this policy, a "rolling" 12-month period will be used – time will be measured backward from the date an employee uses "family leave." Spouses, who are both employed by ProWorks, are allowed a combined total of 12 weeks for the care of a newborn or adopted child, or to care for a parent with a serious health condition. If FMLA leave is

weeks of leave. The employee may opt to use their “paid time off” to cover all or a portion of their FMLA leave.

The employee must provide: **1)** a 30 day notice when the need for leave is “foreseeable,” and when the need for leave is “not foreseeable,” the employee must provide as much notice as is possible and **2)** a medical certification to support a request for leave due to a serious health condition. ProWorks, at its own expense, may require a second opinion. ProWorks administration may also require a Report of Work Ability prior to the employee’s return to work. ProWorks’ Executive Director may require an employee to begin their leave early, if it is the Director’s opinion that the employee’s presence may jeopardize the health or safety of them self or another person. **The FMLA leave may be denied if the employee fails to meet these requirements.**

FMLA leave to care for the birth, adoption or foster care placement of a child must be taken at one time. FMLA leave taken because of a serious health condition may be taken all at once, intermittently or as a reduced work schedule – depending upon what is “medically” necessary; under these circumstances the employee may divide the leave over a 12 month period or may simply reduce the number of hours they work over a 12 month period. When the leave is due to an employee’s illness or that of an immediate family member, the employee must make a reasonable effort to schedule treatment with minimal disruption to ProWorks’ services.

During an employee’s FMLA leave, ProWorks will maintain the employee’s health and long-term disability coverage as they were prior to the leave; the employee is responsible for payment of their “family” coverage; a payment schedule must be developed with ProWorks’ Business Manager before the leave begins. Under IRS rules, employer contributions to employee pension plans are not allowed during leaves without pay. **The employee will be required to repay all group health premiums if they fail to return to work.**

In accordance with the FMLA, ProWorks will restore an employee to their previous position or an equivalent position; the use of FMLA leave will not result in the loss of employment benefits previously earned by the employee - upon returning the employee will receive equivalent pay, benefits and other terms of employment afforded them prior to their FMLA leave. The employee on FMLA leave may not return, however, if they would have been subject to a work force reduction or lay-off had they worked during the leave period.

The National Defense Authorization Act (NDAA) amended the FMLA to provide eligible employees, two additional leave rights related to military service. The **Military Caregiver Leave** expands FMLA protections to family members who provide care for a covered service member, with a serious injury or illness which occurred within the line of duty. Family members may take up to 26 workweeks of leave in a 12-month period. Secondly, the law allows families of National Guard and Reserve personnel on active duty to take FMLA job-protected leave to manage their affairs; the law defines these “qualifying exigencies” as 1) short-notice deployment, 2) military events and related activities, 3) childcare and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities agreed upon by the employee and employer.

Leave of Absence Without Pay may be considered for an employee experiencing a personal hardship, and does not have accrued PTO. A short-term (1 to 10 days) leave of absence without pay may be granted with the Director's approval; long-term (more than 10 days) leave

except in an emergency, a two week written notice is required for both leave requests. Leaves of absence without pay are discouraged.

Early Childhood or School Leave – every employee is entitled to request up to 16 hours of unpaid leave each year to attend their child’s early childhood program, school conferences or other classroom activities; the employee may use accrued leave to cover their absence.

Jury Duty Leave will be granted to any employee summoned to serve jury duty. The employee is required to return to work when they are not actively serving. Jury duty leave will be granted as a paid leave of absence with no decrease in benefits; the employee’s jury leave pay will be based upon their “average” work day; jury duty leave does not count towards “over-time” pay. Any daily “per diem” or payment given to the employee, by the court for their service, must be given to ProWorks. Jury duty leave is granted by ProWorks’ Director and does not require the approval of the ProWorks Board of Directors.

Court Appearance Leave: If you are subpoenaed to witness, you will have the option to use your PTO or to receive a leave of absence without pay. It is your responsibility to keep ProWorks’ administration informed of the dates and expected duration of your court-related obligations.

Military Leave will be granted, in accordance with Minnesota Statute 192.26 (amended), to an ProWorks employee who is a member of the National Guard or an armed service reserve unit for training purposes and/or activation without loss of status; military leave will be granted as an unpaid leave of absence; however, an employee's accruable leave hours may be used to cover their absence. Military leave is granted by the ProWorks Director and does not require the approval of the ProWorks Board of Directors.

Employee Attendance Policy: “poor” attendance, tardiness and early departure impose undue hardship upon ProWorks services and co-workers; regular attendance is a condition of employment, and our employee attendance policy and procedures are designed to maintain employee attendance at an appropriate level to meet individual training and care needs.

All absences must be reported and approved in accordance with applicable ProWorks’ policy & procedure; any absence reported and approved in accordance with applicable policy & procedure is considered an “**excused**” absence; any absence not reported and approved prior to the employee’s absence is an “**unexcused**” absence, and may prompt disciplinary action. Any absence for which a “reason” has not been given is an “unexcused” absence. An employee’s failure to call in or report to work for three (3) consecutive days will be considered a resignation of employment.

Attention to Duty: ProWorks personnel must not conduct personal business, on “company time,” without the prior approval of the ProWorks Director or a Program Coordinator; ProWorks personnel must remain awake at all times.

Health Insurance: Full-time employees may be covered by the group health package offered by ProWorks. The cost of the employee’s single policy will be paid by the ProWorks. Insurance premiums during employee's extended leave of absence without pay will be the responsibility of the employee. They must be paid on or before the date set by the Director. If a person's employment is terminated, they may opt to remain with the group health coverage

for a period of one year; the person must reimburse the ProWorks for the insurance premium each month on the date stipulated.

ProWorks does not carry medical coverage for consumers; however, workers' compensation, as required by law, covers consumers during actual work time.

Workers' Compensation: The ProWorks will purchase workers' compensation as required by law. When an employee or volunteer incurs an injury during the basic program day, or at an event, approved by the Director, outside the basic program day, the injury must be reported to the Director within 24 hours of its occurrence.

Workers' Compensation Injury Management Program

ProWorks is concerned about your recovery. Workers' Compensation covers reasonable and necessary medical care for a compensable work injury; time away from work is reimbursed in accordance with Minnesota's workers' compensation laws.

Responsibilities of the Injured Worker:

- 1) Minnesota workers' compensation law requires that you choose one primary health care provider, and places limitations on your right to change primary health care providers.
- 2) You are required to attend all scheduled appointments. During your recovery, your physician visits should be a minimum of once every two weeks, or as recommended by your physician. Failure to follow your recommended treatment plan may result in termination of your benefits.
- 3) Obtain a Report of Workability from your physician at every appointment. MN workers' compensation law requires that your physician cooperate with return to work planning and that you be released to return to work at the earliest appropriate time.
- 4) Immediately following your appointment, you must provide a copy of the work ability report to ProWorks Director. Whenever possible, you should deliver the work ability report in person - that way changes in work restrictions may be addressed and any questions answered immediately.
- 5) Follow all physical restrictions at home and at work.
- 6) Report to work and perform physically suitable tasks as assigned. These may or may not be in your regular department. The work may or may not be on your usual shift.
- 7) Maintain weekly communication with your employer if you are unable to return to work. Contact ProWorks' Director after every visit with your primary health care provider. Keep Berkley Risk claims representative advised of your status.
- 8) Notify your employer immediately of any new injuries or conditions that impact your physical condition.

Return To Work Policy - It is ProWorks' policy to return injured workers to "modified duty" work, not necessarily to their pre-injury duties, as early as possible during their recovery. ProWorks will make every effort to provide "meaningful" work within the "restrictions" determined necessary by the employee's physician - the employee is expected to accept the offer of "modified duty." We believe this practice best serves the interests of both the employee and employer.

ProWorks has adopted this policy because employee's who remain "off work" for long periods of time often experience a slower recovery and a loss of self-esteem; their absence invariably effects our company's productivity, and their steady recovery helps to control our worker's compensation costs.

ProWorks Property: Property purchased by ProWorks, including desks and files utilized by ProWorks personnel, remain the property of ProWorks, and are therefore, accessible to ProWorks administration at any time. No ProWorks property may be removed from the facility without prior permission of the ProWorks Director.

Disposition of ProWorks Property: The ProWorks Director may dispose of ProWorks property which is "damaged" or "not in use," and valued at less than \$100; "damaged" is defined as non-operable and not worth repairing; "not in use" is defines as not used for a period of time and unlikely to be used in the future. Items considered "damaged" or "not in use" and valued at more than \$100 require a motion by the ProWorks Board of Directors before disposition.

Building Keys: The Director is responsible for the dissemination and collection of building keys, and therefore, the Director will decide who should receive a building key. All keys remain the property of ProWorks.

Practices:

1) Once a key is given, it is the sole responsibility of the receiver, and as such, the receiver may be held liable for any misuse of the key. No unauthorized copies of the key may be made.

2) Excluding an emergency or prior approval from the ProWorks Director, ProWorks personnel must not give their key to another person, or allow non-personnel access to the ProWorks building.

3) Keys must be returned within three working days upon employment termination; the ProWorks Director may withhold a person's final paycheck until their key is returned.

Solicitation and/or Distribution of any materials or services to ProWorks' personnel by outside vendors or by other ProWorks' personnel is not permitted on ProWorks' premises without the prior approval of ProWorks' Director or Program Coordinator. In order to avoid annoyance to our employees and interference with their work, no ProWorks' employee is permitted to distribute literature or solicit other employees for any purpose on ProWorks' "premises," or any other ProWorks' training sites, during "work" times; "premises" include all areas where employees perform their work tasks.

Access To Premises During Non-Work Hours: Should it be necessary for you to perform

from your ProWorks' administration who will make the necessary arrangements; compliance with this policy is essential to ensure your safety and the security of ProWorks' premises.

Personal Telephone Calls: ProWorks' telephones are for business use and generally may not be used for personal calls. We recognize, however, that certain emergency situations may arise when you will have to receive a personal telephone call or will need to make a personal telephone call. We ask that you try to keep such calls to a minimum and take care of them during meal or break periods whenever possible. Under no circumstances should the ProWorks' telephones be used for making long distance personal calls, unless prior permission is obtained from ProWorks' administration.

Internet and E-Mail Acceptable Use: ProWorks' employees and consumers may be provided access to the internet and e-mail for: 1) business related matters and 2) educational and recreational purposes. Internet and e-mail usage must be approached with the same degree of good judgment and common sense afforded any other business matter.

Internet or e-mail abuse may be cause for disciplinary action; this action may include imposing limitations on one's access to these resources, verbal or written reprimand, termination of employment, civil or criminal liability; therefore, everyone must be aware of the following provisions regarding the acceptable use of these resources:

- 1) The Internet offers a vast resource of knowledge, and while most websites are "acceptable," there are many sites which "reasonable" people find offensive; material that is sexually explicit or illegal must not be accessed using ProWorks' resources.
- 2) No one person may knowingly monopolize ProWorks' computer/internet resources to the exclusion of others; this includes, but is not limited to sending chain letters or mass mailings, spending excessive amounts of time "surfing" the internet, playing games (on or off line), participating in chat groups or printing many copies of a document. One is not permitted to download any program software, including wallpaper and screen savers, audio, video and picture files without the Director's prior approval; these files and programs usually require a significant amount of storage; they often contain spyware and even viruses, and they often "conflict" with other programs.
- 3) One may not make "illegal" copies of programs or materials, protected by copyright law, or provide those programs or materials for others to copy.
- 4) ProWorks' computer hardware & software, internet access and electronic mail system is company property, and is intended to be used for business-related purposes only; all e-mail messages sent and/or received on the electronic mail system are company property. Any ProWorks' employee e-mail and Internet activity may be monitored; there must be no expectation of privacy.

5) Program files obtained from sources outside of ProWorks, this may include disks brought from home, files downloaded from the internet, newsgroups, bulletin boards or other online services, files attached to e-mail or files provided by customers or vendors, may harbor a malicious computer virus that could damage ProWorks' network; to minimize this risk ProWorks' installs Norton Antivirus on all of it's computers – never turn this protection off.

6) **Netiquette:** You are expected to abide by generally accepted rules of network etiquette; these include, but are not limited to the following: 1) be courteous - never use "offensive" or "inflammatory" language, 2) use caution when revealing your name or any other personal information, and 3) The transmission or receipt of any material in violation of federal or state regulation is prohibited; this includes, but is not limited to: copyrighted material, threatening or obscene material, attempts to "hack" into another computer system or to gain unauthorized access to "protected" data or materials.

7) ProWorks' computer/internet resources may not be used to support product advertisement or other commercial activities related to a private business or political lobbying.

ProWorks is not responsible for material viewed or downloaded by persons using one of its computers; all users access the Internet at their own risk; use of the Internet via ProWorks' computer system implies consent by the user to all of the terms and conditions of this policy.

Drug Free Workplace Policy: ProWorks prohibits license holders, employees, subcontractors or volunteers, when directly responsible for individuals receiving services, from abusing prescription medication or being in any manner under the influence of a chemical that impairs the individual's ability to provide services or care (Oct 29/10). ProWorks personnel shall not unlawfully consume, possess, distribute or be under the influence of any alcoholic beverage while on duty; furthermore, ProWorks personnel shall not unlawfully use, possess, manufacture, distribute or be under the influence of a hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or other controlled substance as defined in Schedule 1 through 5 of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.R.R. 1300.11 through 1300.15 at any time. The unlawful use of any mood altering substance is cause for disciplinary action up to and including termination of employment.

If indicated, the ProWorks Board of Directors may require, as a condition of continued employment, an employee to participate in, and satisfactorily complete, an approved chemical dependency program; failure to cooperatively participate or complete the program is cause for suspension or termination of employment.

Prescription/Non-Prescription Medications may be used by the person for which they are prescribed or indicated provided they do not diminish the person's physical or mental abilities; any medication which causes a diminished capacity must be reported to the ProWorks Director or a Program Coordinator - a decision will be made as to whether their diminished capacity jeopardizes the health and safety of them self or others, and whether they may continue to work under these conditions.

Non-prescription medications and other over-the-counter products which produce a mood altering effect must be used according to package directions; the improper use of any product

others is cause for disciplinary action up to and including termination of employment. ProWorks personnel who have knowledge of a coworker's improper use of a product or substance that diminishes their physical or mental abilities, and could jeopardize the health and safety of that person or others may also receive disciplinary action for not reporting this information to the ProWorks Director or a Program Coordinator.

Tobacco Products: The use of all tobacco products is prohibited in ProWorks buildings, vehicles and community-based work sites.

Appearance & Attire: As an employee of ProWorks, Inc., you are expected to maintain a professional appearance while you are at work; we are constantly in view of co-workers, customers, visitors and others. Careful grooming and appropriate attire create a strong, positive business image and encourage co-workers to develop a shared feeling of professionalism. Company policy regarding proper work attire is sufficiently flexible to allow you to remain responsive to contemporary business fashion.

General Work Behavior Policy: You were selected for employment because you demonstrated a level of maturity, responsibility and commitment essential to ProWorks' continued success; we expect that while you are a ProWorks' employee, you will continue to demonstrate these qualities, and conduct yourself in a professional manner at all times. ProWorks will not tolerate inappropriate workplace conduct; it is expected that all ProWorks employees will treat fellow coworkers with the respect that they deserve, and the respect that builds rather than destroys work relationships. If an employee feels that they are not treated with respect by another employee or employees, they are urged to file a complaint with ProWorks' Director; if the complaint is against ProWorks' Director, their complaint may be filed with the President of ProWorks' Board of Directors; an investigation will be made, and, if warranted, corrective action will be taken.

Your primary responsibility here is to do a good job; this responsibility carries with it a number of obligations such as obeying policy, procedures and rules, cooperating with management and coworkers and remaining loyal to the company. While we hope and expect the need for disciplinary action will be rare, when your job performance, attitude or conduct fall short of our established standards, we will not hesitate to take appropriate action.

The "rules" set forth below are not designed to interfere with or restrict your rights. Instead, our goal is to protect the mutual rights and interests of the company and all of our employees. The following is a non-exhaustive list of employee behaviors which constitute a breach of ProWorks' work behavior policy, and may result in disciplinary action:

- Refusing to accept a job assignment, insubordination, or willful disobedience in carrying out a reasonable work request from a supervisor, or encouraging another employee to refuse or fail to obey such a request;
- Failure to maintain satisfactory work performance, or performing work in an inefficient or incomplete manner.
- Repeated tardiness or absenteeism

- Overstaying meal or break periods.
- Eating, drinking or smoking in unauthorized areas.
- Uncooperative attitude.
- Inefficient use of time or performing personal work on Company time.
- Failure to work assigned or voluntarily accepted overtime work.
- working in a manner that willfully obstructs or hinders other employees from completing their assigned duties;
- failing to preserve the safety of both themselves and their fellow workers;
- releasing confidential information about ProWorks, its employees, or its customers;
- Fighting, assaulting or attempting to assault any member of management, employee or visitor of the Company, or deliberately provoking or inciting another person to engage in an assault or fight.
- misusing or willfully damaging, destroying or harming ProWorks' property or that of another employee or visitor;
- Theft, is defined as, but not limited to, the misappropriation or unauthorized possession, removal or sale of property belonging to ProWorks, another employee, a visitor or customer of ProWorks.
- Dishonesty, is defined as, but not limited to, lying and embezzlement; the intentional submission of false reports, time records or related documents; the falsification of inventory documents, purchase orders or other related records.
- Carrying or using firearms, or other dangerous weapons or materials on ProWorks' premises (including parking lots) or in connection with ProWorks' business.
- Involvement in any illegal activities on ProWorks premises (including parking lots), or in connection with ProWorks business.
- Disclosing or misusing confidential information, trade secrets or proprietary business information about any ProWorks matter to unauthorized persons or competitors.
- Disloyalty, including disparaging, maligning or defaming the reputation of the Company or its employees.
- Failure to comply with employer policies - including alcohol and drug use policies, Equal Employment Opportunity Commission/Affirmative Action policies, Sexual Harassment Policy, and all other policies and procedures communicated in written form or verbally.

- Immoral or obscene conduct.
- Sleeping on the job.
- Leaving work during working hours without prior authorization from management.
- Violation of ProWorks' telephone or machine and Equipment Use Policy.
- Failure to immediately report any work-related injury or accident.
- Using abusive or profane language when speaking to any member of management, customers, visitors or fellow employees.
- Instigating, encouraging or participating in any illegal work stoppages, slowdowns, strikes, or other interferences with, or restrictions of, the Company's operations.

Failure to observe proper safety techniques, use personal protective equipment as prescribed by supervisors, or work in a hazardous, risk-taking manner.

Carrying or bringing to work weapons, implements that look like weapons, or devices that may be used as weapons.

Each case of unsatisfactory behavior will be evaluated on its own set of circumstances

Romantic Relationships

Consensual "romantic" relationships between ProWorks' employees are not encouraged, but are also not disallowed, but both parties are cautioned about the possibility of conflicts or difficulties that could develop whether the relationship continues or not. These conflicts or difficulties could be considered contrary to ProWorks' best interest, and therefore, could be subject to disciplinary action; a "romantic" relationship between a supervisor and an employee is particularly cautioned – see ProWorks Policy on Sexual Harassment. All ProWorks' policies apply without regard to gender and without regard to the sexual orientation of the participants.

Code of Ethics: It is expected that ProWorks' board members and employees perform their responsibilities while demonstrating the highest degree of business and personal ethics.

Resignation: An employee desiring to terminate their employment at ProWorks may do so by informing ProWorks' Executive Director; as a common courtesy it is suggested that the employee submit a written statement, explaining the reason(s) for their resignation, and that notice be given at least two weeks prior to their resignation date.

Disciplinary Policy & Procedures: An employee shall not commit or omit any acts that constitute a violation of rules, policies, procedures or directives whether stated in this document or elsewhere; ignorance of these policies and procedures shall not be considered justification for such violation. The following disciplinary procedures, though seemingly progressive by definition, are not necessarily steps. The level of discipline initiated will take into account the seriousness of the infraction, the seriousness of potential consequences and

past performance of the employee; this disciplinary policy does not change an employee's "employment at-will" status.

1) Corrective Interview: When a problem condition or action occurs within the course of an employee's job function, the Director may call a corrective interview with the employee. The Director's expectations for handling similar situations in the future will be clearly described. The corrective interview will be documented in the person's personnel file, but may be removed after one year, at the employee's request, provided no further disciplinary action has been taken against the employee during the year.

Often an employee's performance evaluation, by its very nature, will include recommendations designed to improve job performance, and even though not termed as such, the recommendations ought to affect the employee's job performance much as a corrective interview might.

2) Verbal Warning: A verbal warning may be given to an employee by the Director when a problem condition or action persists in spite of a corrective interview with the employee, or when within the course of an employee's job function a more serious infraction occurs. The Director's expectations for handling similar future situations will be clearly described. Verbal warnings will be documented in the employee's personnel file, but may be removed after one year, at the employee's request, provided no further disciplinary action has been taken against the employee during the year.

3) Written Warning: A written warning may be issued to an employee when a problem condition or action has persisted in spite of a corrective interview and a verbal warning, or when a more serious violation of rule(s), policy(ies), procedure(s) or directive(s) has occurred. The employee involved will be given a letter deficiency and a verbal explanation stating the details of the infraction and future expectations. A copy of the letter of deficiency will be placed in the employee's personnel file.

4) Suspension: The Director may suspend an employee with or without pay for a period of up to two weeks; within the first three (3) working days of the suspension, the Director will send to the employee, by certified U.S. Mail, a letter of deficiency specifying the reason(s) for the suspension and terms under which employment may be retained.

If the employee fails to correct the deficiency within the specified period or refuses to do so, they will be sent a letter of termination specifying the conditions of separation. A copy of the letter of deficiency (and letter of termination if applicable) will be placed in the employee's personnel file.

5) Termination of Employment: The Director, for good cause, may terminate the employment of any employee. The Director will give the employee verbal notice of such decision and terms of separation; within three (3) working days the Director will send to the employee, by certified U.S. Mail, a letter of termination, specifying the reason(s) for separation; a copy of the letter of termination will be placed in the employee's personnel file.

Whistleblower Policy: An employee, who in good faith, reports a violation of a regulation or law shall not suffer harassment, retaliation or any other adverse employment consequence. Any employee who retaliates against someone who has reported a violation in good faith is

policy encourages a person, when reasonable, to raise concerns within the organization prior to seeking outside resolution.

Report Confidentiality: All reports will be kept confidential to the extent possible. A person may request that their report be submitted strictly confidentially; however, they need to be aware that holding the report in "strict" confidence may not adequately allow for a "fair" investigation of the matter. "Anonymous" reports will be disregarded.

Good Faith Requirement: Anyone filing a report or complaint must be acting in good faith, and have reasonable grounds to believe that their information is true and accurate. Any report or complaint that proves to have been made maliciously will be viewed as a serious disciplinary offense.

Handling of Reported Violations: ProWorks' Executive Director and Board President will acknowledge receipt of the report by US mail or e-mail within five business days. All reports will be promptly investigated and corrective action will be taken if warranted. Reports of "maltreatment" must follow the policies and procedures outlined in the "maltreatment of minors" or "vulnerable adult" reporting requirements.

Grievance Procedure: A grievance shall mean a disagreement between staff/Director as to the interpretation or application of the terms and conditions of their employment, personnel policies or operational procedures. The purpose of the grievance process is to secure at the lowest possible administrative level an equitable and timely resolution of any grievance. The employee(s) or employer may be represented at any stage of this grievance procedure by any person(s) designated by such party to act on their behalf. The grievance process shall be as follows:

1) When a grievance exists, efforts will be made to resolve the dispute through an informal conference between the employee(s) and the Director. If resolution cannot be reached through informal conference, the employee(s) may state the grievance in writing; it shall be signed, dated and sent to the Chairpersons of the personnel Committee and Board of Directors and the ProWorks Director. The personnel Committee Chair will contact the employee and set a mutually agreeable date for the grievance to be heard by the personnel Committee. Upon hearing the grievance, the personnel Committee will within three working days send their written decision to the employee(s), Board of Directors Chairperson and the ProWorks Director.

2) If the grievance is not yet resolved to the employee(s) satisfaction, they may contact the Chairperson of the Board of Directors; the grievance will be scheduled for review at the next regularly scheduled meeting or sooner if necessary. The grievance will be presented to the Board by the employee(s) or their representative. A written statement of the Board's decision will be sent by the Chairperson to the employee(s) within 10 working days of the meeting.

It is important to process the grievance as quickly and efficiently as possible; the times stated shall be considered maximums, and every reasonable effort will be made to expedite the process. Failure to comply with the time limitations shall constitute a waiver of the grievance. All written statements must be signed and dated.

Review of Personnel Policies & Procedures: ProWorks Board of Directors will review

conveyed to ProWorks employees at the next staff meeting; at the discretion of ProWorks' Director, employee input regarding additions, deletions or revisions may or may not be sought prior to board review. When a policy or procedure is changed in any way, the previous policy or procedure becomes invalid.