



Pennyrile Allied Community Services, Inc.
Employee Handbook

Revised July 2022



Pennyrile Allied Community Services, Inc.
Personnel Policies and Procedures

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Section One

The Board of Directors and CEO/Executive Director

Purpose

The contents of this handbook are presented as a matter of information only. While PACS believes wholeheartedly in the plans, policies and procedures described here, they do not constitute a guarantee of employment for any specified period of time nor promise of any benefits.

For all purposes of this Employee Handbook, the names Pennyryle Allied Community Services, PACS or “the Agency” may be used intermittently in reference to the organization.

Amendment of Personnel Policies and Procedures

The CEO/Executive Director may revise, alter or amend this handbook as needed subject to approval by the Board of Directors. Employees may submit recommendations for change to the CEO/Executive Director through supervisory channels.

Responsibilities

1. The Board of Directors has responsibility for selection of the CEO/Executive Director.
2. The CEO/Executive Director has responsibility for selection of chief administrative officers of major components, and may request the assistance of the Personnel Committee.
3. The CEO/Executive Director selects all other staff, but may delegate to the Human Resources Director or Program Director the responsibility for selecting other employees.

The role of the Board of Directors: The PACS Board of Directors (“the Board”) is the principal policy making unit of PACS. The role of the Board is to serve as the overall governing body of the program, and as final arbiter in all decisions relating to the operation of the Agency. It will supervise and assist in the administration and planning of programs and in recruitment and selection of some key personnel and the enforcement of its Personnel Policies and Procedures.

The Board is the source of all Agency and Delegate Agency Authority. The Board is primarily and fundamentally a Policy-Making Body, as distinguished from that portion of the Agency charged with implementing and executing policy. Executing

the policies and plans of the Board is the function of its Agency and Delegate Agency staff. The Board is the principal policy-making unit of the PACS. Other policy-making bodies include policy advisory committees for certain programs such as RSVP, Title III, Home Care, and others.

The Board has the responsibility for final approval of all proposed policies for programs under the Board's authority. In its policy-making role, the Board is responsible for: identifying the needs in the community, establishing the long and short range goals of the agency, formulating strategic plans for community action, approving overall program plans and priorities, determining major personnel, fiscal, and program policies, approving proposals for financial assistance and hiring and firing the CEO/Executive Director .

The role of the Executive Committee: The Executive Committee performs in a line function and position to the Board of Directors and is responsible for transacting Board business between meetings of the full Board. Executive Committee actions have the force of the action of the full Board; Executive Committee actions, however, must be ratified by the full Board consistent with PACS' by-laws. The Committee shall also conduct an annual performance evaluation and salary review for the CEO/Executive Director .

The role of the Personnel Committee: The Personnel Committee normally has an advisory and review capacity in the recruitment and selection of the staff, personnel actions, and the complaint procedures, standards for selection and selection procedures. The Committee shall meet as need arises. The Committee shall assist, if requested, in the screening and selection of the chief administrative officer for major programs. The Committee shall screen and recommend candidates for the position of Executive Director to the Board of Directors.

Committee functions: All committees of the Governing Board, which have policymaking or advisory functions shall be responsible to the Board of Directors. The Executive Committee of the PACS Board shall fairly reflect the composition of the Governing Board, and shall be structured on the 1/3 public interest, 1/3 private interest, and 1/3 low-income basis. Efforts should be made to include 1/3, 1/3, 1/3 criteria on the other committees of the Board.

PACS responsibility over delegate agencies: The extent of the responsibilities of the grantee over delegate agency personnel policies and practices is determined by individual and separate agreements entered into by each delegate

participating. These agreements shall include provisions consistent with agency structures and policy, to include national guidelines and directives as far as the execution of all existing personnel policies and procedures are concerned. The PACS Board of Directors has final authority and determination over any delegate agency Board of Directors.

Enforcement of guidelines: The Agency will include funding agency minimum requirements in agreement with delegate agencies with respect to the degree of supervision, control, and evaluation to be maintained by the grantee of project funds. The Agency will, in any event, be held responsible for the successful execution of the programs and must exercise the degree of supervision and control commensurate with that responsibility.

Implementation of personnel policies and procedures: The PACS Board of Directors delegates the responsibility for the implementation of the Personnel Policies and Procedures to the CEO/Executive Director of PACS. PACS shall ensure that all employees are furnished copies of the current Personnel Policies and Procedures. Each employee's signed receipt of this action shall be placed in the employee's Personnel File.

All federal/state/local program contracts may require certain conditions for compliance within that contract and those constraints could differ from these Personnel Policies. Therefore, program contracts may dictate the operating times, days of operation, benefits, etc. and this directive will supersede the PACS Personnel Policies and Procedures.

Role of the CEO/Executive Director : The CEO/Executive Director is responsible for the administrative leadership of the Agency. They are responsible to the Agency Board, and all other personnel are responsible to the CEO/Executive Director . The CEO/Executive Director is the chief executive officer of PACS. The CEO/Executive Director derives his/her authority from the Board and is responsible to the Board for his/her performance. The authority for administering the operating of the Agency within its policies is delegated to the CEO/Executive Director by the Board. The CEO/Executive Director will be responsible for the development of all programs.

He/she will work closely with the Board and keep it informed on all developments. The CEO/Executive Director will be responsible for hiring and

firing all employees in accordance with Chapters V and XVI, respectively, of this manual.

The CEO/Executive Director will organize his/her staff to most effectively subdivide the work, assign responsibilities, and delegate authority. He/she should ensure that no organizational faults occur; that no gaps in responsibility are present; that no overlapping of authority exists; that well defined systems and procedures are instituted; and that individual staff members know their jobs, know their responsibility and authority, know to whom they are to report and from whom they are to receive instructions.

The CEO/Executive Director will direct agency programs, but will also be an integral part of all program efforts. He/she should assure that all of the agency's programs are reaching their goals. It will also be his/her duty to see that the personnel policies, as set forth in this document, are faithfully adhered to in every respect.

Section Two

Employment Policies

Employment-At-Will

Your employment with PACS is a voluntary one and is subject to termination by you or PACS at will, with or without cause, and with or without notice, at any time. Nothing in this Handbook shall be interpreted to be in conflict with or to eliminate or modify in any way the employment-at-will status of PACS employees. The only exception to this policy is a written employment agreement approved at the discretion of the CEO/Executive Director or the Board of Directors, whichever is applicable.

Equal Employment Opportunity

PACS provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to protected characteristics, including race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, or veteran status. In addition to federal law requirements, PACS complies with applicable state and local laws governing nondiscrimination in employment in every location in which the Agency has facilities. PACS expressly prohibits any form of discrimination or workplace harassment based on protected characteristics..

Affirmative Action and Pay Transparency

Due to its status as a federal contractor, PACS is subject to affirmative action requirements set forth by the federal government. To assure full implementation of this policy, the Agency will take steps to make sure that:

- a. Persons are recruited, hired, assigned, and promoted without regard to race, religion, color, national origin, citizenship, sex, sexual orientation, gender identity, veteran status, uniform service member status, age, disability, or any other legally recognized protected personal characteristics.

- b. Similarly, all other personnel actions, such as compensation, benefits, transfers, layoffs and recall from layoffs, access to training, education, tuition assistance, and social recreation programs are administered without regard to race, religion, color, veteran status, uniform service member status, national origin, citizenship, sex, sexual orientation, gender identity, age, disability, or any other legally recognized protected personal characteristics.
- c. In accordance with its affirmative action plan and consistent with the laws applicable to federal contractors, PACS is committed to employing and advancing the employment of individuals with disabilities and protected veterans.

Further, PACS will not discriminate against an employee or applicant because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by PACS, or (c) consistent with PACS' legal duty to furnish information.

We have appointed Lauren Wilson, HR Director, to take on the responsibility of PACS' EEO coordinator. The EEO coordinator will be responsible for the day-to-day implementation and monitoring of our Affirmative Action Plan. As part of that responsibility, the EEO coordinator will periodically analyze PACS personnel actions and their effects to ensure compliance with our equal employment policy.

If you have any questions about this policy, or would like to review our Affirmative Action Plan, please see the EEO coordinator. The CEO and Board have reviewed and fully endorsed PACS' Affirmative Action and Equal Employment Opportunity program. The policy is available for review by contacting Human Resources.

Americans with Disabilities Act

It is the policy of PACS to comply with all federal, state, and local laws concerning the employment of persons with disabilities. Furthermore, it is the Agency policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. PACS will provide reasonable accommodations to qualified individuals with disabilities unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to PACS. Contact the Human Resources Director with any questions or requests for accommodation.

Reasonable Accommodations

A qualified employee with a disability may be entitled, upon request, to a reasonable accommodation that enables them to perform the essential functions of the job, unless it would pose an undue hardship to the Company and/or poses a direct threat to the health or safety of others in the workplace and/or to the individual. Accommodations may include (but not be limited to) modification of job duties or schedules, and/or the granting of a leave of absence.

The Company will provide reasonable accommodations to female employees for pregnancy, childbirth or related medical conditions, to the extent the accommodation can be made without imposing an undue hardship on the business. When an employee requests a reasonable accommodation, the Company will explore the possible means of providing the reasonable accommodation, which may include, but are not limited to:

- allowing more frequent or longer bathroom breaks;
- providing reasonable break time for an employee to express breast milk;
- acquisition or modification of equipment;
- access to or modification of employee seating;
- assistance with manual labor;
- modifying job duties;
- modifying work hours/schedules;

- temporary transfer to a less strenuous or less hazardous position;
- job restructuring;
- light duty assignments; or
- providing a leave of absence to recover from childbirth.

Where state law contemplates other types of pregnancy related accommodations, the Company will include those considerations.

When an employee requests a reasonable accommodation, we will explore with the employee the possible means of providing the reasonable accommodation. The Company may require the employee to provide a certification in connection with a request for reasonable accommodation. If leave is provided as a reasonable accommodation, such leave may run concurrently with any other leave where permitted by state and federal law.

The Company will also provide reasonable accommodations for religious or cultural reasons as required by federal, state, and/or local law.

If you require an accommodation to perform the essential functions of your job and/or for your religious beliefs or practices, please notify the HR Director. Supervisors who receive requests for accommodation from employees must timely elevate those requests to the HR Director.

Pregnancy Discrimination Act

PACS complies with the provisions of the Pregnancy Discrimination Act (PDA) which prohibits, among other things, discrimination in employment on the basis of women affected by pregnancy or related conditions.

Kentucky Pregnant Workers Act

PACS complies with the Kentucky Pregnant Workers Act, (KPWA), (KRS 344.030 to 344.110), which prohibits employment discrimination in relation to an employee's pregnancy, childbirth, and related medical conditions. In addition, under the KPWA it is unlawful for an employer to fail to make reasonable accommodations for any employee with limitations related to pregnancy, childbirth, or a related medical conditions who requests an accommodation, including but not limited to: (1) the need for more frequent or longer breaks; (2) time off to recover from childbirth; (3) acquisition or modification of equipment; (4) appropriate seating;

(5) temporary transfer to a less strenuous or less hazardous position; (6) job restructuring; (7) light duty; modified work schedule; and (8) private space that is not a bathroom for expressing breast milk.

Temporary Return to Work Program

PACS has implemented a Temporary Return to Work Program which is designed to allow employees with restrictions an opportunity to, whenever possible, continue to contribute to the success of the organization during the recovery process. When operationally possible, the Temporary Return to Work Program provides temporary placement for employees who have been released by their treating healthcare provider(s) to return to work in a limited capacity but are temporarily unable to perform the essential functions of their assigned position. Employees who have been given temporary work assignments must immediately report any changes to the employee's work restrictions and/or work status to the Human Resources Department, and must provide any supporting medical documentation. PACS will re-evaluate temporary work assignments upon changes to the employee's restrictions. Otherwise, PACS will re-evaluate temporary work assignments after a period of [30 days] based upon the employee's ability to perform the essential functions of the employee's assigned position as well as the organization's operational needs at the time. Temporary work assignments do not change the at-will nature of employment. Employees on transitional work assignments remain subject to all applicable employment policies and procedures.

For operational and other safety reasons, employees who hold safety sensitive positions may not be eligible for the Temporary Return to Work Program. Employees who are not eligible for the Temporary Return to Work Program and who are unable to perform the essential functions of their position must utilize FMLA until they are able to perform the essential functions of their position. Employees who are not eligible for or who do not have leave available under the FMLA may utilize the PACS 30-day leave without pay policy. The placement of an employee on a leave of absence is strictly up to management and the Human Resources Department and may not always be available in all situations.

DOT Physicals

All Drivers must successfully complete a pre-employment Department of Transportation (DOT) physical and ongoing physicals as required by the DOT. All Drivers are required to have a valid DOT physical on file at all times. Subsequent physicals will be determined by the DOT physician. Drivers who have been on a medical leave for more than 14 calendar days will be required to complete a DOT physical before returning to work. Drivers who have a change in medical status, such as a new health diagnosis or a change in prescribed medication, may also be subject to an updated DOT physical at the discretion of the Transportation Director and Human Resources.

Policy Against Harassment

We do not tolerate the harassment of applicants, employees, or vendors. Any form of harassment relating to an individual's race; color; religion; national origin; sex; sexual orientation; gender identity; pregnancy, childbirth, or related medical conditions; age; disability or handicap; genetic information; status as a service member or veteran; or any other category protected by federal, state, or local law, is a violation of this policy and will be treated as a disciplinary matter.

Violation of this policy will result in disciplinary action, up to and including immediate termination.

If you have any questions about what constitutes harassing behavior or what conduct is prohibited by this policy, please discuss the questions with Human Resources or one of the contacts listed in this policy. At a minimum, the term "harassment" as used in this policy includes:

- Offensive remarks, comments, jokes, slurs, or verbal conduct pertaining to an individual's race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability; citizenship status; service member or veteran status; or any other category protected by federal, state, or local law;
- Offensive pictures, drawings, photographs, figurines, or other graphic images, conduct, or communications, including e-mail, faxes, and copies pertaining to an individual's race; color; religion; genetic

information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability; citizenship status; service member or veteran status; or any other category protected by federal, state, or local law;

- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved; or
- Offensive physical conduct, including touching and gestures, regardless of the gender of the individuals involved.

We also absolutely prohibit retaliation, which includes: threatening an individual or taking any adverse action against an individual for: (1) reporting a possible violation of this policy or (2) participating in an investigation conducted under this policy.

Our supervisors and managers are covered by this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct. No supervisor or other member of management has the authority to suggest to any applicant or employee that employment or advancement will be affected by the individual entering into (or refusing to enter into) a personal relationship with the supervisor or manager, or for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy.

Even non-employees are covered by this policy. We prohibit harassment, discrimination, or retaliation of our employees in connection with their work by non-employees. Immediately report any harassing or discriminating behavior by non-employees. Any employee who experiences or observes harassment, discrimination, or retaliation should report it using the steps listed below.

If you have any concern that our No Harassment policy may have been violated by anyone, you must immediately report the matter. Due to the serious nature of harassment, discrimination, and retaliation, you must report your concerns to one of the individuals listed below:

1. Discuss any concern with PACS's HR Director.
2. If you are not satisfied after you speak with the HR Director or you feel you cannot speak with the HR Director discuss your concern with PACS's CEO/Executive Director.

You should report any actions that you believe may violate our policy no matter how slight the actions may seem. We cannot resolve a potential policy violation unless we know about it. You are responsible for reporting possible policy violations to us so we can take appropriate actions to address your concerns.

We will investigate the report and take immediate, appropriate remedial action. The Company will protect the confidentiality of employees reporting suspected violations of this or any other Company policy to the extent possible consistent with our investigation.

You will not be penalized or retaliated against for reporting improper conduct, harassment, discrimination, retaliation, or other actions that you believe may violate this policy.

We are serious about enforcing our policy against harassment. Persons who violate this or any other Company policy are subject to discipline, up to and including immediate termination.

Workplace Violence

PACS will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. PACS will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation, PACS may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation. Anyone found to be responsible for threats of or actual violence or other conduct

that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment

Retaliation

No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a good faith complaint of discrimination or harassment.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.
- Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy.

Any person who is found to have violated this aspect of the policy will be subject to disciplinary action up to and including termination of employment.

Whistleblower

In keeping with the policy of maintaining the highest standards of conduct and ethics, PACS will investigate complaints of suspected fraudulent or dishonest use or misuse of its resources or property by staff, board members, consultants, volunteers, or clients. To maintain the highest standards of service, PACS will also investigate complaints concerning its programs and services.

Staff, board members, consultants, volunteers, clients and community members are encouraged to report suspected fraudulent or dishonest conduct or problems with services provided, pursuant to the procedures set forth below. This policy supplements, and does not replace, any procedures required by law, regulation, or funding source requirements

Reporting: A person's concerns about possible fraudulent or dishonest use or misuse of resources or property, or program operation, should be reported to the PACS CEO/Executive Director , Deputy Director, or Human Resources Director (if an employee) or to the Board President (if a board member) or to the PACS CEO/Executive Director (if a volunteer or community member).

Investigation: All relevant matters, including suspected but unproved matters, will be promptly reviewed and analyzed, with documentation of the receipt, retention, investigation, and treatment of the complaint. Appropriate corrective action will be taken, if necessary, and findings may be communicated to the

reporting person and his or her supervisor, if appropriate. Investigations may be conducted by independent persons such as auditors and/or attorneys. Investigators will endeavor to maintain appropriate confidentiality, but confidentiality is not guaranteed.

No Retaliation: No director, officer, employee, volunteer, or client who in good faith reports fraudulent or dishonest use or misuse of its resources or property, or complaints concerning the services it provides and programs PACS runs, shall be subject to harassment, retaliation, or adverse employment or other consequences. An employee who retaliates against someone who has reported a violation in good faith is subject to disciplinary action up to and including termination of employment. This Whistleblower/Complaint Resolution Policy is intended to encourage and enable employees and others to raise serious concerns within the organization prior to seeking resolution outside the organization. The Policy is in addition to any non-retaliation requirements contained in the PACS personnel policies as required by law.

The protection from retaliation is not intended to prohibit supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors. Individuals making complaints must be cautious to avoid baseless allegations; employees who intentionally make false allegations are subject to disciplinary action in accordance with PACS Personnel Policies.

Drug Free Workplace

PACS is committed to maintain a workplace free of illegal drugs. To ensure that the objectives of the drug free workplace are met, the Agency has implemented the following drug screen policy.

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to both Non-DOT and DOT guidelines depending on position where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, will be required to participate in pre-employment drug testing as well as reasonable suspicion drug testing. Transportation employees are subject to pre-employment, random, post-accident, return to duty, follow-up and reasonable suspicion testing upon selection or request of management.

Any employee who tests positive will be terminated immediately.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates 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.

All Transportation employees are required to review and attest to the drug screen policy on an annual basis. All other Agency employees are still subject to the drug-free workplace policy and may review the complete and comprehensive drug screen policy by contacting either the Transportation Director or the Human Resources Director.

Section Three Your Employment at PACS

Employment Classifications

Full-Time Exempt (Salaried): These employees are generally executives, managers or professionals who are exempt from the minimum wage and overtime provisions of state and federal law. Exempt employees receive a set salary regardless of the number of hours worked and perform duties that meet the standards and criteria established under state and federal law by the appropriate departments of labor. Generally, they are eligible for the full benefits package, subject to terms, conditions and limitations of each benefit program.

Full-Time Non-Exempt (Salaried): These employees are generally coordinators, middle-managers, or other administrative staff members that receive a salary rate for a fixed number of hours per week (40 hours). These employees are required to record their work time via timesheets and are eligible for overtime pay for hours worked in excess of 40 hours per week. Generally, they are eligible for the full benefits package, subject to terms, conditions and limitations of each benefit program.

Full-Time Non-Exempt (Hourly): These are employees are eligible for minimum wage and overtime. These employees are paid an hourly wage for their services, as opposed to a fixed salary. Full time employees are expected to work a minimum of 30 hours per week. Generally, they are eligible for the full benefits package, subject to terms, conditions and limitations of each benefit program.

Part-Time – These employees regularly work no more than 20 hours per week. Generally, they are not eligible for benefits or paid leave.

Seasonal – These employees work intermittent schedules based on program need and availability. They are not eligible for any benefits offered by the Agency.

PACS Volunteer – PACS volunteers shall not be considered employees.

Your Pay

The Company is required by law to make certain deductions from your paycheck each time one is prepared. Among these are your federal and state income taxes and your contribution to Social Security, as required by law. These deductions will be itemized on your check stub. The amount of deductions may depend on your earnings and on the information you furnish on your W-4 form regarding the number of dependents/exemptions you claim. Any change in name, address, telephone number, marital status, or number of exemptions must be reported to the HR Director or Payroll Manager immediately, to ensure proper credit for tax purposes. The W-2 form you receive for each prior tax year indicates precisely how much of your earnings were deducted for these purposes.

In the event of an overpayment to an employee, or due to losses or damages, or unauthorized travel expenses incurred by the employee but charged to the Company (i.e. smoking in a non-smoking hotel room, movie charges, upgrading a rental vehicle, damaging a rental vehicle, airline change fees, etc.) the Company reserves the right to make appropriate payroll deductions to recoup the overpayment or expense charges, as permitted by applicable local, state, and federal laws. An employee's written authorization will be required before any deductions are taken for debts owed to the Company.

In the event that the Company receives legal notice to attach and/or garnish wages, that amount will be deducted from an employee's pay. The garnishment will continue as long as it is legally effective.

The Company will not make deductions which are prohibited by the Fair Labor Standards Act or state laws from its exempt employees' pay.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, please contact the HR Director or Payroll Manager. If an error is found, you will receive an immediate adjustment which will be paid no later than on the next regular payday.

Pay Advice Policy

Employees are provided an electronic pay stub for each pay period. It is the employee's responsibility to review their pay stubs for accuracy. Any discrepancies should be reported to Payroll immediately. This includes deductions for benefits, County Employees Retirement System (CERS), and federal taxes. PACS will not be responsible for any employee's CERS omitted payments.

Pay Periods

Pay periods for all employees begin on the 1st and 16th day of the month. Pay days are bi-monthly on the 10th and 25th day of the month. If a pay day falls on a weekend day or Holiday, employees will be paid on the preceding business day.

Work Hours

All non-exempt employees may clock-in **no earlier than 15 minutes prior** to the work day. All full-time employees are expected to work a minimum of 30 hours per week based on a 7.5-hour day. Supervisors may, at their discretion, adjust an employee's work schedule. Part-time employees are limited to 20 hours per week.

Time Keeping

The Human Resources Department in cooperation with the Finance Department will provide and communicate proper procedures for completing timesheets and leave requests. All employees, including exempt employees, are required to submit properly approved time sheets and leave requests on the 1st and 16th day of each month unless otherwise specified.

Absenteeism and Tardiness

If an employee must miss work or be late for any reason, and has not received advanced permission for the absence, the employee must contact his/her supervisor as soon as possible, preferably no later than one hour before the regularly scheduled start time. Excessive tardiness and absenteeism may result in disciplinary action, up to and including termination.

Overtime

The PACS work week begins on Sunday at 12:00am and ends on Saturday at 11:59pm. Any time worked over 40 hours during the work week is considered overtime. Any overtime worked by non-exempt employees must be pre-approved by the employee's supervisor. Supervisors may, at their discretion, adjust a non-exempt employee's regular work schedule to allow for irregular hours such as

evening and week-end events. Supervisors may choose to adjust an employee's schedule, within the same workweek, in order to avoid overtime. Any adjustments to a non-exempt employee's schedule must be made during the same work week. Hours may not be carried over to a new work week as compensatory time in lieu of overtime. Any unauthorized overtime hours worked could be subject to disciplinary action up to and including termination.

Differential Pay Policy

Drivers that work to transport clients to life sustaining appointments on the following days will be paid at 1.5 their normal rates for hours worked on those days.

- Inclement weather days when other offices may be closed due to weather.
- Holidays when Non-Emergency Medical Transportation (NEMT) transports must be transported. This includes Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Day, and New Year's Day.
- Saturdays and Sundays when NEMT transports are scheduled due to the exceptions of NEMT client's trips being moved because of holidays.

If the employee has reached overtime, the differential rate of pay will remain at 1.5 times their normal rate of pay for the hours worked.

Meal Periods and Rest Periods

All non-exempt employees are entitled to one 15-minute paid rest period for every four hours scheduled to work.

In addition, all non-exempt employees scheduled to work at least 6 hours are entitled to one unpaid meal period of no less than 30 minutes. This unpaid meal period is mandatory for all non-exempt employees and the employee must be relieved of all duties during this time. Exempt employees are not required to take a meal period, but are highly encouraged to do so. Non-exempt employees working less than 6 hours may choose to opt out of taking an unpaid meal period.

Compensatory Time

Only exempt employees are eligible to receive compensatory time. Any compensatory time must be approved by the employee's supervisor.

Salary Increases

The CEO/Executive Director shall have the authority to give up to 10% customary yearly increments for staff under his/her supervision without Board approval. Any annual increases above 10% must be approved by the PACS Board of Directors. Such increments shall include, 1) Increments following completion of the first six months for new staff, 2) "Annual" increments consistent with program budgets and allowances, and 3) "Merit" increases as appropriate and feasible.

Performance Appraisals

PACS has implemented a performance appraisal system that is designed to provide an objective measurement of the employee's performance and professional development. Formal meetings are held every June to discuss performance and goals in order to ensure that requirements are being met. Performance appraisals are considered in making compensation decisions, but the results of the appraisal do not necessarily result in a pay increase. Funding sources and other factors may determine any salary adjustments.

Promotions and Transfers

Staff members may apply for any vacant position for which they are qualified. The CEO/Executive Director or his/her designee must approve a promotion. This decision will be based on the staff member's preparation, ability, qualifications, the capacity to assume the responsibilities of the new job, and any other legitimate factor considered by PACS.

The CEO/Executive Director may also approve a transfer of an employee from one job or worksite to another. A transfer may be made at the request of the employee, or the CEO/Executive Director may direct a transfer at any time for any reason. Following transfer, the employee's pay rate will be re-evaluated based on the new job requirements.

Section Four

Employee Benefits

Unemployment

PACS employees are covered by Kentucky's Unemployment Insurance laws. This benefit is designed to pay unemployment compensation to employees who lose their job for reasons other than: 1) misconduct or 2) voluntarily resigning without good cause attributable to the employment.

Social Security

The Agency will pay its required percentage of the Social Security (FICA) deduction, as provided by law. The employee will pay the remainder through mandatory payroll deduction.

Workers Compensation

All employees are covered under the applicable Worker's Compensation Act Insurance paid in total by PACS. To be eligible for worker's compensation benefits, an employee must incur an accidental injury/illness in the course of and arising out of employment, and also be otherwise qualified to receive Worker's Compensation benefits from the Agency. Such compensation benefits are designed to pay medical expenses for on-the-job injury or illness; and pay a portion of the employee's lost wages.

When injured on the job, no matter how slight the injury, the injured employee must immediately report the accident or injury to their supervisor and may be required to seek medical attention. Further, a written report must be prepared by the supervisor and submitted to the Human Resources Director within 24 hours of the accident or injury.

COBRA

PACS complies with the Consolidated Omnibus Budget Reconciliation Act (COBRA). Under some circumstances, employees or family members who are covered under the group health, dental or vision insurance plans will have the right to continue coverage under the group plan for a temporary period even after employment, divorce or various other qualifying events. This coverage must be paid for by the employee or family member.

The Human Resources department can provide further information about the right to continued coverage, and any eligibility requirements.

Agency Approved Benefits

PACS offers group insurance, retirement, and other types of benefits to its employees. PACS may require cost sharing from employees for certain benefits. Employees are permitted to waive participation in the Agency's benefits, except for those mandated by law or regulation. The Human Resources department provides PACS employees with information about benefits for which the employee is eligible. These policies provide general information about the benefits, but insurance and retirement benefits are governed by detailed plan documents and summary plan documents. If the policies conflict with the plan details, the plan documents will supersede.

Kentucky Public Pensions Authority and Retired/Reemployed Employees

Pennyriple Allied Community Services participates in and complies with the County Employees Retirement System (CERS). All eligible employees must contribute a percentage of their gross wages to this system through payroll deduction. This percentage is set by the Kentucky General Assembly. Federal and state taxes are not applied to this amount. The Agency also contributes a percentage set each year by the Kentucky Public Pensions Authority (KPPA). Employees will be eligible for participation in the KPPA on the first day of the month following 60 days of employment. The eligibility period will be waived for new full-time employees with previous KPPA service credit. The eligibility period will be waived for part-time employees that transfer to full-time status on the first day of the month, so long as 60 days of service has been met. Part time employees that work for another participating agency may be required to make contributions to the KPPA.

It is the employee's responsibility to pay any and all employee contributions to KPPA if it is later determined that the employee was eligible for KPPA participation and did not have contributions withheld from their compensation. Refer to <https://kyret.ky.gov> for more information.

Retired and re-employed full-time employees are eligible to participate in the employer sponsored health plan but will be required to pay the difference in premiums when choosing to opt into a more expensive plan. Employees can elect the agency's health insurance benefit and end their KPPA retirement insurance while employed by the agency, or the employee can elect to stay with the KPPA insurance but will be required to reimburse the agency for the difference in premiums when choosing to opt into a more expensive plan.

Participation will require any employee selecting the KPPA retirement insurance (if more costly than the PACS provided insurance) to authorize the monthly difference in premiums to be deducted from their paychecks on a semi-monthly basis for reimbursement to PACS. This reimbursement authorization will be revised annually during our annual employee benefit enrollment period.

Kentucky Deferred Compensation

All full-time employees are eligible to participate in the Kentucky Deferred Compensation program through payroll deduction. This plan is an elective benefit that the Agency provides as a convenience to our employees in cooperation with the Kentucky Deferred Compensation program. Under the plan, employees may elect to have an amount withheld and deposited into their deferred compensation account, which is maintained by the Kentucky Deferred Compensation Authority. Multiple account options are available. Interested employees should see the Human Resources department for more information about enrollment. IRS regulations prescribe the amount that can be withheld annually and the circumstances under which all or part of the monies may be withdrawn.

Medical Insurance

PACS provides medical insurance to all full-time employees in accordance with the Affordable Care Act. In order to be eligible to participate in the plan, employees are required to work a minimum of 30 hours per week. Coverage begins on the first day of the month following the first 60 days of employment. PACS pays a portion of all coverage levels with the cost of insurance being determined during the annual open enrollment period.

Employees who are on Leave without Pay, including Family Medical Leave, must pay for the employee portion of the insurance according to the schedule and deadlines set forth by the Human Resources department, or their coverage will be terminated. The benefits provided and other terms and conditions of coverage are fully explained in the certificate of coverage, which is supplied to the employee by the insurer upon enrollment.

Dental and Vision Insurance

PACS provides dental and vision insurance to all full-time employees. In order to be eligible to participate in the plan, employees are required to work a minimum of 30 hours per week. Coverage begins on the first day of the month following the first 60 days of employment.

PACS pays a portion of all coverage levels with the cost of insurance being determined during the annual open enrollment period. Employees who are on Leave without Pay, including Family Medical Leave, must pay for the employee portion of the insurance according to the schedule and deadlines set forth by the Human Resources department, or their coverage will be terminated. The benefits provided and other terms and conditions of coverage are fully explained in the certificate of coverage, which is supplied to the employee by the insurer upon enrollment.

Life Insurance and Long-Term Disability

PACS provides all full-time employees with life insurance equal to two and a half times the employee's annual salary. Employees may elect to purchase additional voluntary life insurance for themselves, their spouse, and/or their children for an additional cost to be determined by the insurer. A long-term disability plan is also provided to all full-time employees. Coverage begins on the first day of the month following the first 60 days of employment.

Employee Assistance Program

The Employee Assistance Program (EAP) is provided as part of the medical insurance plan. Employees enrolled in the medical plan have access to confidential services such as counseling, legal assistance, financial assistance, dependent care resources, and numerous other services are available at no additional cost to the employee.

Section Five

Employee Leave

Vacation Time: All full-time employees are eligible to receive paid vacation time. Vacation time begins accruing upon employment and may not be utilized within the first 60 days of employment. Vacation time must be authorized by a supervisor and may not be approved if the leave time will affect the Agency's ability to provide continuing services. Excessive use of leave time without prior approval may result in disciplinary action.

Program Directors

0 through 5 years – 10 hours per month
6 through 10 years – 13.33 hours per month

Administrative Employees

0 through 5 years – 8 hours per month
6 through 10 years – 10 hours per month
11 years or more – 13.33 hours per month

Operations Employees

0 through 5 years – 6.67 hours per month
6 through 10 years – 8 hours per month
11 years or more – 10 hours per month

Any accrued but unused vacation time may be carried over. Any accrual in excess of 160 hours (4 weeks) on June 30th will be forfeited.

When conflicts develop, they will be resolved fairly, but as deemed appropriate by management. All other factors being equal, preference will generally be given to the employee who makes the earliest request, but other legitimate factors may be considered, including seniority and the amount of vacation time already taken by the employees involved.

Upon termination of employment, any accrued but unused vacation time will be paid in a lump sum to the employee with a payout cap of 160 hours (4 weeks). Any employee that terminates employment with PACS within their first 6 months of employment will not be paid their accrued vacation time.

Sick Leave: All full-time employees are eligible to receive paid sick time. Sick time begins accruing upon employment and may not be utilized within the first 60 days of employment. Employees are to inform their supervisor as soon as possible when a sick day is needed. Employees may utilize sick time in the event of their own illness, or to provide care or attend doctor's appointments with a sick parent, spouse or child. Sick days in excess of 3 consecutive days will require a doctor's note prior to returning to work.

Full Time Employees
6.67 hours per month

Sick time may be carried over up to 480 hours. Any accrual in excess of 480 hours will be forfeited on July 1. Upon termination, any accrued but unused sick time will be forfeited.

Exempt employees must take leave time in no less than 4-hour increments. Time away from work in smaller increments must still be approved by the exempt employee's supervisor in advance, but should not be recorded.

If an employee is suspected of abusing or falsely claiming sick leave, then a further review of requested sick leave may be warranted. Incorrectly claiming sick leave in lieu of using vacation leave will not be allowed and may result in disciplinary action including possible termination.

Holidays

All full-time employees will receive Holiday pay for the following observed Holidays. If any Holiday falls on a Saturday, the preceding Friday will be observed. If any Holiday falls on a Sunday, the following Monday will be observed. Part-time staff members are not eligible for Holiday pay. Transportation drivers and pertinent transportation staff will observe an abbreviated Holiday schedule. See Differential Pay Policy for additional information on pay for Transportation employees scheduled to work on a Saturday, Sunday or Observed Transportation Holiday. Full Time Employment cannot end on a paid Holiday.

PACS Holidays

New Year's Day
The day after New Year's Day
Martin Luther King Jr. Day
Good Friday
Memorial Day
Juneteenth
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
The Friday after Thanksgiving
Christmas Eve
Christmas Day
The Day after Christmas

Transportation Drivers and Key Staff

New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

Jury Duty

A full-time employee who is required to perform jury duty is required to provide a copy of the jury summons to the HR director. The employee will receive their full pay for the days they are required to serve. Any jury duty earnings must be forfeited to the Agency in order to receive pay for that day.

Leave for Voting

All employees will normally be granted up to four hours of official leave to vote on Election Day. Time off for voting must be pre-approved by the supervisor so as to not affect the Agency's ability to provide continuing services. Additional time may be granted by the CEO/Executive Director or HR Director if an employee must travel an extended distance from their voting precinct.

Bereavement Leave

All full-time employees are eligible to receive up to three days of Bereavement Leave in the event of the death of an immediate family. PACS defines an immediate family member as one of the following:

Father, Mother, Husband, Wife, Son, Daughter, Brother, Sister, Father-in-Law, Mother-in-Law, Brother-in-Law, Sister-in-Law, Son-in-Law, Daughter-in-Law, Grandparent, Grandparents-in-law, Grandchild, Uncle, Aunt, Niece or Nephew. All of these include step or adopted relationships. The CEO/Executive Director may grant Bereavement Leave for extenuating circumstances such as "closer than normal" relationships or extended travel.

Official Leave

Employees may be permitted to take Official Leave to attend meetings, training sessions, and workshops when feasible and upon approval of the employee's supervisor.

Inclement Weather

In the event of inclement weather, the CEO/Executive Director or other designee may decide to alter the workday schedule in order to keep employees and clients safe. This may include remaining closed, opening late, or closing early. All full-time employees will be paid for the full day. Part-time employees will be paid only if they were scheduled to work that day and only for the hours they were scheduled to work. See Differential Pay Policy for additional information on pay for Transportation employees scheduled to work during inclement weather. For all other. Official Leave will be applied in such events.

If the Agency is open but an employee feels it is unsafe to travel to work, he/she may utilize a Vacation day. Otherwise, the absence will be counted as leave without pay.

Administrative Leave: During the course of an investigation, an employee may be placed on Administrative Leave. Administrative Leave is generally unpaid. In the event that an employee is reinstated to his/her position, any and all due wages lost during that Administrative Leave will be back-paid to that employee on the following pay period.

Leave without Pay

Employees must exhaust all available paid leave before leave without pay can be utilized. If absences by an employee exceed accumulated leave, the excess will be treated as leave without pay and requires prior approval. In the event that leave without pay is taken, vacation and sick leave will not accumulate until the employee returns to work. An employee who needs to take extended leave without pay must have prior written authorization from the CEO/Executive Director. Excessive leave without pay may result in disciplinary action. Leave without pay is at PACS' discretion. If the employee is participating in the Agency's health, dental and/or vision insurance plans, the employee must make arrangements to pay the employee's share of health plan premiums while on unpaid leave. Leave without pay is generally limited to 30 calendar days. Leave without pay will not extend beyond 12 weeks in a 12 month period, unless otherwise required by law.

Family Medical Leave Act Policy

The Family and Medical Leave Act ("FMLA") provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. The maximum amount of leave an employee may use is either 12 or 26 weeks within a 12-month period depending on the reasons for the leave.

Employee Eligibility

To be eligible for FMLA leave, you must:

1. have worked at least 12 months for the Agency in the preceding seven years (limited exceptions apply to the seven-year requirement);
2. have worked at least 1,250 hours for the Agency over the preceding 12 months; and

3. currently work at a location where there are at least 50 employees within 75 miles.

All periods of absence from work due to or necessitated by service in the uniformed services are counted in determining FMLA eligibility.

Conditions Triggering Leave

FMLA leave may be taken for the following reasons:

1. birth of a child, or to care for a newly-born child (up to 12 weeks);
2. placement of a child with the employee for adoption or foster care (up to 12 weeks);
3. to care for an immediate family member (employee's spouse, child, or parent) with a serious health condition (up to 12 weeks);
4. because of the employee's serious health condition that makes the employee unable to perform the employee's job (up to 12 weeks);
5. to care for a Covered Service member with a serious injury or illness related to certain types of military service (up to 26 weeks) (see Military-Related FMLA Leave for more details); or,
6. to handle certain qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or call to covered activity duty status in the Uniformed Services (up to 12 weeks) (see Military-Related FMLA Leave for more details).

The maximum amount of leave that may be taken in a 12-month period for all reasons combined is 12 weeks, with one exception. For leave to care for a Covered Service member, the maximum combined leave entitlement is 26 weeks, with leaves for all other reasons constituting no more than 12 of those 26 weeks.

Definitions

A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three full calendar days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic

condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment.

Identifying the 12-Month Period

The Agency measures the 12-month period in which leave is taken by the “rolling” 12-month method, measured backward from the date of any FMLA leave with one exception. For leave to care for a covered service member, the Agency calculates the 12-month period beginning on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

Using Leave

Eligible employees may take FMLA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule when medically necessary for the serious health condition of the employee or immediate family member, or in the case of a covered service member, his or her injury or illness. Eligible employees may also take intermittent or reduced-scheduled leave for military qualifying exigencies. Intermittent leave is not permitted for birth of a child, to care for a newly-born child, or for placement of a child for adoption or foster care. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Agency's operations.

Use of Accrued Paid Leave

Depending on the purpose of your leave request, the Agency may require you to use accrued paid leave (such as sick leave, vacation, or PTO), concurrently with some or all of your FMLA leave.

Maintenance of Health Benefits

If you and/or your family participate in our group health plan, the Agency will maintain coverage during your FMLA leave on the same terms as if you had continued to work. If applicable, you must make arrangements to pay your share of health plan premiums while on leave. In some instances, the Agency may recover premiums it paid to maintain health coverage or other benefits for you and your family. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

Notice and Medical Certification

When seeking FMLA leave, you are required to provide:

1. sufficient information for us to determine if the requested leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. You must also inform the Agency if the requested leave is for a reason for which FMLA leave was previously taken or certified.

If the need for leave is foreseeable, this information must be provided 30 days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the Agency's normal call-in procedures, absent unusual circumstances.

2. medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member within 15 calendar days of the Agency's request to provide the certification (additional time may be permitted in some circumstances). If you fail to do so, we may delay the commencement of your leave, withdraw any designation of FMLA leave or deny the leave, in which case your leave of absence would be treated in accordance with our standard leave of absence and attendance policies, subjecting you to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required;
3. periodic reports as deemed appropriate during the leave regarding your status and intent to return to work; and
4. medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition. The Agency will require

this certification to address whether you can perform the essential functions of your position.

Failure to comply with the foregoing requirements may result in delay or denial of leave, or disciplinary action, up to and including termination.

Employer Responsibilities

To the extent required by law, the Agency will inform employees whether they are eligible under the FMLA. Should an employee be eligible for FMLA leave, the Agency will provide him or her with a notice that specifies any additional information required as well as the employee's rights and responsibilities. If employees are not eligible, the Agency will provide a reason for the ineligibility. The Agency will also inform employees if leave will be designated as FMLA-protected and, to the extent possible, note the amount of leave counted against the employee's leave entitlement. If the Agency determines that the leave is not FMLA-protected, the Agency will notify the employee.

Job Restoration

Upon returning from FMLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

Failure to Return After FMLA Leave

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the Agency's standard leave of absence and attendance policies. This may result in termination if you have no other leave available to you that applies to your continued absence. Likewise, following the conclusion of your FMLA leave, the Agency's obligation to maintain your group health plan benefits ends (subject to any applicable COBRA rights).

Fraud

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

Employers' Compliance with FMLA and Employee's Enforcement Rights

FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

While the Agency encourages employees to bring any concerns or complaints about compliance with FMLA to the attention of the Human Resources Department, FMLA regulations require employers to advise employees that they may file a complaint with the U.S. Department of Labor or bring a private lawsuit against an employer.

Further, FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Military-Related FMLA Leave

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

Definitions

A “covered service member” is either: (1) a current service member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list; or (2) a “covered veteran” who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

A “covered veteran” is an individual who was discharged under conditions other than dishonorable during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition.” For current service members, the term “serious injury or illness” means an injury or illness that was incurred by the member in the line of duty while on active duty

in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service, that may render them medically unfit to perform the duties of their office, grade, rank or rating.

For covered veterans, this term means a serious injury or illness that was incurred in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service and manifested itself before or after the individual assumed veteran status, and is: (1) a continuation of a serious injury or illness that was incurred or aggravated when they were a member of the Armed Forces and rendered them unable to perform the duties of their office, grade, rank or rating; (2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; (3) a physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would be so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

"Qualifying exigencies" include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, parental care, and post-deployment debriefings.

Military Caregiver Leave

Unpaid Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. Military Caregiver Leave is a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period.

To be "eligible" for Military Caregiver Leave, the employee must be a spouse, son, daughter, parent, or next of kin of the covered service member. "Next of kin" means the nearest blood relative of the service member, other than the service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by

court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of Military Caregiver Leave. The employee must also meet all other eligibility standards as set forth within the FMLA Leave policy.

An eligible employee may take up to 26 workweeks of Military Caregiver Leave to care for a covered service member in a “single 12-month period.” The “single 12-month period” begins on the first day leave is taken to care for a covered service member and ends 12 months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust his or her 26 workweeks of Military Caregiver Leave during this “single 12-month period,” the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each service member. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered service member, and/or for each and every serious injury or illness of the same covered service member. A total of no more than 26 workweeks of Military Caregiver Leave, however, may be taken within any “single 12-month period.”

Within the “single 12-month period” described above, an eligible employee may take a combined total of 26 weeks of FMLA leave including up to 12 weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the “single 12-month period,” an eligible employee may take up to 16 weeks of FMLA leave to care for a covered service member when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or covered servicemember and completed by an authorized health care provider within 15 days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and

nothing within this policy should be construed to be inconsistent with those regulations.

Qualifying Exigency Leave

Eligible employees may take unpaid “Qualifying Exigency Leave” to tend to certain “exigencies” arising out of the covered active duty or call to covered active duty status of a “military member” (i.e. the employee’s spouse, son, daughter, or parent). Up to 12 weeks of Qualifying Exigency Leave is available in any 12-month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of Military Caregiver Leave, which is subject to a maximum of 26 weeks of leave in a “single 12-month period”). Although Qualifying Exigency Leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed 12 weeks in any 12-month period (with the exception of Military Caregiver Leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve.

A call to active duty refers to a *federal* call to active duty, and *state* calls to active duty are not covered unless under order of the President of the United States pursuant to certain laws.

Qualifying Exigency Leave is available under the following circumstances:

- (1) Short-notice deployment. To address any issue that arises out of short notice (within seven days or less) of an impending call or order to covered active duty.
- (2) Military events and related activities. To attend any official military ceremony, program, or event related to covered active duty or call to covered active duty status or to attend certain family support or assistance programs and informational briefings.

(3) Childcare and school activities. To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.

(4) Financial and legal arrangements. To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.

(5) Counseling. To attend counseling (by someone other than a health care provider) for the employee, for the military member, or for a child or dependent when necessary as a result of duty under a call or order to covered active duty.

(6) Temporary rest and recuperation. To spend time with a military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to 15 calendar days of leave for each instance of rest and recuperation.

(7) Post-deployment activities. To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following termination of the military member's active duty status. This also encompasses leave to address issues that arise from the death of a military member while on active duty status.

(8) Parental care. To care for the military member's parent who is incapable of self-care. The parent must be the military member's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age.

(9) Mutually agreed leave. Other events that arise from the military member's duty under a call or order to active duty, provided that the Agency and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation in the form of a copy of the military member's active duty or rest and recuperation orders or other military documentation indicating the appropriate military status and the dates of active

duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within 15 days. Qualifying Exigency Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

Limited Nature of This Policy

This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA. The Agency reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law. State or local leave laws may also apply.

Section Six

Agency Policies

Statement of Ethics

We, as community action professionals, dedicate ourselves to eliminating poverty in the midst of plenty in this nation by opening to everyone the opportunity for education and training; the opportunity for work; and the opportunity to live in decency and dignity; and with respect for cultural diversity, commit ourselves to:

- Recognize that the chief function of the community action movement, at all times, is to serve the best interests of the poor, thereby serving the best interests of all people.
- Accept, as a personal duty, the responsibility to keep up to date on emerging issues and to conduct ourselves with professional competence, fairness, impartiality, efficiency, and effectiveness.
- Respect the structure and responsibilities of the Board of Directors, provide them with facts and advice as a basis for their making policy decisions, and uphold and implement policies adopted by the Board of Directors.
- Keep the community informed about issues affecting the poor; facilitate communication by the poor with locally elected public officials and the private sector.
- Conduct our organizational and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion.
- Exercise whatever discretionary authority we have under the law to promote the interests of the poor.
- Lead the community action movement with respect, concern, courtesy, and responsiveness, recognizing that service to the poor is beyond service to oneself.
- Demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all our community action activities in order to inspire confidence and trust in the community action movement.
- Serve in such a way that we do not realize undue personal gain from the performance of our professional duties.

- Avoid any interest or activity that is in conflict with the conduct of official duties.
- Respect and protect privileged information to which we have access in the course of official duties.
- Strive for professional excellence and encourage the professional development of our associates, including those seeking to become certified community action professionals.

Confidentiality

Respecting the privacy of our clients, donors, members, staff, volunteers is a basic value of PACS. Personal and financial information is confidential and should not be disclosed or discussed with anyone without permission or authorization from the CEO/Executive Director . Care shall also be taken to ensure that unauthorized individuals do not overhear any discussion of confidential information and that documents containing confidential information are not left in the open or inadvertently shared.

Employees, volunteers and board members of PACS may be exposed to information which is confidential and/or privileged and proprietary in nature. It is the policy of PACS that such information must be kept confidential both during and after employment or volunteer service. Staff and volunteers, including board members, are expected to return materials containing privileged or confidential information at the time of separation from employment or expiration of service. Unauthorized disclosure of confidential or privileged information is a serious violation of this policy and will subject the person(s) who made the unauthorized disclosure to appropriate discipline, including dismissal or termination.

Nothing in this policy is intended to restrict an employee's statutory rights under the National Labor Relations Act, including limiting employee discussion of wages, hours, or other terms and conditions of employment.

Weapons and Firearms

PACS strives to provide a non-threatening work environment by prohibiting firearms, weapons, explosives, or any other similar device on its premises. Although PACS discourages it, a firearm may be kept in an employee's personal vehicle, so long as that employee is not prohibited from possessing a firearm, but must not be removed from the vehicle for any reason during work hours. Any

person in violation of this policy will be subject to denial of access to or removal from the premises. Should any employee violate this policy, they will be subject to disciplinary action, up to and including termination.

Dress Code

PACS strives to create a **positive professional agency image** within the area and professions it serves. Acceptance as a peer with other human service agencies requires high personal and professional standards of appearance.

(1) Employees may not wear inappropriate dress for a professional environment.

First and

lasting impressions develop when employees are presented to the community they serve.

PACS employees shall be aware of their professional and agency image and always present themselves well-groomed and neatly dressed. PACS stresses that staff not be burdened with undue clothing expense or variety, but they shall assure that their clothing and appearance meet reasonable and customary standards for their profession, job, responsibility, setting, and peers.

(2) PACS dress code and grooming policy includes:

- Maintaining good personal hygiene (bathed, clean, well groomed)
- Maintaining tasteful beards, which are permissible
- Maintaining hair appropriately trimmed (safe — as when one works around power equipment — and professional looking according to the staff position held)

and neatly

maintained.

- Wearing properly fitted and repaired clothing
- Wearing proper and appropriate underclothing
- Shorts and skirts may be no more than 3 inches above the knee
- Gym shorts and short shorts are not permitted
- Shirts may not expose one's abdomen, back or chest below the neckline
- Choosing and wearing appropriate shoes consistent with position responsibilities,

"Flip-flops" are unacceptable. Acceptable shoes are those polished and in good

repair. When required by the contract or job duties safety shoes will be required.

- If wearing make-up and jewelry, doing so conservatively and tastefully
- Dressing professionally (under- and over-dressing can be equally distracting).
- No clothing that is torn or ragged will be allowed.

(5) Inappropriate professional dress for **all work days** other than officially designated "jean

Friday" days (see paragraph 8 below) shall include (*but not be limited to*):

- Jeans or painters pants (Due to the nature of their work, custodians, bus/van drivers, maintenance workers, weatherization crew workers, security, and delivery personnel may be excluded from this provision.)
- Tee-shirts/tank tops as outerwear.
- Sweat pants or sweat shirts

(6) All PACS employees are asked to dress appropriately for particular work situations. The

dress code shall be flexible concerning employees during designated periods. For example, Drivers or Weatherization crews may wear jeans or shorts when appropriate for designated planning or external work duties days or workdays as determined by the supervisor especially during the heat extremes of the summer. **NO ONE WILL BE ALLOWED** to wear shorts that are unprofessional or too short as determined by their supervisor, Human Resources Director, or the Executive Director. Such clothing is inappropriate and unacceptable for professional trainings, in-office and client related meetings. The dress code for PACS employees may be modified in accordance with local county offices whereby PACS staff is housed for respective counties *with the Executive Director's approval*. **Unless otherwise instructed this dress code exception (wearing of shorts) will be only from Memorial Day until Labor Day of each year.**

(7) Employees who violate the dress code may be disciplined including possible termination.

(8) "Jean Fridays." At the discretion of the Executive Director, certain work days may be designated as "Jean Friday" day on which wearing more casual attire is allowed. Employees, still, should understand what is and is not acceptable and dress accordingly.

Technology Usage

PACS has established the following guidelines for employee use of the Agency's technology and communications networks, including the Internet and e-mail, in an appropriate, ethical and professional manner.

1. All technology provided by PACS including computer systems, communications networks, Agency-related work records and other information stored electronically, is the property of the Agency and not the employee. In general, use of the Agency's technology systems and electronic communications should be job-related and not for personal convenience.
2. Employees may not use PACS Internet, e-mail or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing or pornographic nature. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference may be transmitted. Harassment of any kind is prohibited.
3. Abusive, profane or offensive language; materials that might adversely or negatively reflect on PACS or be contrary to its legitimate business interests; and any illegal activities—including piracy, cracking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the Internet or e-mail—are forbidden.
4. Employees may not use the system in a way that disrupts its use by others. This includes sending or receiving excessive numbers of large files and "spamming" (sending e-mail to thousands of users.)
5. To prevent contamination of PACS technology and communications equipment and systems by harmful computer viruses, downloaded files should be checked for possible infection through the IT department. Also, given that many browser add-on packages (called "plug-ins") may not be compatible with other programs and may cause problems for the systems, downloading plug-ins is prohibited without prior permission from IT.
6. Every employee of PACS is responsible for the content of all text, audio or image files that he or she places or sends over the Agency's Internet and e-

mail systems. No e-mail or other electronic communications may be sent that hide the identity of the sender or represent the sender as someone else. PACS identity is attached to all outgoing e-mail communications, which should reflect corporate values and appropriate workplace language and conduct.

7. E-mail and other electronic communications transmitted by PACS equipment, systems and networks are not private or confidential, and they are the property of the Agency. Therefore, PACS reserves the right to examine, monitor and regulate e-mail and other electronic communications, directories, files and all other content, including Internet use, transmitted by or stored in its technology systems, whether onsite or offsite.
8. Internal and external e-mail, voice mail, and text messages are considered business records and may be subject to discovery in the event of litigation. Employees must be aware of this possibility when communicating electronically within and outside the Agency.

All Agency-supplied technology, including computer systems, equipment and Agency-related work records, belongs to PACS and not to the employee user. Employees understand the Agency routinely monitors use patterns, and employees should observe appropriate workplace discretion in their use and maintenance of such Agency property.

Because all the computer systems and software, as well as e-mail and Internet connections, are the property of PACS, all Agency policies apply to their use and are in effect at all times. Any employee who abuses the Agency-provided access to e-mail, the Internet, or other electronic communications or networks, including social media, may be denied future access, and, if appropriate, be subject to disciplinary action up to and including termination, within the limitations of any applicable federal, state or local laws.

Nothing in this policy should be construed to limit employees in engaging in protected concerted activity for their mutual aid or protection.

Social Media

“Social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Company.

You are more likely to resolve work related complaints by speaking directly with your co-workers or by utilizing our open door policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as maliciously false, obscene, threatening or intimidating, that defames clients, competitors, vendors or employees or that might constitute harassment or bullying. Examples of such conduct might include posts meant to put someone in fear for their physical safety or psychological well-being; posts designed to cast someone in a false light to the public; posts that invade a person's reasonable expectation of privacy; or posts that could contribute to a hostile work environment on the basis of race, age, sex, national origin, color, disability, religion or other status protected by federal, state or local law.

Make sure you are always truthful and accurate when posting information or news. If you make a mistake, correct it quickly. Be open about any previous posts you have altered. Use privacy settings when appropriate. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. The Internet is immediate; nothing that is posted ever truly "expires." Never post any information or rumors that you know to be false about the Company, fellow employees, clients, and people working on behalf of the Company or competitors.

Do not create a link from your blog, website or other social networking site to the Company's website without identifying yourself as a Company employee. Express only *your* personal opinions. Never represent yourself as a spokesperson for the Company or make knowingly false representations about your credentials or your work. If the Company is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Company. It is best to include a statement such as "The postings on this site are my own and do not necessarily reflect the views of the Company." You must refrain from using social media while on working time unless it is for approved business related activities.

Carefully read the PACS Statement of Ethics Policy, Confidentiality Policy and the Discrimination & Harassment Prevention Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar

inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

This policy will not be construed or enforced in conflict with an employee's Section 7 rights under the National Labor Relations Act.

Tobacco Free Workplace

Because we recognize the hazards caused by exposure to environmental tobacco smoke, it shall be the policy of PACS to provide a smoke-free environment for all employees and visitors. This policy covers the smoking of any tobacco product, including oral tobacco products or "spit" tobacco, and electronic cigarettes.

Tobacco-Free Areas

All areas of the workplace are tobacco-free without exception. Tobacco use, including the use of spit tobacco and electronic cigarettes, is not permitted anywhere in the workplace, including all indoor facilities, Agency vehicles, outdoor areas, outdoor break areas, sidewalks, and parking lots. Smoking is permitted in the employee's personal vehicle only, and only during approved breaks and meal periods.

Compliance

Employees are not required to quit smoking. Employees are still permitted to smoke, but must do so in the designated smoking area. Employees may only smoke during the scheduled meal/rest period. Compliance with the smoke-free workplace policy is mandatory for all employees and persons with no exceptions. Employees who violate this policy are subject to disciplinary action.

Employee Dating Policy

PACS strongly believes that a work environment where employees maintain clear boundaries between employee personal and business interactions is necessary for effective business operations. Although this policy does not prevent the development of friendships or romantic relationships between co-workers, it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

Individuals in supervisory or managerial roles, and those with authority over others' terms and conditions of employment, are subject to more stringent

requirements under this policy due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions.

This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

Procedures

1. Employees are expected to conduct themselves in an appropriate workplace manner that does not interfere with others or with overall productivity.
2. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on company premises, whether during working hours or not.
3. Employees who allow personal relationships with co-workers to adversely affect the work environment will be subject to the Agency's disciplinary policy, including counseling for minor problems. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
4. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.
5. Any supervisor, manager, executive or other company official in a sensitive or influential position with PACS must disclose the existence of a romantic or sexual relationship with another co-worker. Disclosure may be made to the individual's immediate supervisor or the director of human resources (HR). The supervisor in partnership with HR will review the circumstances to determine whether any conflict of interest exists.

6. When a conflict-of-interest or potential risk is identified due to a company official's relationship with a co-worker, PACS will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure the parties no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage. In some cases, other measures may be necessary, such as transfer of one or both parties to other positions or departments. If one or both parties refuse to accept a reasonable solution, such refusal will be deemed a voluntary resignation.
7. Failure to cooperate with PACS to resolve a conflict or problem caused by a romantic or sexual relationship between co-workers or among managers, supervisors or others in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.
8. The provisions of this policy apply regardless of the sexual orientation of the parties involved.
9. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments based on the overall spirit and intent of this policy.
10. Any concerns about the administration of this policy should be addressed to the Executive Director.

Travel Policy

Based on revised guidance for our federal grants and being under the revised OMB Federal Circular we will follow the federal guidelines for travel reimbursements where permissible. For those programs where we are still limited under the 200 KAR 2:006 we will charge the difference in allowable travel expense to the appropriate program's nonfederal funds account or agency nonfederal funds account to provide equal reimbursement to all employees required to travel on behalf of PACS. All employees requesting travel reimbursement must

also include on their Office 365 (or other calendar system approved by PACS) any travel reimbursement requested. This will allow supervisors to verify travel as requested. Failure to include travel on the appropriate calendar system may result in any requested travel reimbursement being denied. See Finance Department for Full Travel Policy and instructions for reimbursement.

Section Seven

Employment Limitations

Nepotism

No person shall hold a job while he/she or a member of his/her immediate family serves on the Board of Directors for the Agency. Family members shall be allowed to work for the Agency, but may not have a supervisor-supervisee relationship.

Conflicts of Interest

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative of that employee as a result of the Agency's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. "Relative" in this context may mean father, mother, child, siblings, spouse, grandparent, grandchild, in-law, or any individual who makes her/his home with an employee.

If an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose these influences to PACS as soon as possible so that safeguards can be established to protect all parties.

Personal gain is defined as an advantage or benefit that results from an employee or relative having a significant ownership in a firm with which the Agency does business, or when an employee or relative receives a kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving PACS.

Any conflict of interest, or potential conflict of interest, must be disclosed by the employee at the time of hire and as they occur during employment. The

employee, volunteer, or client may be required to sign a disclosure statement regarding any potential or known conflicts of interest.

Political Activity

PACS abides by the federal Hatch Act that prohibits the use of federally funded materials, supplies, and personnel from being used in either partisan or non-partisan political activities. The Hatch Act prohibits employees from:

1. Using their official authority or influence for the purpose of interfering with or affecting the results of an election or nomination for office.
2. Directly or indirectly coercing, attempting to coerce, commanding, or advising a state or local employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes.
3. Running as a candidate for public office in a partisan election.

PACS employees may not do the following while at work:

- Campaign for any candidate for political office or referendum, or use any PACS facility, equipment, or material for that purpose.
- Transport voters to polls or offer assistance in an election with the exception of Transportation employees that have been dispatched to do so in accordance with program guidelines
- Participate in any voter registration activities.
- Make campaign speeches for a political office or referendum.
- Distribute materials, flyers, buttons, etc. related to an election for political office or referendum.
- Collect political contributions or other political funds.
- Express opinions or campaign for the purpose of influencing the outcome of an election for political office or referendum.

Solicitation and Distribution

Solicitation

The Company believes employees should have a work environment free from interruptions of a non-work-related nature. When working, you should focus on your duties and not engage in activities that would interfere with your own work or the work of others. For the purpose of this policy, solicitation includes a request for time, money, or other resources from one individual or group to another individual or group of individuals that is presented either verbally, electronically, in writing, or by telephone. Solicitation includes activities such as requests for signatures, contributions for charities, requests for donations, support of political activities, memberships, subscriptions, sports pools, lotteries, and invitations to purchase merchandise, products, or services. Such interruptions can be both detrimental to the quality of work and efficiency and may not be respectful of other's job responsibilities and the right to not be interrupted.

Solicitation by employees is prohibited when the person soliciting or the person being solicited is on working time. Working time is the time employees are expected to be working and does not include breaks, meals, before the shift starts, and after the shift ends.

Distribution

Distribution is the dissemination of information by print, voice, or electronic means. Distribution of any type (materials, goods, etc.) is prohibited in work areas at any time, whether or not the employee is on working time. Working areas do not include the lunchroom, break rooms, or parking areas. Non-employees are prohibited from distributing materials to employees on Company premises at any time. Inappropriate literature is prohibited, e.g. literature that violates the Company's no-harassment policy; items of a knowingly false or defamatory nature, items that include threats of violence, unprotected literature of a political nature that is highly inflammatory and likely to disrupt work or safety. The Company maintains bulletin boards at various locations throughout our facilities and/or client facilities as an important information source. These bulletin boards are to be used solely for Company announcements and government postings.

Nothing in this policy is intended to restrict an employee's statutory rights under the National Labor Relations Act, including limiting employee discussion of wages, hours, or other terms and conditions of employment.

Gifts and Gratuities

Employees shall not accept gratuities or gifts from clients, suppliers, vendors or other parties who conduct business with PACS if the gratuity or gift is valued at \$50.00 or more, or may be reasonably assumed to have sufficient value to influence a business decision. Some appropriate gifts may include, but are not limited to, coffee cups, holiday gift baskets, pens, notepads, etc. Where there is doubt on the appropriateness of the gift, the employee shall either decline the gift or discuss the matter with his/her supervisor.

Outside Employment

Employees are permitted to engage in outside work or hold other jobs, subject to certain restrictions based on reasonable business concerns.

PACS applies this policy consistently and non-discriminatorily to all employees, and in compliance with all applicable employment and labor laws and regulations. The following rules for outside employment apply to all employees notifying their supervisors or managers of their intent to engage in outside employment:

1. Work-related activities and conduct away from PACS must not compete with, conflict with or compromise the Agency's interests or adversely affect job performance and the ability to fulfill all responsibilities to PACS. Employees are prohibited from performing any services for clients of PACS that are normally performed by PACS. This prohibition also extends to the unauthorized use of any Agency tools or equipment and the unauthorized use or application of any Agency confidential information. In addition, employees may not solicit or conduct any outside business during work time for PACS.
2. PACS employees must carefully consider the demands that additional work activity will create before 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 causes or contributes to job-related problems at the employee will be asked to discontinue the outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related problem(s).
3. In evaluating the effect that outside work may have on an employee's job performance and other job-related responsibilities, the PACS CEO/Executive Director , Human Resources Director, or Program Director will consider

whether the proposed employment would adversely affect the Agency's image.

4. Employees who have accepted outside employment may not use paid sick leave to perform work on the outside job.
5. Fraudulent use of Agency sick leave or an employee's refusal to discontinue outside employment after being requested to do so by his or her department head or the human resource department will result in disciplinary action up to and including termination of employment.

Section Eight

Corrective Action and Employment Separation

Corrective Action

When performance issues, unsatisfactory job performance, misconduct, or unacceptable behavior are identified, management may use a variety of means to seek corrective action including but not limited to:

- Coaching Sessions
- Verbal Warning
- Written Warning
- Performance Improvement Plan
- Administrative Leave
- Termination

These disciplinary measures are set forth as an illustration of measures that PACS may use to remedy an employee's performance or behavior, but they do not constitute a progressive process. If an employee commits an especially egregious act, PACS may dismiss that employee immediately. Any formal discipline record or corrective action plan must have approval from the Human Resources Director prior to presenting the document to the employee.

The following are examples that may lead to corrective action. The list is an illustration and is in no means exhaustive:

- Excessive absenteeism or tardiness.
- Failing to work in a professional and cooperative manner with superiors, co-workers, clients or other members of the public.

- Negligence, whether willful or unintentional as it relates to policies, procedures, and work performance.
- Breach of confidentiality.
- Being discourteous or disrespectful to a client, vendor or any member of the public while working;
- Refusing to follow lawful instructions given by a member of management;
- Falsification of records or documents.
- Carelessness or improper conduct leading to damage to property.
- Violation of any PACS policy or directive.
- Theft or dishonesty.
- Working under the influence of alcohol or illegal or non-prescribed drugs.
- Sexual harassment or other forms of unlawful harassment, discrimination, or retaliation;
- Possession of dangerous or unauthorized materials, such as explosives, knives, firearms, etc., inside the workplace;
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace while on duty, or while operating vehicles or equipment in connection with PACS business.
- Fighting or threatening violence in the workplace or related work activities.
- Violation of safety or health rules (including horse play).
- Engaging in criminal conduct.
- Violations of Agency policies, this Handbook, contract requirements or any applicable law, rule or regulation.

Involuntary Termination

In order to ensure uniform and consistent procedures for employee terminations, PACS has established rules applicable to all such terminations.

All involuntary terminations must be approved by the CEO/Executive Director , coordinated with Human Resources, and processed in accordance with the provisions outlined in this policy. Should a manager be present when serious misconduct occurs, he/she may immediately suspend the employee, pending an investigation and notification to Human Resources.

When practical, employees will be warned and counseled. However, failure to correct behavior or further violation of Agency policy may result in additional

disciplinary action, up to and including termination. Depending on the nature of the offense, PACS reserves the right to terminate any employee without warning.

The employee's manager must communicate the termination to Human Resources in writing, preferably prior to the termination. This is to ensure that the employee is terminated in a uniform and consistent manner from all appropriate systems, that PACS property is reclaimed, and that the employee's final paycheck is paid in accordance with state and federal laws and regulations, etc.

Any earned but unused Vacation time will be paid in accordance with the PACS paid leave policy. All Agency-sponsored benefits will terminate the last day of the month in which the termination becomes effective, unless otherwise noted in a written separation agreement.

Voluntary Resignation

If separation from employment is voluntary, employees are asked to give at least two weeks' written notice of resignation. Upon submission of the resignation, employees will not be permitted to utilize sick or vacation time. Employees may not end their employment on a paid Holiday. Three consecutive work days of no-call/no-show is considered voluntary job abandonment.

Reductions in Force

A RIF decision requires an evaluation of the need for particular positions as well as available funding sources to determine if PACS can continue to provide services with a reduced work force. At times, non-renewed contracts may also result in a RIF. Determining the retention or separation of an employee includes an evaluation of the relative skills, knowledge and productivity of the employee in comparison to necessary services. Length of service and other factors are also considered but receive less weight in the determination. Other restraints as imposed by law or funding sources will also be considered.

Problem Solving Procedure

Employees, please note: Due to the serious nature of harassment, discrimination, and retaliation, you must voice your concerns or complaints about such behavior to the individuals listed in the previous section of this Handbook, entitled Policy Against Harassment. All other work-related complaints, problems, and grievances must be reported in the manner outlined below.

Most of us have had a question or problem concerning our job at one time or another. If there is something about your job that is bothering you, let's get it

out in the open and discuss it. We cannot answer your question or solve your problem unless you tell us about it.

Our “Problem-Solving Procedure” offers all employees the freedom to discuss anything they wish with the Company. You should follow the procedure below if you believe that a Company policy may have been violated. Whenever you have a problem, it usually can be resolved by following these steps:

1. First, discuss any concern with your direct supervisor.
2. If you are not satisfied after you speak with your direct supervisor, or if you feel that you cannot speak to your, direct supervisor speak to the HR Director.
3. If you are not satisfied after you speak with the HR Director, or if you feel that you cannot speak to the HR Director, speak to the CEO/President.

After discussing the matter with you and conducting an appropriate investigation, we will take prompt, appropriate remedial action. When you inform us of a concern or problem, we will try to answer you as soon as practical under the circumstances.

Amendments

These policies may be amended by a majority vote of the Board of Directors at a meeting where a quorum is present. PACS has the right to make and enforce new rules, change, abolish or modify existing rules, policies, procedures or benefits, as it may deem necessary or advisable.

Conclusion

Thank you for taking the time to read this Handbook. This Handbook has been prepared with the intent of anticipating many questions employees may have about their rights and responsibilities. If you have any questions about the contents of the Handbook, you are encouraged to discuss them with your Supervisor or Human Resources.

The mission of Pennyrile Allied Community Services is “**Empowering low-income individuals to become self-reliant through community service, assistance, education, and partnerships**”. As a member of the PACS team, you play a critical role in upholding and carrying out this mission. Welcome!

